

AGENDA

Committee Administrator: Democratic Services Officer (01609 767015)

Monday, 9 December 2019

Dear Councillor

NOTICE OF MEETING

Meeting **COUNCIL**
Date **Tuesday, 17 December 2019**
Time **2.00 pm**
Venue **Maple Suite 2, Allerton Court Hotel, Darlington Road, Northallerton, DL6 2XF**

Yours sincerely

J. Ives.

Dr Justin Ives
Chief Executive

To: All Members of Hambleton District Council

AGENDA

Page No

1. MINUTES 1 - 4
To confirm the minutes of the meeting held on 17 September 2019 (C.17 - C.21), attached.
2. APOLOGIES FOR ABSENCE
3. ANNOUNCEMENTS BY THE CHAIRMAN OR CHIEF EXECUTIVE
4. STATEMENT OF THE LEADER AND REFERRALS FROM CABINET 5 - 18

<u>Date of Meeting</u>	<u>Minute Nos</u>
8 October 2019	CA.21
5 November 2019	CA.24 to CA.26
3 December 2019	CA.31 to CA.36
5. CABINET PORTFOLIO STATEMENTS
 - a) Statement from the Portfolio Holder for Economic Development and Finance 19 - 20
 - b) Statement from the Portfolio Holder for Leisure 21 - 22
 - c) Statement from the Portfolio Holder for Governance 23 - 24
 - d) Statement from the Portfolio Holder for Planning 25 - 26
 - e) Statement from the Portfolio Holder for Environmental Health, Waste and Recycling 27 - 28
6. REFERRAL FROM THE AUDIT, GOVERNANCE AND STANDARDS COMMITTEE 29 - 30

<u>Date of Meeting</u>	<u>Minute Nos</u>
22 October 2019	AGS.14 to AGS.15
7. REFERRAL FROM THE LICENSING COMMITTEE 31 - 32

<u>Date of Meeting</u>	<u>Minute Nos</u>
26 November 2019	LC.9 to LC.10
8. QUESTION TIME
None received.
9. NOTICE OF MOTION
To be moved by Councillor Mark Robson and seconded by Councillor Peter Wilkinson:
Friarage Hospital
"Hambleton District Council would urge in the strongest possible terms that South Tees Hospitals HNS Foundation Trust take all possible steps to secure the long term future of the Northallerton Friarage Hospital."
10. APPOINTMENT TO COMMITTEES 33 - 34
Report of the Chief Executive.

Agenda Item 1

Minutes of the meeting of the COUNCIL held at
2.15 pm on Tuesday, 17th September, 2019 at
Council Chamber, Civic Centre, Stone Cross,
Rotary Way, Northallerton, DL6 2UU

Present

Councillor K G Hardisty (in the Chair)

Councillor	P Atkin	Councillor	Mrs J W Mortimer
	P Bardon		B Phillips
	M A Barningham		G Ramsden
	G W Dadd		A Robinson
	C A Dickinson		M S Robson
	D B Elders		Mrs I Sanderson
	Mrs B S Fortune		M Taylor
	B Griffiths		P Thompson
	R W Hudson		A Wake
	D Hugill		D Watkins
	R Kirk		S Watson
	N A Knapton		D A Webster
	C A Les		P R Wilkinson

Also in Attendance

Honorary	A W Barker	Honorary	Mrs J Imeson, OBE
Alderman	J E Fletcher	Alderman	J N Smith

An apology for absence was received from Councillor J Noone

C.17 **MINUTES**

THE DECISION:

That the minutes of the meeting held on 16 July 2019 (C.7 - C.14), previously circulated, be signed as a correct record.

C.18 **ANNOUNCEMENTS BY THE CHAIRMAN - LONG SERVICE AWARD**

The Chairman presented an award to former Councillor R A Baker for completing 20 years' service as an elected member on the Council.

C.19 **VERBAL STATEMENT OF THE LEADER AND REFERRALS FROM CABINET**

The Leader moved Cabinet minutes CA.11 – CA.18 and made a statement to the Council on the following:-

- the UCI World Championships on 25 September 2019;

- the Leader announced the location of the Crematorium which would be on land to the West of Busby Stoop roundabout;
- the Leader expressed disappointment in the recent newspaper article regarding the Broadacres Loan. This loan would see the Council receive £1.6million per year which would help continue to provide frontline services to the residents of the District; and
- the Leader also expressed extreme disappointment regarding the recent press article following a meeting of the District Council's Scrutiny Committee regarding recycling. The Leader stated that the negative comments could have a detrimental effect on the District Council's recycling rates and did not reflect the good work of the residents in the District. The Leader had expressed his concerns to the newspapers concerned.

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	3 September 2019	CA.11 – CA.18

C.20 **CABINET PORTFOLIO STATEMENTS**

- (a) Councillor P R Wilkinson, Portfolio Holder for Economic Development and Finance made a statement regarding Business Support and Development; Vibrant Market Towns; 2019/20 Quarter 1 Revenue position, Capital Programme and Treasury Management; Commercial Property Portfolio and the Council Tax Reduction Scheme. Councillor Wilkinson reported that the District Council had also recently received a further £225,000 grant funding from the Future High Street Fund.
- (b) Councillor Mrs B S Fortune, Portfolio Holder for Leisure made a statement regarding the UCI World Championships; Festival of Fitness; ZEST mobile app and the Leisure Centre Quest success. Councillor Mrs Fortune also wished to commend Joe McKechnie, the District Council's Inclusive Sports Officer, for the recent radio interview he gave to Radio York highlighting the services that Hambleton provides to those less abled residents within the District to enable them to participate in sport and leisure activities.
- (c) Councillor Mrs I Sanderson, Portfolio Holder for Governance made a statement regarding a Communications review; Legal work; the car park improvements scheme and the Revenues and Benefits department office space.
- (d) Councillor D Webster, Portfolio Holder for Planning made a statement regarding the Local Plan; the Planning Service Review and the Homelessness Prevention Service. It was requested that a copy of a recently published document on the Gypsy and Traveller Sites - impact of the revised definition be circulated to Members.

- (e) Councillor S Watson, Portfolio Holder for Environmental Health, Waste and Recycling made a statement regarding Waste and Street Scene; Carbon Reduction; Environmental Health and the EU exit. Councillor Watson also expressed concern regarding the recent newspaper article regarding recycling. He stated that the District Council is a responsible Council that does dispose of waste correctly and that the Council has an excellent recycling rate being ranked 100 out of 345 local authorities. A question was also asked regarding the purchase of additional CCTV cameras which was responded to at the meeting.

C.21 **REVIEW OF POLLING DISTRICT AND POLLING PLACES - RESULT OF CONSULTATION**

All Wards

The subject of the decision:

On 16 July 2019 the Council published a notice of review of polling districts and polling places within the Hambleton district. This report set out the feedback received in response to the consultation carried out as part of the review and sought approval of the changes to polling districts and polling places as set out in Annex A of the report.

Councillor A Robinson informed Council that, since the publication of the report, Bagby Church Hall had closed.

THE DECISION:

That having considered the consultation responses and having concluded that the polling districts and polling places meet the reasonable requirements of electors in the constituency, and takes sufficient account of disabled access to polling stations, the Council:-

- (1) approves the polling districts and polling places as detailed in Annex A of the report; and
- (2) authorises the Director of Law and Governance to take all necessary steps to ensure the Council complies with its statutory obligations when publishing the outcome of the review.

The meeting closed at 2.45 pm

Chairman of the Council

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Hambleton District Council : Council Meeting : 17 December 2019

Leaders Statement

Since the elections in May and the publication of our new Council Plan in September, I would like to take the opportunity to reflect on projects throughout the District that have been delivered over the last 12 months, or continue to be delivered.

Stokesley

- The transfer of the cobbles is currently with our Legal team, with completion anticipated for early in the New Year;
- £700,000 is being invested in sports and leisure facilities, including the sports hall and 3G pitch. The flooring, redecoration and installation of new gym equipment should be completed by Christmas.

Easingwold

- We continue to assist the Town Council with their car park review;
- £650,000 is being invested in the sports hall and 3G pitch prior to handing over the Galtres Centre for use by the community.

Thirsk and Sowerby

- The purchase of the Lambert Hospital is complete with the transfer to Herriot Hospice expected in the New Year;
- £1.7m has been invested in the new Sports Village including the creation of football pitches, allotments and a running track;
- Members will be consulted in the New Year regarding a major refurbishment of the Leisure Centre;

- Land has been identified for a Crematorium site and Members have had an opportunity to visit the site and consider two design options. A further seminar will be arranged in late January prior to a planning application being submitted.

Northallerton

- Treadmills Phase 1 is well under construction with the first retail units expected to open June 2020;
- £150,000 has been awarded for the Future High Streets Fund to work up “shovel ready” projects with options to tap into further funding totalling £1billion;
- World-wide visitors and TV coverage in September when the town hosted the start of the UCI Elite Men’s Time Trial.

Bedale

- Consultations will be arranged with Ward Members during the early part of 2020 regarding the delivery of future new projects in the Bedale area;
- Hosting the finish of the Tour de Yorkshire in May which brought a significant focus for the town and Hambleton as a whole.

These are exciting as well as challenging times for this Authority; however, we will continue to provide excellent value and services to all our businesses and residents.

Finally, I’d like to thank all officers and Members for their continued support throughout 2019 and to wish everyone all the very best for Christmas and the New Year.



**Decisions to be considered by
Full Council on 17 December 2019**

Decisions of the meeting of the CABINET held
at 9.30 am on Tuesday, 8th October, 2019 at
the COUNCIL CHAMBER, CIVIC CENTRE,
STONE CROSS, ROTARY WAY,
NORTHALLERTON, DL6 2UU

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	G Ramsden
	J Noone		A Wake

CA.21 **STOKESLEY - LEISURE IMPROVEMENTS**

Stokesley Ward

The subject of the decision:

This report outlined the planned approach to proposed improvements at sports facilities in Stokesley and requested some additional capital finance to support these.

Alternative options considered:

Cabinet considered the proposed sports facility improvements as set out in Annex A of the report.

The reason for the decision:

Cabinet was satisfied that the proposed improvements supported the Council's key project within the Council Plan under the Health and Wellbeing priority theme.

THE DECISION:

That Cabinet approves and recommends to Council that:-

- (1) the planned approach to investment at Stokesley for sports and physical activity improvements highlighted within the report; and
- (2) that £98,000 is allocated from the Capital Programme to improve the health and fitness facilities at Stokesley Leisure Centre.

The meeting closed at 9.40 am

Leader of the Council

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**Decisions to be considered by
Full Council on 17 December 2019**

Decisions of the meeting of the CABINET held
at 9.30 am on Tuesday, 5th November, 2019 at
the COUNCIL CHAMBER, CIVIC CENTRE,
STONE CROSS, ROTARY WAY,
NORTHALLERTON, DL6 2UU

Present

Councillor M S Robson (in the Chair)

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

Councillor	P Bardon M A Barningham B Griffiths K G Hardisty	Councillor	J Noone G Ramsden M Taylor D B Elders
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CA.24 **COMMUNICATIONS STRATEGY**

All Wards

The subject of the decision:

This report provided an overview of the recent activities in response to the January 2019 LGA Peer Review of Communications and sought approval to implement a corporate Communications Strategy and supporting recommendations.

Alternative options considered:

None.

The reason for the decision:

Cabinet was satisfied that the recommendations supported the outcomes of the 2019 peer review.

THE DECISION:

That Cabinet approves and recommends to Council the strategic approach to communications as set out in the HDC Communications Strategy Paper attached at Annex A of the report.

CA.25 **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 CA.26 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.26 **TREADMILLS DEVELOPMENT**

All Wards

The subject of the decision:

This report provided an update on the Treadmills development.

Alternative options considered:

Cabinet considered various options as outlined in the report.

The reason for the decision:

Cabinet was satisfied that the proposals as outlined in the report took into account changes within the commercial market and would assist in securing the delivery of Phase 2 of the scheme.

THE DECISION:

That Cabinet approves and recommends to Council that:-

- (1) the Council agrees to forward fund and acquire the development as set out in paragraph 8.1 and paragraphs 8.3 to 8.6 of the report;
- (2) capital funding of a maximum sum as set out in paragraph 8.1 and paragraphs 8.3 to 8.6 of the report is made available and delegated authority is given to the Director of Finance and Commercial (s151 officer) to finance the scheme as appropriate; and
- (3) authority is delegated to the Deputy Chief Executive in consultation with the Leader to agree the final Heads of Terms with CNDCL subject to the total funding costs not exceeding the capital and revenue costs as set out in paragraph 8.1 and paragraphs 8.3 to 8.6 of the report.

Declaration of Interest

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

Dr Justin Ives declared a personal non-pecuniary interest as he is a board member of the Central Northallerton Development Company Limited and he left the room prior to discussion and voting on the item.

The meeting closed at 10.00 am

Leader of the Council

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**Decisions to be considered by
Full Council on 17 December 2019**

Decisions of the meeting of the CABINET held
at 9.30 am on Tuesday, 3rd December, 2019 at
the HALL 2, THE FORUM, BULLAMOOR
ROAD, NORTHALLERTON, DL6 1LP

Present

Councillor M S Robson (in the Chair)

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

Also in Attendance

Councillor	P Bardon	Councillor	K G Hardisty
	M A Barningham		J Noone
	B Griffiths		G Ramsden

Apologies for absence were received from Councillors Mrs I Sanderson

CA.31 **2019/20 Q2 CAPITAL MONITORING AND TREASURY MANAGEMENT MID-YEAR
REVIEW**

All Wards

The subject of the decision:

This report provided the Quarter 2 update at 30 September 2019 on the progress of the Capital Programme 2019/20 and the Treasury Management position. A full schedule of the Capital Programme 2019/20 schemes was attached at Annex A of the report, together with the relevant update on progress of each scheme.

Alternative options considered:

None.

The reason for the decision:

To comply with the requirements of the Local Government Act 2003 and the Chartered Institute of Public Finance and Accountancy (CIPFA) Prudential Code and the CIPFA Treasury Management Code of Practice.

THE DECISION:

That Cabinet approves and recommends to Council:-

- (1) the net decrease of £14,370,439 in the capital programme to £27,959,045 and all expenditure movements as detailed in Annex B and also in the capital programme attached at Annex A of the report;

- (2) the increase of capital expenditure of £807,168 is funded as follows: £177,200 is funded from the Computer fund, £50,000 from the One Off fund, £10,000 from the Economic Development fund, £200,383 is funded from capital receipts, £250,000 from borrowing, £62,000 from revenue contributions and £57,585 is from external grants/contributions;
- (3) the funding allocation to the capital programme as detailed in paragraph 3.1 and 3.2 of the report;
- (4) the Individual Counterparty limits are increased to 35% or £7,000,000 whichever is the highest, as detailed in paragraph 4.11 of the report;
- (5) the treasury management and prudential indicators at Annex E of the report; and
- (6) to note the position of the Council's third party companies at Annex F of the report.

CA.32 **2019/20 Q2 REVENUE MONITORING REPORT**

All Wards

The subject of the decision:

This report provided an update on the revenue budget position of the Council and the reserve funds at the end of September 2019.

Alternative options considered:

None.

The reason for the decision:

To comply with S25 of the Local Government Act 2003 regarding setting a balanced budget and monitoring the financial position throughout the year.

THE DECISION:

That Cabinet approves and recommends to Council that:-

- (1) the budget remains at £9,085,870 as detailed in paragraph 3.2 of the report;
- (2) the total movement of the Economic Development Fund of £117,683 at paragraph 7.3 of the report to be allocated and to note that the Economic Development Fund remaining balance to be allocated at paragraph 7.4 of the report is £665,485;
- (3) the allocation from the One Off Fund at paragraph 7.6 of the report of £461,837; and
- (4) to note the waiver of procurement rules at paragraph 8.2 of the report.

CA.33 **REVISED LOCAL DEVELOPMENT SCHEME**

All Wards

The subject of the decision:

This report sought consideration of a new timetable for the revised Local Development Scheme. The Local Development Scheme set out the timetable for the production of the Local Development Documents which made up the Council's Local Plan. The process for the preparation of a Local Plan was prescribed by statute and regulations which were reflected in the work programme. The Local Development Scheme must be made available publically and kept up-to-date.

Alternative options considered:

None.

The reason for the decision:

To comply with Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011).

THE DECISION:

That Cabinet approves and recommends to Council the publication of the Local Development Scheme.

CA.34 **COUNCIL TAX REDUCTION SCHEME 2020**

All Wards

The subject of the decision:

This report sought approval of the Council Tax Reduction Scheme from 1 April 2020. The report recommended the introduction of a new income banded Local Council Tax Reduction Scheme for working age applicants with effect from 1 April 2020 to reduce the administrative burden placed on the Council by the introduction of Universal Credit and the replacement of the existing risk based verification policy with a localised verification working practice.

Alternative options considered:

None.

The reason for the decision:

To comply with the requirements of the Local Government Finance Act. For each financial year the billing authority must consider whether to revise its Council Tax Reduction scheme or replace it with another. Any revision or replacement scheme must be made no later than 11 March in the financial year preceding that year for which the revision or replacement scheme is to be effective.

THE DECISION:

That Cabinet approves and recommends to Council that:-

- (1) the new banded Council Tax Reduction Scheme be adopted with effect from 1 April 2020; and
- (2) the existing risk based verification policy be withdrawn and replaced with a new localised verification working practice.

CA.35 **COUNCIL TAX DISCOUNT - EMPTY HOMES**

All Wards

The subject of the decision:

This report sought agreement on changes to the Council's current Council Tax empty homes discounts; provided information on legislative changes to the levels of Empty Home premium available and sought approval to increase the current premium to the maximums allowed in the legislation.

Alternative options considered:

None.

The reason for the decision:

Local Authorities had discretion to charge between 0% and 100% Council Tax on properties which were empty. Cabinet was satisfied that this decision would help encourage empty homes back into use as some owners may take action to improve or repair the property sooner thus preventing a negative impact on the neighbourhood.

THE DECISION:

That Cabinet approves and recommends to Council that:-

- (1) with effect from 1 April 2020 the 'Major repair work' or 'structural alteration' discount on empty properties remains unchanged at 50% for 12 months;
- (2) with effect from 1 April 2020 the discount in respect of unoccupied and substantially unfurnished discounts be reduced from 1 month at 100% discount to no discount as set out in paragraph 1.4.3 of the report; and
- (3) with effect from 1 April 2020 the Empty Homes Premium is introduced at the maximum levels allowed in the legislation where the property has been empty for 2, 5 or 10 years as detailed in paragraph 1.4.3 of the report.

CA.36 **REVISED STATEMENT OF PAY POLICY 2019/20**

All Wards

The subject of the decision:

The Council adopted the current Pay Policy with effect from 1 April 2019. This report sought approval and a recommendation to Council to adopt an amended Statement of Pay Policy for the financial year 2019/20.

Alternative options considered:

None.

The reason for the decision:

Cabinet was satisfied that the proposed amendments to the Pay Policy supported the delivery of the Council's priorities and key projects over the term of the Council.

THE DECISION:

That Cabinet approves and recommends to Council that the amended Statement of Pay Policy for the financial year 2019/20 be adopted.

Note: Management Team left the room prior to consideration of this item.

The meeting closed at 9.50 am

Leader of the Council

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Statement by the Cabinet Portfolio Holder for Economic Development and Finance

17 December 2019

C4Di

The Beta project is progressing steadily and launched its first Agri-tech project on 12th December at Labman in Stokesley. This project is focussed around supporting positive mental health in the farming community, an area that is recognised as being at crisis point for farming and the project looks at how developing technology can provide support to the sector.

Future High Street Funds

After a successful application to the Future High Streets Fund, officers are preparing the business case to attract funding for a series of projects which will see Northallerton improve its position as a vibrant market town. Projects cover a broad range of activities from increasing residential opportunities above high street shops to creating pop-up opportunities for emerging businesses and in total have a value of £18.75 million. The draft business case is due on 15 March 2020 with full submission required on 30 June and the announcement of successful projects to be announced in the summer/autumn of 2020.

2019/20 Quarter 2 Revenue Position, Capital Programme and Treasury Management

- The revenue budget for 2019/20 remains on target at £9.1 million.
- The 2019/20 capital programme at quarter 2 is £27.9m a decrease of £14.4m which is attributable to £15m of the funding allocated to the Commercial Property Portfolio being transferred to 2020/21 in line with the expected expenditure.
- The capital programme is funded from Council reserves, grants, contributions and external borrowing where total borrowing at 30 September 2019 was £22.7m at an average borrowing rate of 2.20%; this supports the Council's capital programme. The average interest earned on investments was 0.85% which is above the target of 0.57%.

Council Tax Reduction Scheme

- The Council Tax Reduction Scheme is designed to help people on low income and is a discount on Council Tax. The new scheme to be introduced from 1 April 2020 is income banded for working age applicants where it is a simplified scheme, easier for the customer to make a claim and reduces the cost of administration.

Council Tax empty homes discounts

- Changes to the Council tax empty homes' discounts are proposed to be introduced from 1 April 2020 with the aim to bring more empty homes back in to circulation for the benefit of the Community.

Commercial Property Portfolio

- The Commercial Property Portfolio has been set up to operate through a subsidiary company to the Council which is called Hambleton Property Ltd. Its purpose is to generate income to support the delivery of Council services where Lambert Smith Hampton – the appointed Property Advisors – will select properties in line with the Council's approved Investment Strategy.

Councillor Peter R Wilkinson
Portfolio Holder for Economic Development and Finance

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Statement by the Cabinet Portfolio Holder for Leisure

17 December 2019

UCI World Road Championships

On 25 September the biggest sporting event ever to be held in Northallerton took place when the UCI Road World Championship's Men's Elite Time Trial started on the High Street. Thousands of people lined the route, with every primary school in Northallerton, Romanby and Brompton coming down to watch the spectacle, as the riders set off on the 54 km race to Harrogate. Councillor Robson hosted a VIP reception for 100 people at the Town Hall which included the family of Great Ayton rider Harry Tanfield who had won a bronze medal the previous Sunday as part of the GB Team Time Trial Mixed Relay. The rain held off and the event was a huge success with Dennis Rohan from Australia taking the gold medal. Alex Dowsett from Great Britain came a respectable 5th.

On the following Saturday and Sunday the Women's Elite Road Race and the Men's Elite Road Race sped through West Tanfield. Unfortunately the weather on Sunday was not so kind with atrocious conditions challenging even the most experienced riders.

Making a Difference Grants

On 14 November the 2020 Making a Difference Grants programme was launched. £125,000 has once again been made available to community groups who are looking to deliver projects that contribute to the Council's own priorities. Ward Members will attend decision making panels in the New Year to allocate £25,000 per sub-area with the final approval made by Cabinet in March 2020.

Sowerby Sports Village

18 allotment plots have now been transferred to Sowerby Parish Council in the form of a 20 year lease. This sees the first part of the Sowerby Sports Village site open for informal recreation. Further work is now underway to secure funding to develop the rest of the site for formal sport including football and rugby.

North Northallerton Sports Village

We have recently been successful with our Expression of Interest to the European Regional Development Fund (ERDF) for funding for the North Northallerton sports village and have been invited to submit a bid by late February. The scheme includes the upgrading of existing pathways and creation of new ones, a planting scheme to increase biodiversity and the development of allotments, similar to the scheme at Sowerby.

Excellent Pool Water at Bedale

Bedale Leisure Centre has recently been recognised for the quality of its pool water by the national Swim Teachers Association. Following a 1 day assessment, the centre achieved an 'Excellent' rating in all areas, including water treatment and bather hygiene. In the coming 12 months all centres will work towards this performance standard.

BigWeekend Success

The Big Weekend promotion at the four leisure centres saw free gym trials and guided tours of the facilities, as well as discounts on gym, swim and junior memberships for one weekend only with 300 people joining one of their local leisure centres - the most memberships ever sold during a 'Big Weekend' promotion.

Stokesley Leisure Centre Gym

Work is nearly complete with the refurb of the new Zest health & fitness facilities at Stokesley. The improvements include a state-of-the-art gym with installation of equipment from leading manufacturer Technogym and a fully integrated personal health and fitness system for everyday use via the 'mywellness' platform. The gym and the cycling studio will be fully up and running in time for the New Year rush!

Take That Step - Adult Weight Management Scheme

Our Take That Step weight management scheme, commissioned through Public Health, is once again achieving great success in 2019. So far 350 clients have completed the 12 week programme, with 70% of them achieving the 5% weight loss target (as well as making significant improvements to their physical and mental well-being). Up to the end of October, 110 of these clients reached the 24 week milestone with virtually all of them sustaining their 5% weight loss over this time. If you know of anyone who is interested in losing weight ask them to call one of our centres.

Councillor Mrs Bridget Fortune
Portfolio Holder for Leisure

Statement by the Cabinet Portfolio Holder for Governance

17 December 2019

Electoral Services

The announcement of a snap General Election on 12th December 2019 has seen the Electoral Services Department spring into action again this year. Hambleton District Council is concluding the Annual canvass and final reminders have been sent ahead of the 1st December deadline to publish the register. Great efforts are made to see that no-one who is entitled to vote is disenfranchised and every household who has not returned the forms to the Council has been visited by a canvasser.

The Council has carried out a review of all our polling stations earlier in the year so we are confident that all are fit for purpose and serve the community.

The Elections Team have been working longer days and weekends in order to prepare and are looking at all scenarios for Election day should the weather turn extremely cold, wet or even worse if snow falls!

Legal

Some time ago I became aware of the issue of unlicensed taxis operating in the area. This raises many issues for those who innocently use them and I am pleased to see that for the first time the Legal Department are involved in a prosecution for "Plying for Hire" which has been brought about through a collaborative process with other agencies.

HR Department

This department works quietly to see that the Council runs smoothly and that staff are happy in their work, and as a result of the hot weather in the summer, are for the first time, formulating a policy for "Dress and Appearance" which will seek to set the parameters for a suitable dress code in extremely hot weather. This is at the request of staff.

ICT and Customer Services

The Council's Digital Programme is championed by Customer Services and enabled by ICT where increased cross working is occurring in the Council to enable services to be accessed online more easily by the Customer. The Council has committed to the Government's 'Local Digital Declaration' which is a shared ambition for better digital local public services.

Markets

Thirsk will now benefit from a Farmers' Market being held at the beginning of each month which will add to the attractions in the town and we would hope increase footfall.

For the Christmas period, markets in Northallerton have been rearranged for Christmas Eve and New Year's Eve in consultation with market traders. Thirsk market will operate as normal over Christmas.

And on that note may I wish all those who work at Hambleton District Council a very Merry Christmas.

Councillor Mrs Isobel Sanderson
Portfolio Holder for Governance

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Statement by the Cabinet Portfolio Holder for Planning

17 December 2019

Local Plan

The new Local Plan was published for representations in July this year and closed on 17 September and received 1,125 representations. Each representation is to be processed so that a full understanding of the issues raised can be understood and summarised within a statement of representations. This will then be submitted along with the Plan, Sustainability Appraisal and evidence base for examination.

As Members will hear, later in the agenda, a Local Development Scheme must be published to comply with the requirements of legislation. This sets out the work programme for the development of the Local Plan and will state that the Local Plan will not be in a position to be submitted for examination until March 2020. The new timeframe for submission is required to ensure that the larger than anticipated number of representations is fully understood.

Development Management

The Planning Service review has continued with service processes being fully investigated and redesigned and a seminar to Members which will feedback on the outcomes of the review is scheduled to take place early in the New Year.

An initial recommendation from the review was to recruit a Chief Planning Officer and I am pleased to report that a successful recruitment campaign has been concluded. We expect the new officer to be in post at the end of February following completion of his notice period with his current employer.

A series of evening training sessions have been offered to Parish and Town Councils, focussing on basic planning training as well as specialist topics covering enforcement, material planning considerations and tree preservation orders. The training events had a fantastic uptake and following feedback from attendees that they found the training to be very useful I am pleased to confirm that more training sessions will be offered throughout 2020.

Housing

Following changes to the North Yorkshire County Council funding model for homelessness prevention services, this Council entered into a new Homeless Prevention Partnership Agreement which saw a number of staff TUPE'd into the Councils Housing Options Team.

Following a consultation exercise with these members of staff we will have a fully operational new service in place for January 2020. The new service will see Housing support Workers directly employed by Hambleton District Council able to support those who are or are at risk of being homeless into homes.

North Yorkshire Building Control Partnership

Significant efforts in the management of the North Yorkshire Control Building Partnership are reaping rewards with the partnership reporting a surplus budget position for the year 1 April 2019 to 30 September 2019. The originally profile suggested an overall budget surplus of £45,297, however, diversification of services offered and the utilisation of a marketing plan have enabled the partnership to report a budget surplus of £138,263.

Councillor David Webster
Portfolio Holder for Planning

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Statement by the Cabinet Portfolio Holder for Environmental Health, Waste and Recycling

17 December 2019

Waste and Street Scene

Green waste income is £783,825, 102% of last year's figure. Green waste collections will be suspended from week commencing 2 December. This allows for essential training and health and safety assessments and also allows the service to prioritise litter picking in several hotspots around the district.

However, fly tipping and littering continue to cause nuisance across the country and the Waste and Street Scene team have made progress with plans to tackle this anti-social behaviour and it remains a Council Plan priority. New vehicle banners will be deployed in the next few weeks concentrating on reporting fly tipping and encouraging community litter picks. The Waste and Street Scene Service has already facilitated 40 community litter picks as at the end of Quarter 2. Litter bin provision is also being reviewed across the district, prioritising problem areas.

The recycling contract continues to perform well with continued low rates of contamination. A campaign is being started to encourage residents to recycle more and help people understand what can and cannot be recycled.

Work is also underway to install in-cab technology that will enable route specific risk assessments to be loaded.

All Council Plan targets are performing well with the recycling rate at an estimated 54% for quarter 2.

Carbon Reduction

The Waste and Street Scene service is to have two electric vehicles and two charging points at the depot. These will be small vans and will help officers understand the benefits and any potential pitfalls of using electric vehicles in the future.

The Director of Environment is undertaking an exercise to gather details of all carbon reduction schemes and plans that are being carried out across the Council. This schedule will then be used to assess present measures and any areas that may require further action. A sub regional group is being set up to share knowledge and experience.

Environmental Health

Work continues to procure a new management information system which will greatly improve the efficiency of the team and their ability to report and retrieve information for casework. It is hoped that this work will commence early in the new year. A review of admin processes and a mini service review will be carried out following implementation.

There has been an increase in noise complaints across the district and Officers are working with residents, licensing, planning and other bodies to try to resolve these.

A new Commercial (Food) Team Leader has been appointed, Linda McWilliams joins us from East Ayrshire and a new Scientific Officer Peter Crass joins us from the Royal Air Force.

All Council Plan and service plan targets are performing well and on track, this includes 100% of high/medium risk food inspections and completing 100% of private water supply inspections.

Councillor Stephen Watson
Portfolio Holder for Environmental Health, Waste and Recycling

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**Decisions to be considered by
Full Council on 17 December 2019**

Minutes of the meeting of the AUDIT,
GOVERNANCE AND STANDARDS
COMMITTEE held at 9.30 am on Tuesday,
22nd October, 2019 at MAIN COMMITTEE
ROOM, CIVIC CENTRE, STONE CROSS,
ROTARY WAY, NORTHALLERTON, DL6 2UU

Present

Councillor N A Knapton (in the Chair)

Councillor	P Atkin	Councillor	R W Hudson
	G W Dadd		Mrs J W Mortimer
	D B Elders		P Thompson

Also in Attendance

Councillor	P Bardon	Councillor	G Ramsden
	K G Hardisty		

AGS.14 **ANNUAL REVIEW OF THE COMMITTEE'S TERMS OF REFERENCE**

All Wards

The subject of the decision:

The Director of Finance and Commercial (s151 Officer) presented a report following a review of the Committee's Terms of Reference.

Alternative options considered:

None.

The reason for the decision:

To fulfil the good practice requirement for an annual review and incorporate the audit terms of reference suggested by CIPFA.

THE DECISION:

That the Committee approves and recommends to Council that:

- (1) the annual review of the Audit, Governance and Standards Committee's terms of reference be noted; and
- (2) the terms of reference for the Audit, Governance and Standards Committee as set out in Annex A of the report be approved.

AGS.15 **VERITAU NORTH YORKSHIRE EXPANSION PLANS**

All Wards

The subject of the decision:

The Director of Finance and Commercial (s151 Officer) presented a report seeking shareholder approval for the re-admittance of Scarborough Borough Council into Veritau North Yorkshire Ltd. Veritau North Yorkshire supplied Assurance Services to Hambleton District Council – Internal Audit, Fraud, Freedom of Information and General Data Protection Regulation services.

Alternative options considered:

None.

The reason for the decision:

The Committee was satisfied that the re-admittance of Scarborough Borough Council into Veritau North Yorkshire Ltd would provide a more sustainable arrangement for them.

THE DECISION:

That the Committee approves and recommends to Council the re-admittance of Scarborough Borough Council into Veritau North Yorkshire Ltd, subject to satisfying the Director of Finance and Commercial (s151 Officer) that all the necessary shareholder approvals from other Councils and the satisfactory conclusion of due diligence checks have been obtained.

The meeting closed at 10.50 am

Chairman of the Committee

**Decisions to be considered by
Full Council on 17 December 2019**

Minutes of the meeting of the LICENSING COMMITTEE held at 9.30 am on Tuesday, 26th November, 2019 at Suite 4, Evolution Business Centre, 6 County Business Park, Darlington Road, Northallerton, DL6 2NQ

Present

Councillor R Kirk (in the Chair)

Councillor	P Bardon	Councillor	M Taylor
	M A Barningham		P Thompson
	K G Hardisty		A Wake
	N A Knapton		D Watkins

An apology for absence was received from Councillor C A Dickinson.

LC.9 **LICENSING ACT 2003 STATEMENT OF LICENSING POLICY**

All Wards

The subject of the decision:

The Director of Law and Governance submitted a report seeking approval of the revision of the Licensing Act 2003 Statement of Licensing Policy. The Committee noted that a consultation exercise had been undertaken and two responses had been received.

Alternative options considered:

The Committee considered the revised Policy and, having concluded that the proposed amendments were appropriate, no alternative options were deemed necessary.

The reason for the decision:

The Committee considered the Director of Law and Governance's report, the consultation responses and the proposed changes to the Policy.

The Committee noted that the consultation responses made suggestions which sought to further clarify the application of the Policy. The Committee noted that, in light of the respondent's comments, officers had made some further proposed amendments to the Policy where considered appropriate (the rationale for those amendments were outlined in Annex C to the report). The Committee was satisfied that the officers' additional amendments were appropriate and no further modifications were deemed necessary.

The Committee was satisfied that that the amended Policy took account of the recent legislative changes and provided additional guidance for the benefit of the public and trade. The Committee therefore approved the revised Licensing Act 2003 Statement of Licensing Policy and recommended to Council that the Policy be adopted.

THE DECISION:

That the Committee approves and recommends to Council that the revised Draft Licensing Act 2003 Statement of Licensing Policy be adopted.

LC.10 **HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY**

All Wards

The subject of the decision:

The Director of Law and Governance submitted a report seeking approval for the revision of the Council's Hackney Carriage and Private Hire Licensing Policy. The Committee noted that a consultation exercise had been undertaken and one response had been received.

Alternative options considered:

The Committee considered the revised Policy and, having concluded that no other amendments were appropriate, no alternative options were deemed necessary.

The reason for the decision:

The Committee considered the Director of Law and Governance's report, the consultation response and the proposed amendments to the Policy.

The Committee considered a consultation response which proposed that the age limit for new licensed vehicles be reduced to three years (as opposed to every five years as proposed). The Committee was satisfied that a five year age limit for newly licensed vehicles was sufficient to address the potential risk to the public and the sustainability of the existing trade.

The Committee noted that the respondent also recommended that vehicles capable of carrying five or more passengers should be permitted to remain licensed until the age of ten years (as opposed to eight years as proposed). The Committee was not satisfied that a ten year age limit on larger vehicles (capable of carrying five passengers or more) would be appropriate to address the potential risk to the public.

The Committee was satisfied the proposed five year age limit, alongside the other proposed amendments, would be likely to improve standards and therefore approved the revised Hackney Carriage and Private Hire Licensing Policy and recommended to Council that the Policy be adopted.

THE DECISION:

That the Committee approves and recommends to Council that the revised Hackney Carriage and Private Hire Licensing Policy be adopted.

The meeting closed at 10.00 am

Chairman of the Committee

HAMBLETON DISTRICT COUNCIL

Report To: Council
17 December 2019

From: Chief Executive

Subject: **APPOINTMENT TO COMMITTEES**

All Wards
Scrutiny Committee

1.0 PURPOSE AND BACKGROUND:

1.1 The purpose of this report is to consider a request by the Conservative Group to change the membership of the Scrutiny Committee, the Audit, Governance and Standards Committee and the Standards Hearings Panel Pool.

2.0 ALLOCATION OF SEATS:

2.1 Committees must be constituted on the basis of available seats being allocated in accordance with the Council's overall political proportionality (so far as is "reasonably practicable"), unless some other basis of allocation has been approved without any Member voting against it.

2.2 The Conservative Group has requested that Councillor Mrs J W Mortimer be replaced on the Scrutiny Committee by Councillor Kevin Hardisty, and by Councillor Malcolm Taylor on the Audit, Governance and Standards Committee and the Standards Hearings Panel Pool.

3.0 LEGAL IMPLICATIONS:

3.1 The Council is obliged to comply with the rules on proportionality and the wishes of Groups in allocating seats on Committees.

4.0 FINANCIAL IMPLICATIONS:

4.1 There are no Financial Implications associated with this report.

5.0 EQUALITIES IMPLICATIONS:

5.1 Equality and Diversity Issues and have been considered. However there are no issues associated with this report.

6.0 RECOMMENDATIONS:

6.1 It is recommended that:-

- (1) Councillor Kevin Hardisty replaces Councillor Mrs J W Mortimer on the Scrutiny Committee; and

- (2) Councillor Malcolm Taylor replaces Councillor Mrs J W Mortimer on the Audit, Governance and Standards Committee and the Standards Hearings Panel Pool.

JUSTIN IVES
CHIEF EXECUTIVE

Background papers: Notification of membership of political groups.

Author ref: GN

Contact: Gary Nelson
Director of Law and Governance (Monitoring Officer)
Direct Line No: 01069 767012

MINUTES FOR INFORMATION

<u>Committee</u>	<u>Date</u>	<u>Page</u>
Cabinet	8 October 2019 5 November 2019 3 December 2019	
Scrutiny Committee	24 October 2019 21 November 2019	
Planning Committee	19 September 2019 17 October 2019 14 November 2019 12 December 2019	To follow
Audit, Governance and Standards Committee	22 October 2019	
Licensing Committee	26 November 2019	
Licensing and Appeals Hearings Panel	10 December 2019	To follow
Standards Hearings Panel	3 October 2019	

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**Decisions taken under Cabinet authority
to take effect on 21 October 2019**

Decisions of the meeting of the CABINET held
at 9.30 am on Tuesday, 8th October, 2019 at
the COUNCIL CHAMBER, CIVIC CENTRE,
STONE CROSS, ROTARY WAY,
NORTHALLERTON, DL6 2UU

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	G Ramsden
	J Noone		A Wake

CA.22 **MINUTES**

THE DECISION:

That the decisions of the meeting held on 3 September 2019 (CA.11 – CA.20), previously circulated, be signed as a correct record.

CA.23 **COUNCIL INSURANCE POLICY**

All Wards

The subject of the decision:

This report provided an update on the future insurance cover for the Council and recognised the decreased costs in insurance premiums.

Alternative options considered:

None.

The reason for the decision:

The Council's insurance policy would expire on 1 November 2019 and Cabinet was satisfied that the procurement exercise undertaken achieved value for money for the Council in renewing its insurance policy.

THE DECISION:

That Cabinet accepts the insurance costs as set out in Annex A of the report at £166,352.00.

The meeting closed at 9.40 am

Leader of the Council

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**Decisions taken under Cabinet authority
to take effect on 18 November 2019**

Decisions of the meeting of the CABINET held
at 9.30 am on Tuesday, 5th November, 2019 at
the COUNCIL CHAMBER, CIVIC CENTRE,
STONE CROSS, ROTARY WAY,
NORTHALLERTON, DL6 2UU

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	J Noone
	M A Barningham		G Ramsden
	B Griffiths		M Taylor
	K G Hardisty		D B Elders

CA.27 **MINUTES**

THE DECISION:

That the decisions of the meeting held on 8 October 2019 (CA.21 – CA.23), previously circulated, be signed as a correct record.

CA.28 **COMMUNICATIONS STRATEGY**

All Wards

The subject of the decision:

This report provided an overview of the recent activities in response to the January 2019 LGA Peer Review of Communications and sought approval to implement a corporate Communications Strategy and supporting recommendations.

Alternative options considered:

None.

The reason for the decision:

Cabinet was satisfied that the recommendations supported the outcomes of the 2019 peer review.

THE DECISION:

That Cabinet approves the proposal to undertake a Residents Survey in 2019/20 and repeat every four years.

CA.29 **REFUGEE RESETTLEMENT FUTURE SCHEME**

All Wards

The subject of the decision:

This report provided an overview of the Government's recently announced global resettlement scheme and sought approval for participation in the scheme and commit to resettling a minimum of 30 persons between 2020/21 and 2023/24.

Alternative options considered:

Cabinet raised issues regarding the proposals and considered deferring consideration of the report for further information.

The reason for the decision:

Cabinet was not satisfied that it had all of the necessary information before it to make an informed decision.

THE DECISION:

That consideration of this matter be deferred until a future meeting of the Committee.

CA.30 **PUBLIC OPEN SPACE, SPORT AND RECREATION ACTION PLANS**

Easingwold Ward

The subject of the decision:

This report sought approval of the refreshed Public Open Space, Sport and Recreation Action Plan for Linton-on-Ouse Parish.

Alternative options considered:

None.

The reason for the decision:

To comply with the Council's legal responsibility to ensure funding is used in a way consistent with the individual S106 Agreements.

THE DECISION:

That the refreshed Public Open Space, Sport and Recreation Action Plan for Linton-on-Ouse Parish attached at Annex B of the report be approved.

The meeting closed at 10.00 am

Leader of the Council

**Decisions taken under Cabinet authority
to take effect on 16 December 2019**

Decisions of the meeting of the CABINET held
at 9.30 am on Tuesday, 3rd December, 2019 at
the HALL 2, THE FORUM, BULLAMOOR
ROAD, NORTHALLERTON, DL6 1LP

Present

Councillor M S Robson (in the Chair)

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

Also in Attendance

Councillor	P Bardon	Councillor	K G Hardisty
	M A Barningham		J Noone
	B Griffiths		G Ramsden

An apology for absence was received from Councillor Mrs I Sanderson

CA.37 **MINUTES**

THE DECISION:

That the decisions of the meeting held on 5 November 2019 (CA.24 – CA.30),
previously circulated, be signed as a correct record.

CA.38 **PUBLIC SPACE PROTECTION ORDERS**

Bedale Ward; Thirsk Ward

This item had been withdrawn.

The meeting closed at 9.50 am

Leader of the Council

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Minutes of the meeting of the SCRUTINY
COMMITTEE held at 9.30 am on Thursday,
24th October, 2019 at Main Committee Room,
Civic Centre, Stone Cross, Rotary Way,
Northallerton, DL6 2UU

Present

Councillor D Hugill (in the Chair)

Councillor	P Atkin	Councillor	J Noone
	P Bardon		M Taylor
	C A Dickinson		A Wake
	C A Les		D Watkins
	Mrs J W Mortimer		

Also in Attendance

Councillor M S Robson

An apology for absence was received from Councillor G Ramsden.

SC.14 **MINUTES**

THE DECISION:

That the minutes of the meeting of the Committee held on 12 September 2019 (SC.11 - SC.13), previously circulated, be signed as a correct record.

SC.15 **COUNCIL PERFORMANCE 2019/20 (QUARTER 1)**

All Wards

The Director of Finance and Commercial (s151 Officer) presented a report setting out the Quarter 1 Performance for 2019/20. The Committee asked a number of questions which were responded to at the meeting and where further information was requested it was agreed that the Committee would be provided with this information separately.

THE DECISION:

That progress made against the Council Plan 2019-2023 for Quarter 1, as detailed within Annex A of the report, be noted.

SC.16 **REVIEW OF RISK MANAGEMENT**

All Wards

The Director of Finance and Commercial (s151 Officer) presented the quarterly monitoring report on the strategic risks affecting the Council. It was noted that an updated Risk Management Framework had been approved by Audit, Governance and Standards Committee at their meeting held on 22 October 2019.

To ensure that the risks contained within the Risk Management Framework were appropriately measured and that suitable actions were undertaken to mitigate the effect of each risk it had been agreed that the Scrutiny Committee would receive a quarterly monitoring report.

THE DECISION:

That the Corporate Risks, Key Corporate Project Risks and General Risks with a net risk appetite threshold equalling 12 or above be noted.

SC.17 **POLICY REVIEW - RECYCLING**

All Wards

A report of the Chairman of the Committee was considered which reminded the Committee of the terms of reference of the review and of information which had been identified in the project plan.

Paul Staines, Director of Environment and Gary Brown, Operations Manager attended the meeting to provide evidence. A number of questions were asked by the Committee which were responded to at the meeting.

(A full account of the questions raised and responses is available as part of the Committee's records).

The Committee was satisfied with the information provided, but considered it needed more information on issues raised and additional evidence in order to progress the review.

THE DECISION:

That:-

- (1) the information provided so far be received; and
- (2) Paul Staines, Director of Environment and Mr Geoff Green from UPM, be invited to attend the next meeting of the Committee in November 2019.

Note: Councillor D Watkins arrived at the meeting at 9.50am during discussion of the above item.

The meeting closed at 10.10 am

Chairman of the Committee

Minutes of the meeting of the SCRUTINY
COMMITTEE held at 9.30 am on Thursday,
21st November, 2019 at Conference Room,
Evolution Business Centre, 6 County Business
Park, Darlington Road, Northallerton, DL6 2NQ

Present

Councillor D Hugill (in the Chair)

Councillor	C A Dickinson	Councillor	G Ramsden
	P Atkin		M Taylor
	P Bardon		A Wake
	Mrs J W Mortimer		D Watkins
	J Noone		

Also in Attendance

Councillor K G Hardisty

An apology for absence was received from Councillor C A Les.

SC.18 **MINUTES**

THE DECISION:

That the minutes of the meeting of the Committee held on 24 October 2019 (SC.14 - SC.17), previously circulated, be signed as a correct record.

SC.19 **COUNCIL PERFORMANCE 2019/20 (QUARTER 2)**

All Wards

The Director of Finance and Commercial (s151 Officer) submitted a report setting out the Quarter 2 Performance for 2019/20. The Director of Environment presented the report and the Committee asked a number of questions which were responded to at the meeting and where further information was requested it was agreed that the Committee would be provided with this information separately.

THE DECISION:

That progress made against the Council Plan 2019-2023 for Quarter 2, as detailed within Annex A of the report, be noted.

Note: Councillor J Noone arrived at the meeting at 9.35am during discussion of the above item.

SC.20 **REVIEW OF RISK MANAGEMENT**

All Wards

The Director of Finance and Commercial (s151 Officer) submitted the quarterly monitoring report on the strategic risks affecting the Council. The Director of Environment presented the report and the Committee asked a number of questions which were responded to at the meeting and where further information was requested it was agreed that the Committee would be provided with this information separately.

To ensure that the risks contained within the Risk Management Framework were appropriately measured and that suitable actions were undertaken to mitigate the effect of each risk it had been agreed that the Scrutiny Committee would receive a quarterly monitoring report.

THE DECISION:

That the Corporate Risks, Key Corporate Project Risks and General Risks with a net risk appetite threshold equalling 12 or above be noted.

SC.21 **POLICY REVIEW - RECYCLING**

All Wards

A report of the Chairman of the Committee was considered which reminded the Committee of the terms of reference of the review and of information which had been identified in the project plan.

Paul Staines, Director of Environment; Gary Brown, Waste and Street Scene Manager; Tracey Flint, Recycling Officer and Geoff Green, RCP Sourcing Manager, UPM attended the meeting to provide evidence. A number of questions were asked by the Committee which were responded to at the meeting.

(A full account of the questions raised and responses is available as part of the Committee's records).

The Committee was satisfied with the information provided and recommended that a draft report be prepared for consideration at the next meeting of the Committee. Arrangements for a site visit to Allerton Park Recycling Centre had been deferred due to technical problems and the Committee requested that the site visit be rearranged if possible take place prior to the next meeting of the Committee to enable it to consider any issues arising when considering the draft report.

THE DECISION:

That:-

- (1) the information provided so far be received; and
- (2) a draft report be prepared for consideration at the next meeting of the Committee in January 2020.

The meeting closed at 10.45 am

Chairman of the Committee

Minutes of the meeting of the PLANNING
COMMITTEE held at 1.30 pm on Thursday,
19th September, 2019 in the Council Chamber,
Civic Centre, Stone Cross, Rotary Way,
Northallerton, DL6 2UU

Present

Councillor P Bardon (in the Chair)

Councillor	M A Barningham	Councillor	A Robinson
	Mrs B S Fortune		D Watkins
	B Griffiths		D A Webster
	B Phillips		

Also in Attendance

Councillor	D Hugill	Councillor	M S Robson
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Apologies for absence were received from Councillors D B Elders, K G Hardisty, J Noone and M Taylor

P.12 **MINUTES**

THE DECISION:

That the minutes of the meeting of the Committee held on 22 August 2019 (P.10-P.11), previously circulated, be signed as a correct record.

P.13 **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) 18/02748/REM - Application for approval of all reserved matters (access, appearance, landscaping, layout and scale) pursuant to condition 2 of outline approval 15/01240/OUT for the construction of 120 dwellings at Wilbert Farm, Sandhill Lane, Aiskew for Barratt Homes

PERMISSION DEFERRED to allow further consideration of size of dwellings; the number of four bedroomed dwellings; viability; location of public open space; pedestrian access, and overage clause.

(The applicant's agent, Kate Girling, spoke in support of the application).

(Judy Asquith spoke on behalf of Aiskew Parish Council objecting to the application.)

(Dave Brown spoke objecting to the application.)

- (2) 19/01511/FUL - Residential Development comprising 14 dwellings (resubmission) at The Allotment Gardens, Masham Road, Bedale for Arncliffe Homes Ltd

PERMISSION REFUSED with two additional reasons relating to allotments and sustainable travel.

(The applicant's agent, Alastair Flatman, spoke in support of the application).

- (3) 19/01110/FUL - Construction of new healthcare building providing office and assessment spaces for multi-disciplinary, community based mental health teams at OS Field 6504, Northallerton Business Park, Thurston Road, Northallerton for Tees Esk & Wear Valley NHS Foundation Trust

PERMISSION GRANTED

- (4) 19/01306/FUL - Construction of a detached dwelling at Brindlewood, East Harlsey for Mr Gareth White

PERMISSION GRANTED

- (5) 19/01139/FUL - Construction of detached dormer dwelling with attached garage as per amended plans received by Hambleton District Council 30th July 2019 and 16th August 2019 at Bank Cottage, The Nookin, Husthwaite for Mr John Taylor

PERMISSION GRANTED

(The applicant's daughter, Rosemary Marsh, spoke in support of the application.)

- (6) 19/00175/FUL - Demolition of the existing house and outbuildings. Construction of a detached house and garage. Change of use of land to domestic for siting of field shelter/garden store at Millhouse, 56 North End, Hutton Rudby for Mr and Mrs A Slack

PERMISSION GRANTED because the Committee considered the development would not harm heritage assets

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

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

(Emma Foden spoke on behalf of Hutton Rudby Parish Council in support of the application.)

(David Kitchen spoke objecting to the application.)

The meeting was adjourned at 3.55pm and reconvened at 4.05pm.

- (7) 19/01022/OUT - Outline application with all matters reserved for proposed two storey new dwelling at Land Adjacent To The Laurels, Hutton Sessay for Ms Jane Jordan

PERMISSION GRANTED subject to officer's being satisfied that appropriate parking and access arrangements can be achieved.

- (8) 19/01358/REM - Application for approval of all reserved matters (considering access, appearance, landscaping, layout and scale) following outline approval 18/01175/OUT for the construction of 5no. dwellings at OS Field 4442 Easingwold Road, Huby for Mr Steve Chapman

PERMISSION GRANTED subject to the approval of finished floor levels

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

- (9) 18/02130/FUL - Construction of a single detached dwelling and the change of use of land to form an associated domestic curtilage as amended by plans received by Hambleton District Council on 10 June and 15 July 2019 at Morar House, Kirklington for Mr and Mrs Smelt-Webb

PERMISSION GRANTED subject to additional conditions to protect the boundary hedges and the submission of a scheme to ensure the structural integrity of the retained building

(The applicant's agent, David Boulton, spoke in support of the application).

- (10) 19/01037/REM - Reserved matters application for the approval of details of appearance, landscaping, layout and scale in relation to the development of the primary school on the allocated school site pursuant to application 10/02373/OUT, as amended by 15/00145/MRC, and comprising a single-storey teaching block with associated hard/soft landscaping and playing field; car park and cycle parking; vehicular/pedestrian means of access; and secure line fencing. Discharge of Condition 21 (Archaeological Works) relating to planning approval 10/02373/OUT, as amended by 15/00145/MRC, proposal school amended by revised details of parking, turning received 29 August 2019 and elevation treatments received 28 August 2019 at Land East of Topcliffe Road and South of Gravel Hole Lane, Topcliffe Road, Sowerby for Portakabin Limited

THE COMMITTEE resolved to delegate the determination of the application to officers in consultation with the Chairman of the Planning Committee.

(The applicant's agent, Tim Waters, spoke in support of the application).

Councillor A Robinson left the meeting after Item 10 and did not return.

- (11) 19/01568/FUL - Construction of a single storey side and rear extension at 37 Eastfields, Stokesley for Mr Clive Thornton

PERMISSION GRANTED

The meeting closed at 5.05 pm

Chairman of the Committee

Minutes of the meeting of the PLANNING
COMMITTEE held at 1.30 pm on Thursday,
17th October, 2019 in the Council Chamber,
Civic Centre, Stone Cross, Rotary Way,
Northallerton, DL6 2UU

Present

Councillor P Bardon (in the Chair)

Councillor	M A Barningham	Councillor	J Noone
	D B Elders		B Phillips
	Mrs B S Fortune		A Robinson
	K G Hardisty		D Watkins
	B Griffiths		D A Webster

Also in Attendance

Councillor	G W Dadd	Councillor	N A Knapton
	D Hugill		

An apology for absence was received from Councillor M Taylor

P.14 **MINUTES**

THE DECISION:

That the minutes of the meeting of the Committee held on 19 September 2019 (P.12 - P.13), previously circulated, be signed as a correct record, subject to an amendment to Item 6 to record that Emma Foden Spoke on behalf of Hutton Rudby Parish Council in support of the application.

P.15 **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) 18/02748/REM - Application for approval of all reserved matters (access, appearance, landscaping, layout and scale) pursuant to condition 2 of outline approval 15/01240/OUT for the construction of 116 dwellings as amended by drawings received by Hambleton District Council on 2 September and 10 September 2019 for Barratt Homes at Wilbert Farm, Sandhill Lane, Aiskew

PERMISSION GRANTED

(The applicant's agent, Kate Girling, spoke in support of the application.)

(Dave Brown spoke objecting to the application.)

- (2) 19/01347/FUL - Proposed use of tourist accommodation as a dwelling for Mr and Mrs L Butterworth at Oakleigh Cottage, Oakleigh, Alne Station

PERMISSION REFUSED

The decision was contrary to the recommendation of the Deputy Chief Executive because the proposed development in open countryside failed to meet the exceptional case test of Local Development Framework Policy CP4 and resulted in an unacceptably poor level of amenity for future occupiers.

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

- (3) 19/01348/FUL - Construction of a new detached dwelling and extension of the existing domestic curtilage for Mr B Mellor at Carlton House, Sandhutton Lane, Carlton Miniott

PERMISSION REFUSED

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

- (4) 19/01265/FUL - Erection of single storey rear extension. Internal and external alterations including repositioning of oil tank for S Walker at Crayke Cottage, Church Hill, Crayke

PERMISSION GRANTED

The decision was contrary to the recommendation of the Deputy Chief Executive because the public benefits of the alteration to allow modern standards of living outweighed the minimal harm.

(The applicant, Sally Walker, spoke in support of the application.)

- (5) 19/01266/LBC - Listed Building Consent for the construction of a single storey rear extension, internal and external alterations including repositioning of oil tank for S Walker at Crayke Cottage, Church Hill, Crayke

PERMISSION GRANTED

The decision was contrary to the recommendation of the Deputy Chief Executive because the public benefits of the alteration to allow modern standards of living outweighed the minimal harm.

(Dr Colin Merrit spoke on behalf of Crayke Parish Council supporting the application.)

Note: The meeting adjourned at 3.45pm and reconvened at 3.55pm.

- (6) 19/01745/FUL - Construction of 2no. residential dwellings for Mr Adam Robinson at Land Between Bankside Farm And Hawthorn Cottage, East Harlsey, North Yorkshire

PERMISSION REFUSED

The decision was contrary to the recommendation of the Deputy Chief Executive because the overdevelopment of the site does not respect local character or locally identified housing need.

- (7) 19/01448/OUT - Outline application (some matters reserved) for the demolition of existing school and construction of four detached dwellings and access for Mr Simon Quartermaine at Ingleby Arncliffe Church Of England VC Primary School, Ingleby Arncliffe, North Yorkshire, DL6 3NA

DEFER to allow further discussions to address locally identified housing need.

(The applicant's agent, Bradley Stovell, spoke in support of the application).

(Kathryn Jukes spoke on behalf of Ingleby Arncliffe Parish Council objecting to the application.)

(George Hunter spoke objecting to the application.)

- (8) 19/01027/FUL - Construction of a general purpose agricultural building to provide a workshop, storage and the winter housing of lambs and calves for Mr A Smales at Land off Newton Sidings, High Moor Lane, Shipton By Beningbrough

PERMISSION GRANTED

(The applicant's agent, Zoe Harrison, spoke in support of the application.)

(Phillip McTaggart spoke objecting to the application.)

- (9) 19/01483/OUT - Outline application with layout and access to be considered (all other matters reserved) for the construction of two dwellings as amended by email and plans received by Hambleton District Council on 10 September 2019 for Messrs Wadsworth at Land east of Maythorn Cottage, Sinderby

PERMISSION GRANTED

- (10) 19/00771/FUL - Proposed change of use of stables to holiday accommodation and coffee shop, and new vehicular access for Mrs Karen Johnstone at Stables at Newsham Grange, South Otterington

PERMISSION GRANTED subject to an additional condition to stop up the existing access.

(The applicant's agent, Paul Hunt, spoke in support of the application.)

Note: Councillors B Griffiths and A Robinson left the meeting at 5.40pm and did not return.

- (11) 18/00929/OUT - Construction of four detached dwellings for Ambleside Homes at Land East of 22 to 28 Ings View, South Back Lane, Tollerton

PERMISSION GRANTED

The decision was contrary to the recommendation of the Deputy Chief Executive because the benefits of a scheme of small single storey dwellings outweighed the harm to the countryside and to the setting of the conservation area.

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

- (12) 19/00936/FUL - Construction of 2no two storey semi-detached dwellings, associated parking, and formation of a new vehicular access from the public highway for Mrs Lynne Dawson at The Laurels, Main Street, Tollerton

PERMISSION GRANTED

- (13) 19/00193/FUL - Full planning application for the creation of 5 dwellings (amendments to location plan, site layout, and house types) for Mr Ian and Joe Hardy at OS Field 2211 South Back Lane Tollerton

APPLICATION WITHDRAWN

The meeting closed at 6.10 pm

Chairman of the Committee

Present

Councillor P Bardon (in the Chair)

Councillor	M A Barningham	Councillor	B Phillips
	D B Elders		A Robinson
	Mrs B S Fortune		M Taylor
	B Griffiths		D Watkins
	K G Hardisty		D A Webster
	J Noone		

Also in Attendance

Councillor	P Atkin	Councillor	A Wake
	Mrs I Sanderson		

P.16 **MINUTES**

THE DECISION:

That the minutes of the meeting of the Committee held on 17 October 2019 (P.14 - P.15), previously circulated, be signed as a correct record.

P.17 **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) 19/01919/FUL - Construction of a detached dwellinghouse with associated parking and detached double garage at Former Little Hornby Farm, Appleton Wiske for Mr J Adams

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

- (2) 19/01254/FUL - Construction of a detached dwellinghouse and double garage at Land adjacent 53 Water End, Brompton for Mr and Mrs C Potter

PERMISSION REFUSED with additional reasons relating to the harmful impact of the siting and design.

(The applicant's agent, Adrian Burn, spoke in support of the application.)

(Carol Hill spoke objecting to the application.)

- (3) 19/01499/FUL - Construction of 21 affordable residential dwellings with associated landscaping and parking as amended by plans received by Hambleton District Council at Land off Danes Crest, Brompton for Mr L Smith

DEFER for further consideration of pedestrian access and impact of three storey dwellings.

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

(Kenneth Pierson spoke objecting to the application.)

- (4) 19/01322/FUL - Construction of a dwellinghouse with parking, bin storage, garden and wildflower meadow as amended by plans received by Hambleton District Council on 3 and 4 October 2019 at Long Garth, Carthorpe for Long Garth Enterprises Ltd

PERMISSION REFUSED

- (5) 18/02681/FUL - Construction of 9 bungalows, garages and associated infrastructure, access and parking at Lilac Cottage, Stillington Road, Easingwold for W&W Estates

DEFER for further discussions regarding the provision of affordable housing.

(The applicant, Dan Warrington, spoke in support of the application.)

- (6) 18/02413/OUT - Outline application with some matters reserved (considering access) for the construction of a detached dwelling with detached garage and new vehicular access as amended by plan received by Hambleton District Council on 11 October 2019 at Land North of Ten Trees, Exelby for Mr P Simpson

PERMISSION GRANTED subject to additional conditions limiting the height of the proposed dwelling and requiring indigenous planting.

Note: The meeting adjourned at 3.40pm and reconvened at 3.45pm.

- (7) 19/00009/TPO2 - Hambleton District Council (Great Ayton Parish) Tree Preservation Order 2019 No 9 at 100 Guisborough Road, Great Ayton

TREE PRESERVATION ORDER 2019 NO 9 CONFIRMED

(Gavin Coates spoke objecting to the confirmation.)

- (8) 19/01545/FUL - Demolition of existing property and proposed residential development, comprising the construction of 4 No detached dwellings for Purpose Build Group Ltd at 153 High Street, Great Broughton, North Yorkshire TS9 7HB

PERMISSION REFUSED

(The applicant's agent, Rod Hepplewhite, spoke in support of the application.)

(Michael O'Neill spoke on behalf of Little and Great Broughton Parish Council objecting to the application.)

- (9) 19/01882/FUL - Installation and operation of a solar farm and associated infrastructure at South Lowfields Farm, Kirkby Fleetham for Lightsource SPV 155 Limited

PERMISSION GRANTED subject to additional conditions regarding highways matters and details of grid connections.

(The applicant's representative, Richard Turner, spoke in support of the application.)

(Alison Booth spoke on behalf of Kirkby Fleetham with Fencote Parish Council in general support of the application.)

(Jean Morley spoke on the application in relation to traffic routeing issues.)

Disclosure of Interest

Councillor J Noone disclosed a non-pecuniary personal interest and left the meeting prior to discussion and voting on this item.

- (10) 18/02019/FUL - Demolition of house and associated buildings; change of use of land and the construction of a Care Home (Use Class C2), together with change of use of land to include a service yard and refuse area, associated landscaping and car parking at Mill Riggs Farm, Stokesley for Mr D Sharpe

PERMISSION REFUSED

(The applicant's representative, Ian Holmes, spoke in support of the application.)

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

(Ian Horn spoke objecting to the application.)

- (11) 18/01717/FUL - Demolition of day nursery and the dwelling house and replace with five detached houses at Burniston & Stonehall, Stockton Road, Thirsk for JDZ Development Ltd

PERMISSION REFUSED with additional reasons concerning overdevelopment of the site and adverse impact on neighbour amenity.

(The applicant, John Swales, spoke in support of the application.)

(Derek Rosamond spoke objecting to the application.)

The meeting closed at 6.00 pm

Chairman of the Committee

Minutes of the meeting of the AUDIT,
GOVERNANCE AND STANDARDS
COMMITTEE held at 9.30 am on Tuesday,
22nd October, 2019 at MAIN COMMITTEE
ROOM, CIVIC CENTRE, STONE CROSS,
ROTARY WAY, NORTHALLERTON, DL6 2UU

Present

Councillor N A Knapton (in the Chair)

Councillor	P Atkin	Councillor	R W Hudson
	G W Dadd		Mrs J W Mortimer
	D B Elders		P Thompson

Also in Attendance

Councillor	P Bardon	Councillor	G Ramsden
	K G Hardisty		

AGS.16 **MINUTES**

THE DECISION:

That the minutes of the meeting of the Committee held on 23 July 2019 (AGS.3 - AGS.13), previously circulated, be signed as a correct record.

AGS.17 **AMENDMENTS TO MEMBER CODE OF CONDUCT AND MEMBER REGISTER OF INTEREST FORM**

All Wards

The subject of the decision:

The Director of Law and Governance (Monitoring Officer) submitted a report seeking approval to amendments to the Council's Member Code of Conduct and Members' Register of Interests Form.

Alternative options considered:

The Committee gave consideration to the proposed amendments contained within the Code of Conduct for the Members of Hambleton District Council and sought clarification regarding the examples of bullying contained within the document and their possible impact on legitimate debate. The Committee requested that consideration of this matter be deferred for further clarification with the Director of Law and Governance (Monitoring Officer).

The reason for the decision:

To take account of the findings of a review into the standards regime under the Localism Act 2001 by the Committee on Standards in Public Life ("CSPL"). This review was carried out in order for the Committee to satisfy itself that the current standards framework was conducive to promoting and maintaining the standards expected of Members by the general public.

THE DECISION:

That consideration of this matter be deferred until the next meeting of the Committee.

AGS.18 **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 24 July to 22 October 2019.

AGS.19 **ANNUAL REVIEW OF RISK MANAGEMENT**

All Wards

The subject of the decision:

The Director of Finance and Commercial (s151 Officer) presented a report following an annual review of the Council's risk management process. As a result of work carried out by the Strategic Risk Management Group during 2018-19, the Council's Risk Management Framework had been updated, a copy of which was attached at Annex A of the report. The Project Risks had been reviewed and aligned with the Key Corporate Projects as identified in the Council Plan for 2019-13, the Service Risks with a net risk threshold of 12 and Corporate Risks had also been reviewed with all three areas of risk being updated in the risk register.

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 Committee:-

- (1) approve the changes to the Council's Risk Management Framework attached at Annex A of the report; and
- (2) note the Corporate Risks, the Key Corporate Project Risks and the Service Risks with a net risk threshold of 12 or above as attached at Annex B, C and D of the report respectively.

AGS.20 **STATUTORY AUDITOR - ANNUAL AUDIT LETTER 2018/19**

All Wards

The subject of the decision:

The Director of Finance and Commercial (s151 Officer) presented a report on the External Auditor's Annual Audit Letter on the 2018/19 Audit, a copy of which was attached as Annex A to the report. A representative from Ernst & Young LLP was in attendance to answer questions. The Committee requested clarification on the variation of the fee.

Alternative options considered:

None.

The reason for the decision:

To take account of the External Auditor's audit and inspection work for the financial year 2018/19.

THE DECISION:

That:-

- (1) the External Auditor's Annual Audit Letter on the 2018/19 Audit be received; and
- (2) clarification in the variation of the fee be reported at the next meeting of the Committee.

AGS.21 **STATUTORY AUDITOR - QUARTERLY BRIEFING**

All Wards

The subject of the decision:

The Director of Finance and Commercial (s151 Officer) presented a report which provided the Council's statutory auditor, Ernst & Young LLP, most recent sector update quarterly briefing paper and provided the Committee with answers to the questions contained therein.

Alternative options considered:

None.

The reason for the decision:

The Committee was satisfied with the responses provided by the Director of Finance and Commercial (s151) to the questions contained within the briefing paper.

THE DECISION:

That Ernst & Young LLP's Local Government Audit Committee briefing be noted.

AGS.22 **REVIEW OF THE INTERNAL AUDIT CHARTER**

All Wards

The subject of the decision:

The Director of Finance and Commercial (s151 Officer) submitted a report seeking approval of the Council's Internal Audit Charter.

Alternative options considered:

None

The reasons for the decision:

The Accounts and Audit Regulations 2015 required the Council to have an effective internal audit service that complied with public sector internal audit standards. CIPFA was responsible for setting those standards for Councils.

THE DECISION:

That:-

- (1) the review of the Internal Audit Charter be noted; and
- (2) the Internal Audit Charter be approved.

AGS.23 **FIRST INTERNAL AUDIT AND COUNTER FRAUD PROGRESS REPORT 2019/20**

All Wards

The subject of the decision:

The Director of Finance and Commercial (S151 Officer) presented a report informing Members of progress made to date in delivering the Internal Audit Plan for 2019/20 and the counter fraud work. The internal audit and counter fraud plans for 2019/20 had been approved at the meeting held on 26 March 2019.

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.

The meeting closed at 10.50 am

Chairman of the Committee

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Present

Councillor R Kirk (in the Chair)

Councillor	P Bardon	Councillor	M Taylor
	M A Barningham		P Thompson
	K G Hardisty		A Wake
	N A Knapton		D Watkins

An apology for absence was received from Councillor C A Dickinson.

LC.11 **MINUTES**

THE DECISION:

That the minutes of the meeting of the Committee held on 30 July 2019 (LC.3 - LC.8), and the meetings of the Licensing and Appeals Hearings Panel held on 27 August 2019 (LAHP.5 – LAHP.7 and LAHP.8 – LAHP.9) previously circulated.

LC.12 **NOTICE OF DELEGATED SENIOR MANAGEMENT DECISIONS**

All Wards

The subject of the decision:

The Director of Law and Governance submitted a report which provided information on a decision made by Senior Management to revoke a hackney carriage and private hire driver licence in order to address an immediate risk to public safety.

Alternative options considered:

The Committee was satisfied that the decision should be noted and no other alternative options were deemed necessary.

The reason for the decision:

The Committee was satisfied that the decision taken by Senior Management to revoke a hackney carriage and private hire driver licence in order to address an immediate risk to public safety was pursuant to its delegated authority and in accordance with procedure.

THE DECISION:

That the Committee noted the decision made by Senior Management to revoke a hackney carriage and private hire driver licence in order to address an immediate risk to public safety.

The meeting closed at 10.00 am

Chairman of the Committee

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Minutes of the meeting of the STANDARDS
HEARINGS PANEL held at 9.30 am on
Thursday, 3rd October, 2019 at Main
Committee Room, Civic Centre, Stone Cross,
Rotary Way, Northallerton, DL6 2UU

Present

Councillor G W Dadd Councillor P Thompson
 A Robinson

Independent Person

Independent Person Mr S Green

Parish Council Representative

Parish Councillor P Hull

Also in Attendance

Independent Person Mr G Nelson

SHP.4 **ELECTION OF CHAIRMAN**

THE DECISION:

That Councillor G W Dadd be elected Chairman for duration of the meeting.

(Councillor G W Dadd in the Chair)

SHP.5 **EXCLUSION OF THE PRESS AND PUBLIC**

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 SHP.6 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 the Panel was satisfied that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

SHP.6 **ALLEGATIONS ABOUT A TOWN COUNCIL MEMBER**

The subject of the decision:

The Deputy Monitoring Officer presented a report in relation to allegations that a Town Councillor (“the Town Councillor”) failed to comply with the provisions of the Town Council’s Code of Member Conduct, namely that she had:

- i) behaved in a bullying or intimidatory manner;
- ii) disclosed confidential information; and
- iii) prevented the complainant from carrying out her duties.

Alternative options considered:

The Panel considered all the options available but having concluded that the Town Councillor had not breached the Code of Conduct, none of the alternative options were deemed appropriate.

The reason for the decision:

The Panel considered:

- the Monitoring Officer’s report;
- the written and oral submissions of the Town Councillor;
- the written and oral submissions of the complainant;
- the written submissions of six witnesses; and
- the Town Council’s Code of Conduct.

The Panel reached the following conclusions:

The Panel considered evidence relating to the alleged disclosure of confidential information by the Town Councillor. The complainant alleged that on 5 July 2019 she entered the Town Council office and saw the Town Councillor reading a confidential letter which had been submitted by the complainant to another member of the Town Council “Y”. The complainant stated that when she entered the room the Town Councillor “jumped off her seat”. The complainant informed the Panel that the Town Councillor was not entitled to view the document and that the contents of that letter were later shared by the Town Councillor with a third party “X”.

The complainant told the Panel that she did not challenge the Town Councillor at the time of the alleged incident.

The Town Councillor refuted the allegation that she had read the complainant’s confidential letter and that she had “jumped off her seat”. The Town Councillor stated that she had attended the office to complete paperwork and meet with Y at his request. The Town Councillor informed the Panel that had she read the letter she would have been compelled to withdraw from her role as a point of contact for a third party.

The Panel considered the written submission of Y who stated that Town Councillor had not been shown the complainant’s confidential letter, nor had it left his possession.

The Panel also considered the written submission of X. X stated that the Town Councillor had not shared any information about Town Council business with X.

The Panel was not satisfied that the complainant had the requisite knowledge to be certain that the incident occurred in the way described by the complainant. The Panel was therefore not satisfied that the Town Councillor had read or disclosed any information in relation to the complainant's confidential letter.

The Panel considered an allegation that, during a telephone conversation which took place on 22 July 2019, the Town Councillor had behaved in an aggressive manner which amounted to bullying and intimidatory behaviour. The complainant alleged that during the conversation the Town Councillor persistently shouted at her in an aggressive manner. The Town Councillor informed the Panel that she had raised her voice during the telephone conversation but had apologised to the complainant throughout, explaining that her frustrations were not directed at the complainant. The Panel was also informed that, at no point during the conversation, did the complainant convey to the Town Councillor that she felt uncomfortable. The Town Councillor informed the Panel that she had brought the conversation to an end, informing the complainant that she would take up the matter with the relevant member of the Town Council.

The Panel concluded that the Town Councillor had shouted during the telephone conversation but the Panel was satisfied that she had apologised and her frustrations were not directed at the complainant. The Panel was not satisfied that the Town Councillor's behaviour during the telephone conversation amounted to bullying or intimidatory behaviour.

The Panel considered an allegation that the Town Councillor had behaved aggressively during a meeting of the Town Council. The complainant alleged that, during a meeting of the Town Council on 22 July 2019, the Town Councillor shouted at the complainant and stormed out of the meeting. The complainant stated that, during the meeting, the Town Councillor slammed her papers on the table and shouted orders at the complainant. The Town Councillor informed the Panel that during the course of the meeting she had become frustrated at a suspected breach of confidential information and had left the meeting in a frustrated manner. However, the Town Councillor denied shouting at the complainant.

The Panel was satisfied that the Town Councillor had expressed her frustrations during the meeting. However, there was insufficient witness support to satisfy the Panel that the Town Councillor behaved in the manner described by the complainant. Therefore the Panel was not satisfied that the Town Councillor's conduct during that meeting amounted to bullying or intimidatory behaviour.

The Panel considered an allegation that the Town Councillor had "bombarded" the complainant with emails. The complainant informed the Panel that the Town Councillor had sent the complainant twelve emails in a week, eight of which were sent over two days (22 and 23 July 2019). The complainant told the Panel that the volume and tone of the emails amounted to harassing and intimidatory behaviour. The complainant told the Panel that, on reflection, the content of the emails did not appear unreasonable but stated that they should be considered in the context of the Town Councillor's other behaviour.

The Town Councillor denied bombarding the complainant with emails and informed the Panel that her emails to the complainant were friendly and professional. The Town Councillor told the Panel that the eight emails sent on 22 and 23 July 2019 were generated as a result of both the Town Councillor and the complainant asking and answering questions.

The Panel considered the email exchange, in particular those which were sent and received on 22 and 23 July 2019. The Panel concluded that the emails sent by the Town Councillor were polite and appropriate in content. The Panel concluded that the volume of emails was an appropriate level of correspondence to be expected between the Town Councillor as an elected member and the complainant in her professional capacity.

The Panel noted that during the email exchange, the complainant had informed the Town Councillor that she felt as though she was being harassed. In her reply, the Town Councillor apologised to the complainant for causing her any upset and confirmed that she would no longer contact the complainant directly on the issue under discussion. The Panel concluded that the Town Councillor had responded appropriately to the complainant's email.

The Panel was not satisfied that the number of emails or the content of those emails constituted bullying or intimidatory behaviour.

The Panel considered an allegation that the Town Councillor had prevented the complainant from carrying out her duties. The complainant alleged that the Town Councillor had prevented the complainant from appointing a new employee and this had had a negative impact on other employees.

The Town Councillor told the Panel that, during a meeting of the Town Council, she had raised an issue regarding an inaccuracy in the minutes of a meeting and highlighted a procedural concern relating to the implementation of a previous resolution of the Town Council. The Town Councillor informed the Panel that, in raising her concerns, she was seeking to ensure the Town Council conducted its business correctly. The Town Councillor stated that she had not sought to prevent the complainant from carrying out her duties, nor was she aware that her actions may have had a negative impact on other employees.

The Panel considered the written submission of witness "Z" who confirmed that, without correction, the procedural concern highlighted by the Town Councillor would have left the Town Council open to challenge.

In any case the Panel was satisfied that the Town Councillor was not solely responsible for authorising Town Council business and that her concerns would need to have been supported by other members of the Town Council in order to take effect. Therefore, the Panel concluded that the Town Councillor could not be held responsible for any subsequent decisions in this regard.

The Panel concluded that the Town Councillor had acted appropriately in the ordinary course of Town Council business and therefore was not satisfied that the Town Councillor had deliberately pursued a course of action to prevent the complainant from carrying out her duties.

It followed that, in the Panel's view, the Town Councillor had not breached the Code of Conduct in respect of the allegations made by the complainant.

THE DECISION:

That Panel recommends to the Town Council that the allegations that the Town Councillor:

- i) behaved in a bullying or intimidatory manner;

- ii) disclosed confidential information; and
- iii) prevented the complainant from carrying out her duties

are not upheld.

The Panel recommends that the Town Council be notified of its findings.

The meeting closed at 11.55 am

Chairman of the Panel

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Present

Councillor G W Dadd Councillor P Thompson
 A Robinson

Independent Person

Independent Person Mr S Green

Parish Council Representative

Parish Councillor P Hull

SHP.7 **ELECTION OF CHAIRMAN**

THE DECISION:

That Councillor G W Dadd be elected Chairman for duration of the meeting.

(Councillor G W Dadd in the Chair)

SHP.8 **EXCLUSION OF THE PRESS AND PUBLIC**

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 SHP.9 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 the Panel was satisfied that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

SHP.9 **ALLEGATIONS ABOUT A TOWN COUNCIL MEMBER**

The subject of the decision:

The Deputy Monitoring Officer presented a report in relation to allegations that a Town Councillor (“the Town Councillor”) failed to comply with the provisions of the Town Council’s Code of Member Conduct namely that she behaved in an aggressive, intimidating and disrespectful manner.

Alternative options considered:

The Panel considered all the options available but having concluded that the Town Councillor had not breached the Code of Conduct, none of the alternative options were deemed appropriate.

The reason for the decision:

The Panel considered:

- the Deputy Monitoring Officer's report;
- the written submissions of the Town Councillor;
- the written and oral submissions of the complainant;
- the written and oral submissions of four witnesses; and
- the Town Council's Code of Conduct.

The Panel reached the following conclusions:

The Panel considered evidence in relation to an allegation that during a meeting on 15 July 2019, between the Town Councillor, the complainant and another member of the Town Council ("W"), the Town Councillor behaved in an aggressive, intimidating and disrespectful manner. The complainant stated that following a meeting of the Town Council the Town Councillor had burst into the room where the complainant was holding a private meeting with W. The complainant stated that the Town Councillor interrupted the conversation and questioned the complainant in an aggressive way. The complainant stated that the Town Councillor was challenging in her voice and demeanour. The complainant informed the Panel that during a discussion about a confidential matter, the Town Councillor pointed her finger at both the complainant and W and, with a raised voice, stated "I can't talk to you and I can't talk to you" before leaving the room. When questioned, the complainant could not recall whether the Town Councillor had qualified this statement.

The Panel considered a written statement from W. W stated that on 15 July 2019 prior to the Town Council meeting, the Town Councillor had requested a private meeting with W. W informed the Panel that he had agreed to meet the Town Councillor in the clerks' office after the Town Council meeting. W also stated that at the end of the Town Council meeting, he had requested to have a meeting with the complainant and the Town Councillor. W stated that during the private meeting the Town Councillor questioned the complainant in an aggressive tone and pointed her finger at W and the complainant and stated in a raised voice "I can't talk to you and I can't talk to you" and left the room.

The Town Councillor told the Panel that on 15 July 2019 she and W had arranged to meet privately on the rising of the Town Council meeting. The Town Councillor informed the Panel that she had not interrupted the meeting between the complainant and W, but had been present from the start. The Town Councillor refuted the allegation that she behaved in an aggressive way although accepted that she had become frustrated during the meeting.

The Town Councillor informed the Panel that during the meeting both the complainant and W had disclosed information relating to an issue in which the Town Councillor had been assigned as a neutral point of contact. The Town Councillor informed the Panel that she was compelled to leave the meeting because information relating to a confidential matter was being discussed by the complainant and W which could lead to the Town Councillor's neutral position being compromised. The Town Councillor told

the Panel that on leaving the meeting she turned to each the complainant and W explained the reasons why she could not discuss the matter any further with either of them. In doing so, the Town Councillor explained that she did point her finger and used the words "I can't talk to you" but that she had, at the time, elaborated on the reasons why and made a point of apologising directly to the complainant.

The Panel considered an email exchange between the Town Councillor and W dated 16 and 18 July 2019. The Panel noted that, during this exchange, W did not raise any concerns about the Town Councillor's conduct at the meeting on 15 July 2019 and thanked her for leaving the meeting.

The Panel concluded that the Town Councillor and the complainant had both been invited to attend a private meeting with W on 15 July 2019. The Panel concluded that the Town Councillor had become frustrated during the meeting and had pointed her finger to emphasise her reasons for leaving the meeting. The Panel was not satisfied that this behaviour was inappropriate within the context of the discussion. Therefore the Panel was not satisfied that the conduct of the Town Councillor had amounted to behaviour that was intimidatory, bullying or disrespectful.

It followed that, in the Panel's view, the Town Councillor had not breached the Code of Conduct in respect of the allegations made by the complainant.

THE DECISION:

That Panel recommends to the Town Council that the allegations that the Town Councillor behaved in an aggressive, intimidating and disrespectful manner are not upheld.

The Panel recommends that the Town Council be notified of its findings.

The meeting closed at 1.15 pm

Chairman of the Panel

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