

Committee Administrator: Democratic Services Officer (01609 767015)

Monday, 9 September 2019

Dear Councillor

**NOTICE OF MEETING**

Meeting            **COUNCIL**

Date                **Tuesday, 17 September 2019**

Time                **2.15 pm (or on the rising of the Special Meeting of Council, whichever is the later)**

Venue               **Council Chamber, Civic Centre, Stone Cross, Rotary Way, Northallerton, DL6 2UU**

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 16 July 2019 (C.7 - C.14), attached.
2. APOLOGIES FOR ABSENCE
3. ANNOUNCEMENTS BY THE CHAIRMAN OR CHIEF EXECUTIVE
4. VERBAL STATEMENT OF THE LEADER AND REFERRALS FROM CABINET 5 - 10  

<u>Date of Meeting</u>	<u>Minute Nos</u>
3 September 2019	CA.11 to CA.18
5. CABINET PORTFOLIO STATEMENTS
  - a) Statement from the Portfolio Holder for Economic Development and Finance 11 - 12
  - b) Statement from the Portfolio Holder for Leisure 13 - 14
  - c) Statement from the Portfolio Holder for Governance 15 - 16
  - d) Statement from the Portfolio Holder for Planning 17 - 18
  - e) Statement from the Portfolio Holder for Environmental Health, Waste and Recycling 19 - 20
6. QUESTION TIME  
None received.
7. NOTICES OF MOTION  
None received.
8. REVIEW OF POLLING DISTRICT AND POLLING PLACES - RESULT OF CONSULTATION 21 - 36  
Report of the Chief Executive

# Agenda Item 1

Minutes of the meeting of the COUNCIL held at  
2.00 pm on Tuesday, 16th July, 2019 at Council  
Chamber, Civic Centre, Stone Cross, Rotary Way,  
Northallerton, DL6 2UU

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## Present

Councillor K G Hardisty (in the Chair)

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

Apologies for absence were received from Councillors N A Knapton, Mrs J W Mortimer, B Phillips and G Ramsden

### C.7 **MINUTES**

#### **THE DECISION:**

That the minutes of the meeting held on 21 May 2019 (C.35 - C.36) and the Annual Meeting held on 21 May 2019 (C.1 – C.6), previously circulated, be signed as correct records.

### C.8 **ANNOUNCEMENTS BY THE CHAIRMAN - PRESENTATION OF LONG SERVICE AWARDS**

The Chairman referred to a number of engagements he had recently attended. The Chairman wished to thank all those Members and Officers for attending the Armed Forces Day 'Flying the Flag' ceremony which was held on Monday, 24 June 2019 and for the support from RAF Leeming, Councillor Mrs B S Fortune and Mrs L A Hancock, Democratic Services Officer, for their organisation and support in making this a successful event.

The Chairman announced that Councillor M S Robson and former Councillors R A Baker, D M Blades and Mrs C S Cookman had completed 20 years' service for the Council. The Chairman presented awards to Councillor M S Robson and to former Councillors D Blades and Mrs C S Cookman. Former Councillor R A Baker was unable to attend the meeting to receive his award as he was on holiday.

C.9 **STATEMENT OF THE LEADER AND REFERRALS FROM CABINET**

The Leader moved Cabinet minutes CA.1 – CA.3 and CA.6 to CA.8 and made a statement to the Council on the following matters:-

- Council Plan 2019 – 2023
- Members' seminars regarding the Commercial Property Investment Strategy and review of the Planning service.

The Leader announced that, since July 2018, investigations had been underway regarding the provision of a crematorium within the District. This work had been undertaken in strictest confidence because of the commercial sensitivity of the scheme. It was envisaged that a report would be submitted to Cabinet and Council seeking approval for the scheme in September 2019.

**THE DECISION:**

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

<b><u>Body</u></b>	<b><u>Date of Meeting</u></b>	<b><u>Minute Nos</u></b>
Cabinet	4 June 2019	CA.1 – CA.3
	2 July 2019	CA.6 – CA.8

C.10 **CABINET PORTFOLIO STATEMENTS**

- (a) Councillor P R Wilkinson, Portfolio Holder for Economic Development and Finance made a statement regarding C4Di, Vibrant Market Towns, graduates and apprentices, business support, capital outturn and annual treasury management review and the 2018/19 revenue outturn and position on reserves. A number of comments were made by Members on the statement regarding support to local businesses and Vibrant Market Towns.
- (b) Councillor Mrs B S Fortune, Portfolio Holder for Leisure made a statement regarding the Easingwold sports facilities, GovRadio, toning suite open morning, Disney inspired swim sessions, leisure centre Quest success, Sowerby Sports Village – phases 1 and 2 and celebrating inclusive sport. Councillor Mrs Fortune also reported on a recent incident which saw the Leisure Centre Managers at Thirsk and Sowerby Leisure Centre first to respond with the defibrillator. Councillor Mrs Fortune presented Fiona Wilson (Centre Manager) and Tom Stuart (Assistant Manager) with a token in recognition of their professionalism and efforts in dealing with this situation.
- (c) Councillor Mrs I Sanderson, Portfolio Holder for Governance made a statement regarding the 2019 Elections, electric bollards, update of Northallerton Leisure Centre car park and ICT. A number of questions were asked regarding electric bollards, rapid vehicle charging points and markets which were responded to at the meeting.

- (d) Councillor D Webster, Portfolio Holder for Planning made a statement regarding the Local Plan, Development Management and housing. A number of questions were asked regarding licenses for caravan parks of five pitches or less, specifically the consultation process regarding these applications and issues around enforcement. Councillor Webster gave an undertaking to look into the issues raised.
- (e) Councillor S Watson, Portfolio Holder for Environmental Health, Waste and Recycling made a statement regarding Waste and Street Scene which included green waste; recycling, kerbside collections, the new DEFRA Waste Strategy and fly-tipping. A number of questions were asked regarding recycling and fly-tipping which were responded to at the meeting. Councillor Watson also gave an undertaking to look into the issues raised.

C.11 **NOTICE OF MOTION**

All Wards

Councillor A Robinson withdrew the Motion.

C.12 **REVIEW OF POLLING DISTRICTS AND POLLING PLACES**

All Wards

The Council currently designated polling districts and polling places for use at all elections taking place within its area, i.e., Parliamentary, County and Parish elections. The Representation of the People Act 1983 (as amended) required the Council to undertake a review of the polling districts and polling places used within its area for Parliamentary elections. The next review had to take place by 31 January 2020.

**THE DECISION:**

That:-

- (1) a review be undertaken of polling districts and polling places within the Council's area;
- (2) the publication of the notice of the review as detailed in Annex C of the report and the proposed changes as detailed in Annex B of the report be approved; and
- (3) the Director of Law and Governance be authorised to conduct the review on the Council's behalf and take all reasonable actions to comply with the Council's statutory obligations in that regard.

C.13 **APPOINTMENT OF PARISH COUNCIL REPRESENTATIVE, STANDARDS HEARINGS PANEL**

All Wards

This report sought approval of the appointment of Parish Councillor Peter Hull of Tanfield Parish Council to the vacancy of Parish Council representative on the District Council's Standards Hearings Panel.

**THE DECISION:**

That the appointment of Parish Councillor Peter Hull of Tanfield Parish Council onto the District Council's Standards Hearings Panel be approved.

C.14 **APPOINTMENT OF ALDERMEN**

All Wards

The Council's Constitution made provision for the appointment of Honorary Aldermen which normally took place following the election of a new Council. This report sought consideration of the recommendations of the Member Working Group and arrangements for the appointment of Honorary Aldermen.

**THE DECISION:**

That:-

- (1) the recommendations of the Working Group for the appointment of Honorary Alderman be approved; and
- (2) a special meeting of the Council be arranged to confer the title of Honorary Alderman of the District of Hambleton upon former Councillor Geoff Ellis.

The meeting closed at 2.40 pm

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Chairman of the Council

# Agenda Item 4

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

Decisions of the meeting of the CABINET held  
at 9.30 am on Tuesday, 3rd September, 2019  
at the COUNCIL CHAMBER, CIVIC CENTRE,  
STONE CROSS, ROTARY WAY,  
NORTHALLERTON, DL6 2UU

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## 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
	D B Elders		G Ramsden
	K G Hardisty		M Taylor
	D Hugill		

### CA.11 **2019/20 Q1 CAPITAL MONITORING AND TREASURY MANAGEMENT REPORT**

All Wards

#### **The subject of the decision:**

This report provided the Quarter 1 update at 30 June 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 £1,987,222 in the capital programme to £42,329,484 as detailed in Annex B and also in the capital programme attached at Annex A of the report;

- (2) the increase of capital expenditure is funded from earmarked reserves at £3,910,983 where £145,645 is funded from capital receipts, £228,950 is from the Computer Fund and £3,536,388 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 Set-Off Agreement with Lloyds Bank Plc and that the Section 151 Officer is designated as the Proper Officer of the Council to sign the contract once Cabinet approval has been received as in paragraph 4.6 of the report; and
- (5) the treasury management and prudential indicators at Annex E of the report.

CA.12 **2019/20 Q1 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 June 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 £3,620 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 £548,802;
- (3) the allocation from the Council Tax Payers Reserve at paragraph 7.5 of the report of £1,510,000;
- (4) the allocation from the One Off fund at paragraph 7.6 of the report of £257,280;
- (5) the allocation from the Repairs and Renewal Fund at paragraph 7.9 of the report of £50,000; and
- (6) to note the waiver of procurement rules at paragraph 8.2 of the report.

CA.13 **COMMERCIAL PROPERTY PORTFOLIO**

All Wards

**The subject of the decision:**

In January 2019, Cabinet approved the creation of a Commercial Property Portfolio in principle, subject to the development and approval of an investment strategy. This report sought approval of the Investment Strategy; the purchase of properties in accordance with the Investment Strategy and the governance arrangements set out in the Investment Strategy.

**Alternative options considered:**

None.

**The reason for the decision:**

The Council's Commercial vision as set out in the Commercial Strategy was to be self-sufficient by 2020/21 and not rely on Government grant to support the budget. Cabinet was satisfied that the proposals outlined in the report supported the Council's vision.

**THE DECISION:**

That Cabinet approves and recommends to Council that:-

- (1) the investment strategy is approved, subject to agreement by the Leader of the Council on Member appointment to the Board and the Property Investment Committee;
- (2) authority is delegated to the Chief Executive:
  - (i) to set up a wholly owned company for the purposes of acquiring and managing investment properties;
  - (ii) to appoint legal and financial advisors in line with the Council's procurement rules;
  - (iii) to appoint Lambert Smith Hampton as property advisors and property managers;
  - (iv) in consultation with the Leader of the Council to make minor amendments to the Investment Strategy that may be necessary; and
- (3) authority is delegated to the S151 Officer for the financing of the commercial property portfolio.

CA.14 **COUNCIL PLAN 2019-2023**

All Wards

**The subject of the decision:**

This report sought approval for the new Council Plan 2019-2023 which demonstrated the Council's vision, purpose and priorities.

**Alternative options considered:**

None.

**The reason for the decision:**

The Council was statutorily obliged to have an active Council Plan.

**THE DECISION:**

That Cabinet approves and recommends to Council that the revised Council Plan 2019-2023 be adopted.

CA.15 **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 nos CA.16, CA.17 and CA.18 on the grounds that they involved the likely disclosure of exempt information as defined in paragraphs 1, 2, 3 and 4 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.16 **CREMATORIUM**

All Wards

**The subject of the decision:**

This report set out the business case for the development of a crematorium and sought support for the project.

**Alternative options considered:**

None.

**The reason for the decision:**

Cabinet was satisfied that the proposals for the development of a crematorium would provide a beneficial service which was not currently available within the District.

**THE DECISION:**

That Cabinet approves and recommends to Council that:-

- (1) the principle of providing a crematorium is approved;
- (2) that £250,000 is included in the capital programme to develop the project;
- (3) authority is delegated to the Chief Executive:
  - (i) to approve (in consultation with the Leader) the final design of the crematorium;

- (ii) to submit a planning application for approval for the crematorium; and
  - (iii) following receipt of planning approval to tender for the services of a building contractor to construct the crematorium;
- (4) following the receipt of the building contract tenders, a report be submitted to Cabinet at the earliest opportunity setting out the:
- (i) full costs of and the funding required to deliver the crematorium; and
  - (ii) options for operating the crematorium.

CA.17 **HOMELESSNESS PREVENTION SERVICES**

All Wards

**The subject of the decision:**

This report provided an update on changes to the support service to homeless people in Hambleton. The previous externally commissioned provision was being replaced by a 'in house' support service in an agreement with North Yorkshire County Council and the other six District/Borough Councils.

**Alternative options considered:**

None.

**The reason for the decision:**

Cabinet was satisfied that the provision of this service provided a core element of the Council's Homeless Strategy and helped the Council meet its statutory duties to prevent and relieve homelessness.

**THE DECISION:**

That Cabinet approves and recommends to Council:-

- (1) to enter into a collaboration agreement with North Yorkshire County Council (and the 6 District Councils within North Yorkshire) on the terms as set out in this report. This agreement shall require the Council to provide an 'in-house' support service for homeless people both within temporary accommodation and in the wider community;
- (2) agree to accept an annual grant payment of £79,000 (+3% inflationary uplift) for the next 5 years in respect of the provision of this service; and
- (3) agree the costs which may result from pension implications, as described in paragraph 5.6 of the report, could be higher than the value of the grant from North Yorkshire Country Council and these costs will be funded from an increase in the Council's budget.

CA.18 **COMMUNITY HOSPICE FOR HAMBLETON**

All Wards

**The subject of the decision:**

This report sought approval from Cabinet and Council for the disposal of the Lambert Community Hospital to Herriot Hospice Homecare for the purposes of establishing a permanent hospice facility in Hambleton.

**Alternative options considered:**

None.

**The reason for the decision:**

Cabinet was satisfied that the disposal of the Lambert Community Hospital to Herriot Hospice Homecare accorded with the Council's intention of using this facility for community benefit.

**THE DECISION:**

That Cabinet approves and recommends to Council that:-

- (1) the former Lambert Hospital is transferred to Herriot Hospice Homecare for nil consideration;
- (2) a contribution of £90,000 is given to Herriot Hospice Homecare from the One-Off Fund to assist in the provision of a community hub facility within the development; and
- (3) suitable covenants are placed in the transfer/contract documents to protect the Council's position as set out in paragraph 7.3 of the report.

The meeting closed at 10.00 am

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Leader of the Council

## Statement by the Cabinet Portfolio Holder for Economic Development and Finance

17 September 2019

### **Business Support and Development**

- All of the Council's industrial units are currently let and lettings across the managed workspaces continue to be buoyant with tenants planning to move to larger suites as the year progresses. Virtual tenancy arrangements are a popular service offered to the business community and several new businesses have recently signed up.
- It has been identified that there are missed opportunities for Hambleton businesses in the construction and related industry in obtaining grants from the CITB, the Business and Economy team have started to work with the CITB to raise awareness of eligibility and forge links with local businesses, this will culminate with a special event for construction based employers on the 10<sup>th</sup> October.

### **Vibrant Market Towns**

- Hambleton District Council recently submitted an expression of interest to the Future High Streets Fund and I am delighted to say has been selected to go forward into the next phase assessment. This means the Council will receive a Business Case Development Grant of £150,000 to support the development of a full capital investment business case which will put forward our bid for funding to drive economic growth in Northallerton. This is a fantastic opportunity to bring an extra dimension to the plans that are already underway with the treadmills development and the re-vamp of Zetland Street and the ginnels in the town.
- Work across all of the market towns continues, with the Business and Economy team supporting the UCI World Championships, developing guidance for businesses in our town centres and helping to draw together plans for the Christmas season.

### **2019/20 Quarter 1 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 1 is £42.3m where significant expenditure is allocated to the Council's £30m Commercial Property Portfolio, expenditure on the development of Phase 1 of the treadmills site and the Northallerton Connections project.
- The capital programme is funded from Council reserves, grants, contributions and external borrowing where total borrowing at 30<sup>th</sup> June 2019 remained at £12.7m at an average borrowing rate of 2.39%. The average interest earned on investments was 0.73% which is above the target of 0.56%.

### **Commercial Property Portfolio**

- Property investment advisors - Lambert Smith Hampton – have supported the Council in the development of an Investment Strategy through which property will be acquired and managed in order to generate income to support the delivery of Council services.

### **Council Tax Reduction Scheme**

- The Council Tax Reduction Scheme is a discount for Council Tax and the level of discount is designed to help people on low income. The proposed changes to the scheme are currently out to consultation until 8 October 2019 where a simpler scheme will be provided and it will be more easily understood by applicants.

Councillor Peter R Wilkinson  
Portfolio Holder for Economic Development and Finance

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## Statement by the Cabinet Portfolio Holder for Leisure

17 September 2019

### UCI World Road Championships

With just a week, or so, to go before Northallerton's biggest ever sporting event, staff are working tirelessly to ensure that the race runs safely and that spectators have a wonderful experience.

A VIP reception is being hosted by Councillor Robson on the upper floor of the Town Hall between 11:30am and 3:00pm, which all Members have been invited to. The Northallerton BID and Northallerton Town Council are holding a community event to the north of the Town Hall from 8:30am prior to the Men's Elite Time Trial, which starts at 1:10pm – visitors will be treated to a range of music, arts and entertainments as well as food outlets and stalls. We are expecting all town schools to bring their pupils to watch the race and all are being provided with Hambleton District Council flags to wave off the riders. The businesses have really embraced this event, decorating their windows, running themed promotions and adopting one of the countries from those that are competing.

Traffic operations, road closures and car parking provision are all being carefully managed, with additional car parking being provided at the Allertonshire School site, Stone Cross and Northallerton Football Club to off-set displacement from the Applegarth and High Street. There is a series of road closures in place (visit our website for details) with the Council working closely with North Yorkshire County Council and North Yorkshire Police to ensure that closures are kept to a minimum and appropriate diversions are put in place. Information has been sent, and visits made, to businesses in Northallerton as well as along the route through to Bedale and to 11,500 residential properties.

For those that cannot make the Wednesday, the Women's Elite Road Race and the Men's Elite Road Race will both pass through West Tanfield on the Saturday and Sunday.

### Festival of Fitness

There was a great take-up with Zest leisure memberships in July as part of the Summer Festival of Fitness campaign with almost 300 people joining one of their local leisure centres, exceeding the sales targets that had been set. The full Summer fitness line-up has also included successful gym challenges, group fitness Bingo and 7 day guest passes in August.

### ZEST Mobile App

Launched as part of the Summer Festival, leisure centre users now have fitness information available at their fingertips 24/7. The Zest leisure app is free and over 950 users have downloaded it already. The app will allow customers to make activity bookings, take out memberships, refer friends and access information on our services, all available at a push of a button. The app will also help improve communications with our members allowing us to send notifications to keep them up to date.

### Leisure Centre Quest Success

To follow up on the recent assessments at our other centres, Thirsk & Sowerby leisure centre has now been rated 'excellent' by the national quality scheme Quest at a recent assessment. The leisure industry equivalent of Ofsted, Quest includes a rigorous 2 day inspection, as well as a range of mystery visits and calls. This now means that all Hambleton's leisure centres are rated as Excellent.

Councillor Mrs Bridget Fortune  
Portfolio Holder for Leisure

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## Statement by the Cabinet Portfolio Holder for Governance

17 September 2019

### Communications

We have, in recent months, been working with a Communications Advisor to review all such areas within Hambleton District Council. For example, the new Council Plan has benefitted from her input in the way in which it is presented. Members had the opportunity at a presentation on 3 September to see the work she has done and to give their views on the proposals for improving the way we deliver Communications both internally and externally. Further to this, we will be sending out a residents' survey which will add our understanding of how to improve the service we offer.

It will be interesting to link this with the findings in Customer Services, where again we can clearly see the reduction in Customer Interactions comparing quarters in 2017/18 with 2018/19, of over 3000 interactions per quarter over the district.

Research has shown that generally face to face enquiries take longer and cover more than one topic and are favoured by the older generation who will be unwilling to change their behaviour to use Direct Debit or on-line self-service options.

It is noted that at the Easingwold Area Office support is also provided to North Yorkshire police enquiries and Easingwold Community Care Association, while the Stokesley Office provides assistance to Broadacres with whom they share office space.

### Legal

The Legal Team continue to be fully occupied. The Ings Lane injunction has given Mr Kent six months to comply and justifies the position taken by the District Council in this long running saga.

A Taxi driver appealed against the revocation of his Licence was upheld-in the Magistrates court. This is a small example of their workload recently.

### Car Park Improvements

The Car Park improvement scheme is continuing. The coach bay at Northallerton Leisure Centre is now completed together with the associated footpaths.

We are giving great consideration to being able to offer frictionless payment methods as well as payment by traditional methods and season ticket options in our car parks. We will be aiming to roll out the improvements evenly across the district, but it is important that the technology we install is fit for purpose.

The electric hook -up points on Northallerton High street are due to be installed after the UCI Cycle race has been held and should operational before the autumn, and will double up as Electric Charging Points in the future.

A 10 year audit of condition survey of all Council premises has just been completed. A co-ordinated evaluation is now to be undertaken.

### Revenues and Benefits

In line with digitalisation in the Revenues and Benefits department, work is ongoing by the Design and Maintenance team to re-design office space available to provide a more modern approach in its design. This should be completed by October.

Finally, Electoral services are making contingency plans in the event of a General Election being called in the Autumn.

Councillor Mrs Isobel Sanderson  
Portfolio Holder for Governance

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## **Statement by the Cabinet Portfolio Holder for Planning**

**17 September 2019**

### **Local Plan**

A significant milestone has been reached in the completion of the Council's Local Plan, setting out the long term development strategy for Hambleton. The Council's Publication Draft Local Plan, published on the 30<sup>th</sup> July has been available for viewing and comments on whether it can be considered 'sound' and legally compliant; today marks the final date for submission of comments.

This version of the Plan will be submitted to the Secretary of State for examination along with the comments received; this is currently scheduled for November.

### **Planning Service Review**

The Planning Service is currently being reviewed so that improvements can be made to service delivery. A team of external consultants from iESE, a not for profit organisation owned by member local authorities, have been undertaking a range of diagnostics to understand existing ways of working including getting feedback from Members, customers, agents and developers and staff as well as baselining the service with neighbouring authorities.

As the diagnostic phase comes to an end, iESE are working with myself, Cabinet and Management Team to develop the design principles that will be used to develop a 'Best in Class' Planning service for Hambleton. A final report on findings and proposals will be brought to Cabinet at a future date.

### **Homelessness Prevention Service**

Changes to the way that support services are delivered to homeless people in Hambleton will commence in October this year. Homelessness related support services have been commissioned on a county-wide basis by NYCC but recent changes to funding have resulted in this service becoming at risk.

The delivery of such services helps Hambleton District Council to reduce the numbers of those who are affected by homelessness and is a core element of the Council's Homeless Strategy, helping the Council to meet its statutory duties.

A five-year grant proposal from NYCC allows Hambleton to bring this service in-house and guarantee that those who have found themselves in the unfortunate position of being in temporary accommodation or homeless are able to receive support from specially trained support workers.

Councillor David Webster  
Portfolio Holder for Planning

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

17 September 2019

### Waste and Street Scene

Green waste income is £780,710 (102% of last year's total and set to achieve the target).

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:

- Increased publicity for fly tipping, including vehicle banners
- Developing shared fly tipping campaign with the York and North Yorkshire Waste Partnership
- Implementing an electronic fly tipping reporting system- which is presently being tested
- CCTV cameras have been purchased and are being deployed across the district
- Vehicle and body cameras have been purchased and deployed, to capture evidence on the move.
- Report the number of fly tipping investigations
- Measuring actions against reported fly tips
- Target householders/waste producers using new legislation
- Produce an enforcement pack for officers
- Further developing community links for litter picks

The recycling contract continues to perform with income up and contamination down. A campaign is being started to encourage residents to recycle more and help people understand what can and can't be recycled.

### 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 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.

### 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.

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.

### EU Exit

The Director of Environment has been appointed as Hambleton's lead Officer for EU exit and is working closely with the Local Resilience Forum (Emergency Planning) to understand and mitigate against any potential risks.

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

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## **HAMBLETON DISTRICT COUNCIL**

**Report To:** Council  
17 September 2019

**From:** Chief Executive

**Subject: REVIEW OF POLLING DISTRICTS AND POLLING PLACES – RESULT OF CONSULTATION**

All Wards  
Scrutiny Committee

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### **1.0 PURPOSE AND BACKGROUND:**

- 1.1 On 16<sup>th</sup> July 2019 the Council published a notice of review of polling districts and polling places within the Hambleton district. This report sets out the feedback received in response to the consultation carried out as part of the review and seeks approval of the changes to polling districts and polling places as set out in Annex A.
- 1.2 Members will recall that in accordance with provisions contained in the Representation of the People Act 1983, the Council is required by 31 January 2020 to undertake a review of the polling districts and polling places used for Parliamentary elections within its area. The aim of the review is ensure that polling districts and polling places meet the reasonable requirements of electors within the constituency and takes sufficient account of disabled access to polling stations. A consultation with stakeholders and interested parties was carried out and details of the responses received are set out in this report.

### **2.0 REVIEW OF POLLING DISTRICT AND PLACES**

- 2.1 The Representation of the People Act 1983 requires polling districts to be agreed for the Council's administrative area. Polling districts must follow parish boundaries unless there is a good reason to depart from this rule. The legislation also requires a polling place to be designated for each polling district. Generally speaking each polling place will be located within the polling district to which it relates. However, this does not apply if the size and/or other circumstances of a polling district are such that the location of the polling place does not materially affect the convenience of the electors or any body of them. In addition:
- a) the Council must seek to ensure that all electors in a constituency in its area have such reasonable facilities for voting as are practicable in the circumstances;
  - b) the Council must seek to ensure that so far as is reasonable and practicable every polling place for which it is responsible is accessible to electors who are disabled;
  - c) the Council must have regard to the accessibility to disabled electors of potential polling stations in any place which it is considering designating as a polling place, or where it is reviewing the designation as a polling place;
  - d) the polling place for a polling district must be an area in the district, unless special circumstances make it desirable to designate an area wholly or partly outside the district;
  - e) the polling place must be small enough to indicate to electors in different parts of the district how they will be able to reach the polling station.

2.3 On 16<sup>th</sup> July 2019 the Council approved proposed changes to polling districts and polling places as a basis for the consultation.

### **3.0 CONSULTATION RESPONSES**

3.1 Consultation on the proposed changes took place from 16<sup>th</sup> July to 14<sup>th</sup> August 2019. The consultation sought representations from the Returning Officer for each parliamentary constituency within the district, organisations with expertise in relation to access to premises for persons who have different forms of disability, and any other interested parties, such as parish councils, electors, candidates and agents.

3.2 The Council received the following representations in response to the consultation:

(a) Acting Returning Officer for the Richmond (Yorks) Parliamentary Constituency:

Supported the proposals.

(b) Acting Returning Officer for the Thirsk and Malton Parliamentary Constituency:

Supported the proposals.

(c) District Councillor Kevin Hardisty:

Supported the proposals.

(d) Borrowby Parish Council:

Supported the proposals in relation to Borrowby.

(e) Carthorpe Parish Council:

Supported the proposals in relation to Carthorpe.

(f) Crathorne Parish Council:

Supported the proposals in relation to Crathorne.

(g) Farlington Parish Meeting:

Suggested using Farlington Village Hall as a polling place as there are elderly residents in the village who may benefit from being able to walk to the village hall.

(h) Kirkby Fleetham with Fencote Parish Council:

Supported the proposals in relation to Kirkby Fleetham with Fencote.

(i) Morton on Swale Parish Council:

Supported the proposals in relation to Morton on Swale.

(j) Osmotherley Area Parish Council:

Supported the proposals in relation to Osmotherley Area.

#### **4.0 COMMENTS ON CONSULTATION RESPONSES**

- 4.1 Farlington Parish Meeting suggested that elderly residents of Farlington may benefit from having a polling place within the village of Farlington. Electors from Farlington are currently required to travel approximately two miles to Stillington Village Hall. At present Stillington Village Hall is the polling place for three parishes totalling 833 electorate and provides a good standard of facilities for voters. Farlington has an electorate of 98 made up of 17 postal voters and 81 polling station electorate.
- 4.2 Officers have made enquiries in respect of Farlington Village Hall and have concluded that the Hall does not have suitable disabled access or adequate facilities for polling station staff. Therefore, it is officers' view that Farlington Village Hall would not be a suitable polling place, nor would it be feasible to create a new polling place for a polling station electorate of 81. Officers are satisfied that Stillington Village Hall provides adequate facilities for voters and is reasonably nearby for Farlington residents. This view is reflected in Annex A.
- 4.3 All the other responses supported the proposed changes.
- 4.4 Officers are of the opinion that, if the changes proposed in Annex A are approved, all the polling districts and polling places within the district will meet the requirements of the Representation of the People Act 1983.

#### **5.0 CONCLUDING THE REVIEW**

- 5.1 The Council must give due consideration to representations received in response to the consultation before reaching a decision on the designation of polling districts and polling places within its area.
- 5.2 Having considered the consultation responses, the Council is invited to approve the changes detailed in Annex A on the basis that the polling districts and polling places meet the reasonable requirements of electors in the constituency, and take sufficient account of disabled access to polling stations in accordance with the requirements of the Representation of People Act 1983.
- 5.3 Once approved, details of the new polling districts and polling places must be made available to the public together with the reasons for the – decision and details of the consultation responses. Officers will publish the requisite information on the Council's website.
- 5.4 If approved, the proposals in Annex A would result in the alteration to one or more polling districts. Accordingly the Electoral Registration Officer must make the necessary amendments to the electoral register. These changes will be published on the electoral register from 1 December 2019, in line with the annual publication date of the revised electoral register.
- 5.5 The review is concerned with the Council's statutory duty to designate polling places for Parliamentary elections. However, it is also good practice to use the same polling places for all other elections. Therefore, it is proposed that the changes to the designation of polling places are also adopted for all other types of elections within the district.

#### **6.0 FINANCIAL IMPLICATIONS AND EFFICIENCIES:**

- 6.1 There are no financial implications associated with this report.

## **7.0 LEGAL IMPLICATIONS:**

- 7.1 The Council has a statutory duty under the Representation of the People Act 1983 to complete a review of polling district and polling places within its area by 31 January 2020.
- 7.2 On completion of the review the Council must give reasons for its decisions in the review and publish details of the new polling districts and polling places and the representations received in response to the consultation.
- 7.3 There is a right for some persons and bodies to appeal against the outcome of the review to the Electoral Commission, but only on certain grounds. If an appeal is successful then the Electoral Commission has power to make alterations to the polling places designated by the review.

## **8.0 EQUALITIES / DIVERSITY ISSUES**

- 8.1 The principal equality consideration for polling stations is accessibility, in particular for electors with mobility or sight impairment. In accordance with relevant legislation the Council is under a duty to review polling places to ensure that, so far as is reasonable and practicable, every polling place for which it is responsible is accessible to electors who are disabled. As part of the consultation process the Council sought representations from groups or bodies with a special interest or expertise in disabled access.

## **9.0 RISK IMPLICATIONS**

- 9.1 There are no risk management issues relevant to this report.

## **10.0 RECOMMENDATIONS:**

- 10.1 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 this 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.

JUSTIN IVES  
CHIEF EXECUTIVE

**Background papers:** None  
**Author ref:** LV  
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## Review of Polling Districts and Polling Places

Register Code	Parish Name	Current Polling District Name	Current Polling Place	Proposal	Polling station electorates	Total electorates	Postal voters
<b>Appleton Wiske &amp; Smeatons Ward</b>							
AP01R	Appleton Wiske	Appleton Wiske	Appleton Wiske Village Hall	No change	357	402	45
AP02R	Picton	Appleton Wiske	Appleton Wiske Village Hall	No change	86	108	22
AP03R	East Cowton	East Cowton	East Cowton Village Hall	No change	417	492	75
AP04R	Birkby	East Cowton	East Cowton Village Hall	No change	24	27	3
AP05R	South Cowton	East Cowton	East Cowton Village Hall	No change	78	93	15
<b>AP06R</b>	<b>East Rounton</b>	<b>East Rounton</b>	<b>Rounton Village Hall</b>	<b>Polling District name change to 'Rounton'</b>	<b>84</b>	<b>89</b>	<b>5</b>
<b>AP07R</b>	<b>West Rounton</b>	<b>East Rounton</b>	<b>Rounton Village Hall</b>	<b>Polling District name change to 'Rounton'</b>	<b>124</b>	<b>165</b>	<b>41</b>
AP08R	Great Smeaton	Great Smeaton	Great Smeaton Village Hall	No change	139	162	23
AP09R	Deighton	Great Smeaton	Great Smeaton Village Hall	No change	56	90	34
AP10R	Girsby	Great Smeaton	Great Smeaton Village Hall	No change	32	37	5
AP11R	Hornby	Great Smeaton	Great Smeaton Village Hall	No change	149	210	61
AP12R	Hutton Bonville	Great Smeaton	Great Smeaton Village Hall	No change	47	62	15
AP13R	Little Smeaton	Great Smeaton	Great Smeaton Village Hall	No change	31	38	7
AP14R	Over Dinsdale	Great Smeaton	Great Smeaton Village Hall	No change	39	58	19
AP15R	High Worsall	Worsall	Worsall Village Hall	No change	27	32	5
AP16R	Low Worsall	Worsall	Worsall Village Hall	No change	188	234	46
AP17R	Welbury	Welbury	Welbury Village Hall	No change	193	215	22

**CHANGES:** Change of polling district name from 'East Rounton' to 'Rounton' to better reflect the combination of the two parishes and the polling venue.

**Review of Polling Districts and Polling Places**

Register Code	Parish Name	Current Polling District Name	Current Polling Place	Proposal	Polling station electorates	Total electorates	Postal voters
<b>Bagby &amp; Thorntons Ward</b>							
BA01T	Bagby	Bagby	Bagby Church Hall	No change	346	418	72
BA02T	Balk	Bagby	Bagby Church Hall	No change	49	57	8
BA03T	Borrowby	Borrowby	Borrowby Village Hall Institute	No change	297	329	32
BA04T	Leake	Borrowby	Borrowby Village Hall Institute	No change	5	5	0
BA05T	Cowesby	Knayton	Knayton Village Institute	No change	31	44	13
BA06T	Knayton with Brawith	Knayton	Knayton Village Institute	No change	238	271	33
BA07T	Upsall	Knayton	Knayton Village Institute	No change	43	53	10
BA08R	Nether Silton	Nether Silton	Nether Silton - Gold Cup Inn	No change	62	74	12
BA09R	Kepwick	Nether Silton	Nether Silton - Gold Cup Inn	No change	56	65	9
BA10R	Landmoth-cum-Catto	Nether Silton	Nether Silton - Gold Cup Inn	No change	10	13	3
BA11R	Over Silton	Nether Silton	Nether Silton - Gold Cup Inn	No change	42	55	13
BA12T	South Kilvington	South Kilvington	South Kilvington - Old Oak Tree	No change	173	214	41
BA13T	North Kilvington	South Kilvington	South Kilvington - Old Oak Tree	No change	21	24	3
BA14T	Thornbrough	South Kilvington	South Kilvington - Old Oak Tree	No change	8	11	3
BA15T	Boltby	Sutton	Sutton Village Hall	No change	80	113	33
BA16T	Felixkirk	Sutton	Sutton Village Hall	No change	64	82	18
BA17T	Hood Grange	Sutton	Sutton Village Hall	No change	2	3	1
BA18T	Kirby Knowle	Sutton	Sutton Village Hall	No change	37	57	20
BA19T	Sutton-under-Whitestonecliffe	Sutton	Sutton Village Hall	No change	221	258	37
BA20T	Thirlby	Sutton	Sutton Village Hall	No change	78	104	26
BA21T	Thornton-le-Beans	Thornton-le-Beans	Thornton-le-Beans Village Hall	No change	175	218	43
BA22T	Cotcliffe & Crosby	Thornton-le-Beans	Thornton-le-Beans Village Hall	No change	7	8	1
BA23T	Cotcliffe & Crosby	Thornton-le-Beans	Thornton-le-Beans Village Hall	No change	21	22	1
BA24T	Thornton-le-Moor	Thornton-le-Beans	Thornton-le-Beans Village Hall	No change	199	255	56
BA25T	Thornton-le-Street	Thornton-le-Beans	Thornton-le-Beans Village Hall	No change	63	93	30

**CHANGES: None**

### Review of Polling Districts and Polling Places

Register Code	Parish Name	Current Polling District Name	Current Polling Place	Proposal	Polling station electorates	Total electorates	Postal voters
<b>Bedale Ward</b>							
BE01R	Aiskew and Leeming Bar - Aiskew Ward	Aiskew	Aiskew - St Mary and St Josephs Parish Centre	No change	1244	1462	218
BE02R	Aiskew and Leeming Bar - Aiskew Leeming Bar	Aiskew Leeming Bar	Leeming Bar Community Hub	No change	723	845	122
BE03R	Bedale	Bedale	Bedale Hall	No change	2156	2586	430
BE04R	Burneston	Burneston	Burneston - Woodman Inn	No change	187	234	47
BE05R	Swainby with Allerthorpe	Burneston	Burneston - Woodman Inn	No change	9	10	1
BE06R	Theakston	Burneston	Burneston - Woodman Inn	No change	49	66	17
BE07R	Crakehall	Crakehall	Crakehall Village Hall	No change	405	506	101
BE08R	Ainderby Mires with Holtby	Crakehall	Crakehall Village Hall	No change	14	18	4
BE09R	Hackforth	Crakehall	Crakehall Village Hall	No change	114	141	27
BE10R	Langthorne	Crakehall	Crakehall Village Hall	No change	45	60	15
BE11R	Rand Grange	Crakehall	Crakehall Village Hall	No change	3	6	3
BE12R	Exelby Leeming & Londonderry	Exelby, Leeming and Londonderry	Leeming Village Hall	Polling District name change to 'Leeming'	1064	1284	220
BE13R	Gatenby	Exelby, Leeming and Londonderry	Leeming Village Hall	Polling District name change to 'Leeming'	33	38	5

**CHANGES:** Change of polling district name from 'Exelby, Leeming and Londonderry' to 'Leeming' to better reflect the combination of the two parishes and the polling venue.

### Review of Polling Districts and Polling Places

Register Code	Parish Name	Current Polling District Name	Current Polling Place	Proposal	Polling station electorates	Total electorates	Postal voters
<b>Easingwold Ward</b>							
EA01T	Alne	Alne	Alne Village Hall	No change	493	593	100
EA02T	Aldwark	Alne	Alne Village Hall	No change	130	156	26
EA03T	Flawith	Alne	Alne Village Hall	No change	49	68	19
EA04T	Youlton	Alne	Alne Village Hall	No change	27	31	4
EA05T	Crayke	Crayke	Crayke Sports Club	No change	267	323	56
EA06T	Easingwold	Easingwold	Easingwold Methodist Schoolrooms	No change	3636	4279	643
EA07T	Linton-on-Ouse	Linton-on-Ouse	Linton-on-Ouse Village Hall	No change	627	711	84
EA08T	Newton-on-Ouse	Newton-on-Ouse	Newton-on-Ouse Parish Hall	No change	426	495	69
EA09T	Shipton	Shipton	Shipton-by-Beningbrough Community Centre	No change	501	580	79
EA10T	Beningbrough	Shipton	Shipton-by-Beningbrough Community Centre	No change	41	55	14
EA11T	Overton	Shipton	Shipton-by-Beningbrough Community Centre	No change	37	53	16
EA12T	Tollerton	Tollerton	Tollerton War Memorial Institute	No change	702	815	113

**CHANGES: None**

**Review of Polling Districts and Polling Places**

Register Code	Parish Name	Current Polling District Name	Current Polling Place	Proposal	Polling station electorates	Total electorates	Postal voters
<b>Great Ayton Ward</b>							
GR01R	Bilsdale Midcable	Bilsdale Midcable	Chopgate Village Hall	No change	222	259	37
GR02R	Great Ayton	Great Ayton (Marwood)	Great Ayton Parochial Church Hall	No change	1369	1756	387
GR03R	Great Ayton	Great Ayton (Roseberry)	Great Ayton WI Hall	No change	1700	2078	378
GR04R	Little Ayton	Great Ayton (Roseberry)	Great Ayton WI Hall	No change	66	99	33
GR05R	Ingleby Greenhow	Ingleby Greenhow	Ingleby Greenhow & Easby Village Hall	No change	238	291	53
GR06R	Kildale	Kildale	Kildale Village Hall	Polling district name change to 'Ingleby Greenhow'. Polling place change to Ingleby Greenhow & Easby Village Hall.	115	126	11
GR07R	Easby	Kildale	Kildale Village Hall	Polling district name change to 'Ingleby Greenhow'. Polling place change to Ingleby Greenhow & Easby Village Hall.	65	83	18

**CHANGES:** Combine Ingleby Greenhow, Kildale and Easby parishes to form one polling district, 'Ingleby Greenhow'. The new polling place for Ingleby Greenhow polling district is Ingleby Greenhow & Easby Village Hall. The Hall is centrally located for the three parishes and provides improved facilities for voters.

### Review of Polling Districts and Polling Places

Register Code	Parish Name	Current Polling District Name	Current Polling Place	Proposal	Polling station electorates	Total electorates	Postal voters
<b>Huby Ward</b>							
HU01T	Brandsby-cum-Stearsby	Brandsby	Brandsby Cholmeley Hall	No change	199	229	30
HU02T	Dalby-cum-Skewsby	Brandsby	Brandsby Cholmeley Hall	No change	72	88	16
HU03T	Whenby	Brandsby	Brandsby - Cholmeley Hall	No change	44	52	8
HU04T	Yearsley	Brandsby	Brandsby - Cholmeley Hall	No change	86	97	11
<b>HU05T</b>	<b>Huby</b>	<b>Huby</b>	<b>Huby Methodist Church</b>	<b>Venue change</b>	<b>840</b>	<b>964</b>	<b>124</b>
HU06T	Stillington	Stillington	Stillington Village Hall	No change	577	685	108
HU07T	Farlington	Stillington	Stillington Village Hall	No change	81	98	17
HU08T	Marton-cum-Moxby	Stillington	Stillington Village Hall	No change	41	50	9
HU09T	Sutton-on-the-Forest	Sutton-on-the-Forest	Sutton - Grey Village Hall	No change	554	659	105

**CHANGES:** Change of polling place to Huby Memorial Village Hall as this venue provides improved facilities for voters.

## Review of Polling Districts and Polling Places

Register Code	Parish Name	Current Polling District Name	Current Polling Place	Proposal	Polling station electorates	Total electorates	Postal voters
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### Hutton Rudby Ward

HY01R	Crathorne	Crathorne	Crathorne Reading Room	No change	101	119	18
HY02R	Hutton Rudby	Hutton Rudby	Hutton Rudby Village Hall	No change	1113	1381	268
HY03R	Middleton-on-Leven	Hutton Rudby	Hutton Rudby Village Hall	No change	55	70	15
HY04R	Rudby	Hutton Rudby	Hutton Rudby Village Hall	No change	206	268	62
HY05R	Sexhow	Hutton Rudby	Hutton Rudby Village Hall	No change	15	18	3
HY06R	Skutterskelfe	Hutton Rudby	Hutton Rudby Village Hall	No change	86	105	19
HY07R	Seamer	Seamer	Seamer Village Hall	No change	409	519	110
HY08R	Newby	Seamer	Seamer Village Hall	No change	143	186	43

CHANGES: None

### Morton-on-Swale Ward

MO01R	Danby Wiske with Lazenby	Danby Wiske with Lazenby	Danby Wiske Village Hall	No change	219	253	34
MO02R	Great Langton	Great Langton	Great Langton - The Grain Store	No change	80	103	23
MO03R	Kiplin	Great Langton	Great Langton - The Grain Store	No change	32	42	10
MO04R	Little Langton	Great Langton	Great Langton - The Grain Store	No change	26	39	13
MO05R	Whitwell	Great Langton	Great Langton - The Grain Store	No change	20	33	13
MO06R	Killerby	Kirkby Fleetham	Kirkby Fleetham Village Hall	No change	14	16	2
MO07R	Kirkby Fleetham with Fencote	Kirkby Fleetham	Kirkby Fleetham Village Hall	No change	412	468	56
MO08R	Morton-on-Swale	Morton-on-Swale	Morton-on-Swale Village Hall	No change	413	531	118
MO09R	Ainderby Steeple	Morton-on-Swale	Morton-on-Swale Village Hall	No change	138	172	34
MO10R	North Otterington	Morton-on-Swale	Morton-on-Swale Village Hall	No change	26	37	11
MO11R	Thrintoft	Morton-on-Swale	Morton-on-Swale Village Hall	No change	82	110	28
MO12R	Warlaby	Morton-on-Swale	Morton-on-Swale Village Hall	No change	32	37	5
MO13R	Yafforth	Morton-on-Swale	Morton-on-Swale Village Hall	No change	87	132	45
MO14R	Scruton	Scruton	Scruton - Coore Memorial Hall	No change	313	384	71
MO15T	South Otterington	South Otterington	South Otterington & Maunby Village Hall	No change	220	250	30
MO16T	Maunby	South Otterington	South Otterington & Maunby Village Hall	No change	103	123	20
MO17T	Newby Wiske	South Otterington	South Otterington & Maunby Village Hall	No change	106	138	32

CHANGES: None

### Review of Polling Districts and Polling Places

Register Code	Parish Name	Current Polling District Name	Current Polling Place	Proposal	Polling station electorates	Total electorates	Postal voters
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#### Northallerton North and Brompton Ward

NN01R	Brompton	Brompton	Brompton Methodist Church	No change	1381	1642	261
NN02R	Northallerton North	Northallerton North	Northallerton - The Forum	No change	2406	3079	673

CHANGES: None

#### Northallerton South Ward

NS01R	Northallerton Central	Northallerton Central	Northallerton - The Forum	No change	2960	3554	594
NS02R	Northallerton South	Northallerton South	Northallerton - The Forum	No change	1265	1644	379

CHANGES: None

#### Osmotherley & Swainby Ward

OS01R	Carlton	Carlton	Carlton Village Hall	No change	195	234	39
OS02R	Faceby	Carlton	Carlton Village Hall	No change	113	161	48
OS03R	Great Busby	Carlton	Carlton Village Hall	No change	54	62	8
OS04R	Little Busby	Carlton	Carlton Village Hall	No change	19	19	0
OS05R	East Harlsey	East Harlsey	East Harlsey Village Hall	No change	208	229	21
OS06R	Ingleby Arncliffe	Ingleby Arncliffe	Ingleby Cross Village Hall	No change	220	282	62
OS07R	Kirby Sigston	Kirby Sigston	Kirby Sigston & District Village Hall	No change	71	80	9
OS08R	Sowerby-under-Cotcliffe	Kirby Sigston	Kirby Sigston & District Village Hall	No change	29	35	6
OS09R	Osmotherley	Osmotherley	Osmotherley Village Hall	No change	455	514	59
OS10R	Ellerbeck	Osmotherley	Osmotherley Village Hall	No change	32	43	11
OS11R	Thimbleby	Osmotherley	Osmotherley Village Hall	No change	42	51	9
OS12R	West Harlsey	Osmotherley	Osmotherley Village Hall	No change	15	29	14
OS13R	Winton Stank & Hallikeld	Osmotherley	Osmotherley Village Hall	No change	40	52	12
OS14R	Potto	Potto	Potto Village Hall	No change	197	252	55
OS15R	Whorlton	Whorlton	Swainby Holy Cross Church Hall	No change	415	492	77

CHANGES: None

**Review of Polling Districts and Polling Places**

Register Code	Parish Name	Current Polling District Name	Current Polling Place	Proposal	Polling station electorates	Total electorates	Postal voters
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**Raskelf & White Horse Ward**

RA01T	Carlton Husthwaite	Carlton Husthwaite	Carlton Husthwaite Village Hall	No change	126	136	10
RA02T	Angram Grange	Carlton Husthwaite	Carlton Husthwaite Village Hall	No change	11	11	0
RA03T	Coxwold	Coxwold	Coxwold Village Hall	No change	126	146	20
RA04T	Kilburn High & Low	Coxwold	Coxwold Village Hall	No change	136	172	36
RA05T	Newburgh	Coxwold	Coxwold Village Hall	No change	20	30	10
RA06T	Oulston	Coxwold	Coxwold Village Hall	No change	75	89	14
RA07T	Wildon Grange	Coxwold	Coxwold Village Hall	No change	14	16	2
RA08T	Brafferton and Helperby	Helperby	Helperby Millennium Hall	No change	350	405	55
RA09T	Brafferton and Helperby	Helperby	Helperby Millennium Hall	No change	213	247	34
RA10T	Fawdington	Helperby	Helperby Millennium Hall	No change	6	6	0
RA11T	Myton-on-Swale	Helperby	Helperby Millennium Hall	No change	96	126	30
RA12T	Husthwaite	Husthwaite	Husthwaite Village Hall	No change	291	349	58
RA13T	Thornton-on-the-Hill	Husthwaite	Husthwaite Village Hall	No change	23	26	3
RA14T	Raskelf	Raskelf	Raskelf Village Hall	No change	403	437	34
RA15T	Birdforth	Raskelf	Raskelf Village Hall	No change	7	14	7
RA16T	Thormanby	Raskelf	Raskelf Village Hall	No change	77	90	13
RA17T	Thirkleby High & Low with Osgodby	Thirkleby	Thirkleby Parish Hall	No change	187	223	36
RA18T	Tholthorpe	Tholthorpe	Tholthorpe Village Hall	No change	182	209	27

**CHANGES: None**

**Review of Polling Districts and Polling Places**

Register Code	Parish Name	Current Polling District Name	Current Polling Place	Proposal	Polling station electorates	Total electorates	Postal voters
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**Romanby Ward**

RY01R	Romanby Broomfield	Romanby	Romanby - Broomfield Sacred Hearts RC School	No change	1415	1864	449
RY02R	Romanby Romanby	Romanby	Romanby Methodist Church Hall	No change	2539	3208	669

**CHANGES: None**

**Sowerby & Topcliffe Ward**

SO01T	Dalton	Dalton	Dalton Village Hall	No change	487	585	98
SO02T	Eldmire with Crakehill	Dalton	Dalton Village Hall	No change	13	17	4
SO03T	Sessay	Sessay	Sessay Village Hall	No change	205	264	59
SO04T	Hutton Sessay	Sessay	Sessay Village Hall	No change	63	69	6
SO05T	Sowerby	Sowerby	Sowerby Scout Hut	No change	3103	3828	725
SO06T	Topcliffe	Topcliffe	Topcliffe Village Hall	No change	652	751	99

**CHANGES: None**

**Stokesley Ward**

ST01R	Great and Little Broughton	Great and Little Broughton	Great Broughton Village Hall	No change	714	840	126
ST02R	Kirkby	Great and Little Broughton	Great Broughton Village Hall	No change	205	257	52
ST03R	Stokesley	Stokesley	Stokesley Town Hall	No change	3106	3833	727

**CHANGES: None**

## Review of Polling Districts and Polling Places

Register Code	Parish Name	Current Polling District Name	Current Polling Place	Proposal	Polling station electorates	Total electorates	Postal voters
<b>Tanfield Ward</b>							
TA01R	Carthorpe	Carthorpe	Carthorpe Community Hall	No change	174	223	49
TA02R	Howgrave & Sutton with Howgrave	Kirklington	Kirklington Village Hall	No change	0	0	0
TA03R	Kirklington Cum Upsland	Kirklington	Kirklington Village Hall	No change	155	179	24
TA04R	Howgrave & Sutton with Howgrave	Kirklington	Kirklington Village Hall	No change	64	71	7
<b>TA05R</b>	<b>Pickhill with Roxby</b>	<b>Pickhill with Roxby</b>	<b>Pickhill Primary School</b>	<b>Polling district name change to Venue change</b>	<b>271</b>	<b>314</b>	<b>43</b>
TA06R	Sinderby	Sinderby	Sinderby & District Village Hall	No change	97	112	15
TA07R	Ainderby Quernhow	Sinderby	Sinderby & District Village Hall	No change	35	50	15
TA08R	Holme	Sinderby	Sinderby & District Village Hall	No change	35	41	6
TA09R	Howe	Sinderby	Sinderby & District Village Hall	No change	14	17	3
TA10R	Snape with Thorp	Snape with Thorp	Snape Village Institute	No change	277	336	59
TA11R	Firby	Snape with Thorp	Snape Village Institute	No change	28	36	8
TA12R	Thornton Watlass	Thornton Watlass	Thornton Watlass Village Hall	No change	141	166	25
TA13R	Burrill with Cowling	Thornton Watlass	Thornton Watlass Village Hall	No change	52	66	14
TA14R	Clifton-on-Yore	Thornton Watlass	Thornton Watlass Village Hall	No change	28	34	6
TA15R	Rookwith	Thornton Watlass	Thornton Watlass Village Hall	No change	17	22	5
TA16R	Thirn	Thornton Watlass	Thornton Watlass Village Hall	No change	55	70	15
TA17R	East Tanfield	Tanfield	West Tanfield Memorial Hall	No change	14	19	5
TA18R	West Tanfield	Tanfield	West Tanfield Memorial Hall	No change	410	471	61
TA19R	Well	Well	Well Village Institute	No change	161	198	37

**CHANGES:** Due to safeguarding issues Pickhill Primary School is no longer available to be used as a polling station (without forcing the closure of the school on polling days). Therefore Pickhill with Roxby, Sinderby, Ainderby Quernhow, Holme and Howe parishes are to combine to form one polling district, 'Sinderby'. The new polling place for Sinderby polling district is Sinderby & District Village Hall which offers a good standard of facilities for voters.

**Review of Polling Districts and Polling Places**

Register Code	Parish Name	Current Polling District Name	Current Polling Place	Proposal	Polling station electorates	Total electorates	Postal voters
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**Thirsk Ward**

TH01T	Carlton Miniott	Carlton Miniott	Carlton Miniott - Vale of York	No change	701	849	148
TH02T	Sandhutton	Sandhutton	Sandhutton Village Hall	No change	160	191	31
TH03T	Catton	Sandhutton	Sandhutton Village Hall	No change	71	87	16
TH04T	Kirby Wiske	Sandhutton	Sandhutton Village Hall	No change	68	84	16
TH05T	Newsham with Breckenbrough	Sandhutton	Sandhutton Village Hall	No change	84	105	21
TH06T	Skipton on Swale	Sandhutton	Sandhutton Village Hall	No change	47	58	11
TH07T	Thirsk	Thirsk (East of Cod Beck)	Thirsk - East Thirsk Community Ha	No change	2414	2922	508
TH08T	Thirsk	Thirsk (West of Cod Beck)	Thirsk - Friends Meeting House	No change	960	1109	149

**CHANGES: None**

## MINUTES FOR INFORMATION

<u>Committee</u>	<u>Date</u>	<u>Page</u>
Cabinet	3 September 2019	
Scrutiny Committee	18 July 2019 12 September 2019	To follow
Planning Committee	25 July 2019 22 August 2019	
Audit, Governance and Standards Committee	23 July 2019	
Licensing Committee	30 July 2019	
Licensing and Appeals Hearings Panel	27 August 2019	
Standards Hearings Panel	9 August 2019	

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

Decisions of the meeting of the CABINET held  
at 9.30 am on Tuesday, 3rd September, 2019  
at the COUNCIL CHAMBER, CIVIC CENTRE,  
STONE CROSS, ROTARY WAY,  
NORTHALLERTON, DL6 2UU

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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
	D B Elders		G Ramsden
	K G Hardisty		M Taylor
	D Hugill		

CA.19 **MINUTES**

**THE DECISION:**

That the decisions of the meeting held on 2 July 2019 (CA.6 – CA.10), previously circulated, be signed as a correct record.

CA.20 **ANNUAL REPORT ON THE AUDIT, STANDARDS AND GOVERNANCE AND STANDARDS COMMITTEE'S ACTIVITIES FOR 2019/20**

All Wards

**The subject of the decision:**

This report presented a report which analysed the work undertaken by the Audit, Governance and Standards Committee up to 31 March 2019. An analysis of the work undertaken was attached at Appendix A of the report.

**Alternative options considered:**

None.

**The reason for the decision:**

To comply with the Council's Constitution.

**THE DECISION:**

That the report of the Audit, Governance and Standards Committee on the Committee's activities during 2018/19 be endorsed.

The meeting closed at 10.00 am

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Leader of the Council

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Present

Councillor D Hugill (in the Chair)

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

Also in Attendance

Councillor K G Hardisty

Apologies for absence were received from Councillors C A Les and Mrs J W Mortimer.

SC.7 **MINUTES**

**THE DECISION:**

That the minutes of the meeting of the Committee held on 13 June 2019 (SC.3 - SC.6), previously circulated, be signed as a correct record.

SC.8 **DRIVING ECONOMIC VITALITY, INCLUDING MARKETS - VIBRANT MARKET TOWNS - UPDATE**

All Wards

Further to a request by the Committee at the meeting held on 13 June 2019 for an update on the implementation of the recommendations from the policy review, the Vibrant Market Towns Project Manager provided an update with regard to the current position on, and the impact of, the Council's Vibrant Market Town initiative.

The report set out a number of projects identified in the Vibrant Market Towns Investment Plan which fulfilled the Committee's recommendations, or were near completion. The Vibrant Market Towns team was also looking to undertake more ambitious projects that would have greater impact on the long term sustainability of the market towns, the details of which were included in the report.

A number of questions were asked by the Committee regarding the market towns footfall, heritage status, markets and partnership working which were responded to at the meeting.

**THE DECISION:**

That the report be noted.

SC.9 **POLICY REVIEW - ENFORCEMENT POLICY ON FLY-TIPPING - UPDATE**

All Wards

At the request of the Committee, the Director of Environment presented a report detailing further actions that had been carried out since the previous update report was provided to the Committee on 13 September 2018.

The report detailed information regarding a revised Policy which had been agreed by Council on 11 December 2018 which covered activities across the Environment Directorate with schedules for Waste and Street Scene and Environmental Health. The report also detailed a number of actions that had been taken with the Waste and Street Scene and wider project team.

A number of questions were asked regarding vehicle cameras, the implementation of an online reporting system, CCTV cameras, collection of white goods from residents and publicity. These were responded to at the meeting.

**THE DECISION:**

That the report be noted.

SC.10 **POLICY REVIEW - RECYCLING**

All Wards

The Chairman reported that the Committee had agreed that its next review should be on Recycling and presented a draft Project Plan for consideration. The Committee suggested some minor amendments to the Project Plan and agreed that the Director of Environment be invited to the next meeting of the Committee.

**THE DECISION:**

That:

- (1) the Project Plan as amended be approved; and
- (2) the Director of Environment be invited to attend the next meeting of the Committee on 12 September 2019.

The meeting closed at 3.05 pm

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Chairman of the Committee

Present

Councillor P Bardon (in the Chair)

Councillor	M A Barningham	Councillor	A Robinson
	D B Elders		M Taylor
	B Griffiths		D Watkins
	J Noone		D A Webster
	B Phillips		

Also in Attendance

Councillor	G Ramsden	Councillor	A Wake
	M S Robson		

Apologies for absence were received from Councillors Mrs B S Fortune and K G Hardisty

P.8 **MINUTES**

**THE DECISION:**

That the minutes of the meeting of the Committee held on 27 June 2019 (P.6 - P.7), previously circulated, be signed as a correct record.

P.9 **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) 19/00774/FUL - Construction of two attached cottages with access and parking. Extensions and renovation to existing dwelling of The Cottage, Aldwark for Mr James Bladon

PERMISSION REFUSED

(The applicant's agent, Jim Burns, spoke in support of the application).

(Tina Greenwood spoke on behalf of Aldwark Parish Council objecting to the application.)

(Richard Bray spoke objecting to the application.)

- (2) 19/00791/FUL - Construction of two dwellings and formation of an access drive at Ivy House, Dalton for Mr Wood

PERMISSION GRANTED

(The applicant's agent, Chris Megson, spoke in support of the application).

- (3) 18/00375/FUL - Full planning application for the construction of 12 dwellings, garages and associated infrastructure at Land Adjacent Ash Lea And Bellwood Cottage, Raskelf Road, Easingwold for Daniel Gath Homes

PERMISSION GRANTED

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

- (4) 19/00988/FUL - Change of use of land for the construction of one dwellinghouse and the re-siting of existing stable structure at Land North Of The Shielings, North Road, Hackforth for D McCabe and L McQue

PERMISSION GRANTED subject to an additional condition removing permitted development rights for extensions and new buildings.

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

(John Wainwright spoke objecting to the application.)

- (5) 19/00976/FUL - Demolition of existing garage construction of a domestic garage and workshop and formation of a covered walkway between the garage and the house at Church Lodge, Overton for Mr and Mrs Lee-Burnsall

PERMISSION GRANTED

- (6) 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 at land East of Topcliffe Road and South of Gravel Hole Lane, Topcliffe Road, Sowerby for Portakabin Limited

DEFER for the applicant to re-consider the car and coach parking provision, and the design and its sustainability.

(Stephen Carlin (from Portakabin) spoke on behalf of the applicant in support of the application).

Note: The meeting adjourned at 3.15pm and reconvened at 3.25pm.

- (7) 19/00359/OUT - Application for Outline Planning Permission with Some Matters Reserved (considering access only) for Residential Development as amended by plan received on 31 May 2019 at field 7272 Land North Of Hebron Court, The Stripe, Stokesley for Taylor Wimpey UK Ltd

DEFER to allow the applicant to undertake landowner notifications.

- (8) 19/00877/FUL - Construction of 3 terraced, single storey dwellings with associated access, parking, bin storage and gardens at Goose Farm, Goose Lane, Sutton on The Forest for Mr And Mrs Plummer

PERMISSION REFUSED

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

- (9) 18/02648/FUL - Construction of two storey extension to dwelling; alterations to stables to form holiday accommodation; replacement of front boundary fence and gate as amended by plans received by Hambleton District Council on 10 May 2019 at Woodlands Farm, Thimbleby for Mr And Mrs Paul and Amy Callin

PERMISSION REFUSED

(The applicant, Amy Callin, spoke in support of the application.)

- (10) 18/02647/LBC - Listed Building Consent for internal alterations to dwelling; construction of a two storey extension; replacement windows and doors; and alterations to stables to form holiday accommodation as amended by plans received by Hambleton District Council on 10 May 2019 at Woodlands Farm, Thimbleby for Mr And Mrs Paul And Amy Callin

PERMISSION REFUSED

(The applicant, Amy Callin, spoke in support of the application.)

- (11) 19/00766/ADV - Retrospective application for advertisement consent to display 1 hanging sign and 1 fascia sign at Milano, 13 Millgate, Thirsk for Mr Abbas Salih

PERMISSION REFUSED

(The applicant, Abbas Salih, spoke in support of the application.)

Disclosure of Interest

Councillor P Bardon disclosed a pecuniary interest and left the meeting prior to discussion and voting on this item.

(Councillor J Noone Vice-Chairman in the Chair)

The meeting closed at 4.25 pm

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Chairman of the Committee

Present

Councillor P Bardon (in the Chair)

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

Also in Attendance

Councillor G W Dadd

An apology for absence was received from Councillor D B Elders

P.10 **MINUTES**

**THE DECISION:**

That the minutes of the meeting of the Committee held on 25 July 2019 (P.8 - P.9), previously circulated, be signed as a correct record.

P.11 **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) 19/00122/FUL - Demolition of existing outbuildings and construction of 2 dwellings with parking and ancillary works as amended by plans received by Hambleton District Council on 23 May 2019 at The Greyhound, Aiskew Bank, Aiskew for Mr David Fell

PERMISSION REFUSED because the proposal represented over development of the site, provided inadequate amenity space, poor parking provision and poor visibility splays giving rise to inadequate pedestrian safety.

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

(The applicant, David Fell, spoke in support of the application.)

- (2) 19/00986/FUL - Construction of a single storey rear extension at 21 South Side, Hutton Rudby, North Yorkshire, TS15 0DD for Mr and Mrs Geoff Suddes

APPLICATION WITHDRAWN

- (3) 19/01623/APN - Application for prior notification for the construction of an agricultural building for the winter housing of livestock at Dromonby Grange Farm, Kirkby in Cleveland, North Yorkshire, TS9 7AR for Mr D Hugill

THAT PRIOR APPROVAL WAS NOT REQUIRED

- (4) 18/01113/FUL - Creation of 12 additional flats at first floor level, together with ground floor retail uses (Use Classes A1/A2/ A3/A5); first floor extension to Regency Mews, together with the installation of shop fronts at ground floor level; two-storey extension to Romanby Court, together with the creation of two new ground floor retail units following partial demolition and conversion of the existing building; and a glazed canopy over courtyard area at Romanby Court, High Street, Northallerton for Ark Grove Limited

PERMISSION GRANTED subject to an additional condition controlling food outlets.

(The applicant's agent, Claire Louise Booth, spoke in support of the application.)

- (5) 18/01114/LBC - Installation of windows at first floor level of the rear off shoot 139 High Street, the installation of windows and access doors at ground of the off shoot and the installation of new shop fronts, doors and bin store doors within the boundary wall associated with 139 High Street at Romanby Court, High Street, Northallerton for Ark Grove Limited

PERMISSION GRANTED

- (6) 19/00254/FUL - Change of use of hotel car park for the construction of a drive through coffee shop with associated access, car parking, landscaping and bin store at Allerton Court Hotel, Darlington Road, Northallerton for Mr Dan Bowden (Shepherd Cox Drive Thru) (Northallerton) Ltd

PERMISSION GRANTED subject to amendments to condition 6 to include drainage hierarchy

(The applicant's agent, Lorraine Robertson, spoke in support of the application.)

- (7) 19/01324/OUT - Application for outline planning permission with access to be considered (all other matters reserved) for the creation of a detached dwelling at Orchard House, Stobarts Lane Low Worsall for Mr R Booth

PERMISSION GRANTED subject to suitable tree protection measures

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

Note: The meeting adjourned at 3.00pm and reconvened at 3.10pm.

- (8) 18/00825/FUL - Retrospective storage of logs for wood chipping, operation of mobile wood chipper and weighbridge as per amended plans received by Hambleton District Council 7th June 2018 - additional plan showing acoustic bund received 12 August 2019 at Busby Stoop Farm & North Turkey Farm, Skipton Old Airfield, Sandhutton for Mr Richard Maxwell

PERMISSION GRANTED subject to an additional condition to ensure that wood chip is only produced for use within the on-site biomass units.

- (9) 19/00952/FUL - Proposed development for the construction of 97 affordable dwellings including access, open space, landscaping, SuDS and associated infrastructure at Land of Topcliffe Road, Sowerby for Thirteen Group

PERMISSION GRANTED subject to an amendment to condition 13 to provide acoustic fencing along all affected boundaries.

(The applicant's agent, Shaun Cuggy, spoke in support of the application.)

- (10) 19/00359/OUT - Application for Outline Planning Permission with Some Matters Reserved (considering access only) for Residential Development as amended by plan received on 08 August 2019 at OS Field 7272 Land North Of Hebron Court for Taylor Wimpey UK Ltd

PERMISSION GRANTED subject to additional conditions restricting the development to no more than 101 units, and compliance with the Council's size, type and tenure supplementary planning guidance; and amendment to Condition 3 as set out in the update papers, and Condition 13 to include soil storage.

(The applicant's agent, Adam Jackson, spoke in support of the application.)

Note: Councillor Andy Robinson left the meeting and did not return.

- (11) 19/01346/FUL - Construction of a roundhouse agricultural livestock building at Hall Farm, Warlaby for Councillor Brian Phillips

PERMISSION GRANTED subject to an additional condition regarding lighting.

Disclosure of Interest

Councillor B Phillips disclosed a pecuniary interest and left the meeting prior to discussion and voting on this item.

Note: Councillor Kevin Hardisty left the meeting and did not return.

- (12) 19/00113/FUL - Construction of five dwellings and associated garages as amended by plans received by Hambleton District Council on 30 May 2019 at Danby Cottage, Nosterfield for Mr Philip Trehitt

PERMISSION GRANTED subject to an informative regarding bats.

(The applicant's agent, Craig Stockley, spoke in support of the application.)

- (13) 18/0097/OUT - Outline Application (with all matters reserved) for the conversion of agricultural buildings to provide up to 3 residential dwellings at High Lions, Yearsley for Newburgh Priory Estate

PERMISSION GRANTED

(The applicant's agent, Rob Moore, spoke in support of the application.)

The meeting closed at 5.10 pm

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Chairman of the Committee

Minutes of the meeting of the AUDIT,  
GOVERNANCE AND STANDARDS  
COMMITTEE held at 9.30 am on Tuesday,  
23rd July, 2019 at MAIN COMMITTEE ROOM,  
CIVIC CENTRE, STONE CROSS, ROTARY  
WAY, NORTHALLERTON, DL6 2UU

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Present

Councillor N A Knapton (in the Chair)

Councillor P Atkin  
D B Elders

Councillor P Thompson

Apologies for absence were received from Councillors G W Dadd, R W Hudson and Mrs J W Mortimer

AGS.3 **MINUTES**

**THE DECISION:**

That the minutes of the meetings of the Committee held on 26 March and 21 May 2019 (AGS.27 – AGS.38 and AGS.1 – AGS.2), previously circulated, be signed as a correct record.

AGS.4 **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 27 March to 23 July 2019.

AGS.5 **POLITICALLY RESTRICTED POSTS**

All Wards

**The subject of the decision:**

The Director of Law and Governance (Monitoring Officer) presented a list of Politically Restricted Posts for approval.

**Alternative options considered:**

None.

**The reason for the decision:**

To comply with the Local Government and Housing Act 1989.

**THE DECISION:**

That the list of Politically Restricted Posts annexed to the report be approved.

AGS.6 **ANNUAL REPORT TO CABINET ON THE AUDIT, GOVERNANCE AND STANDARDS COMMITTEE'S ACTIVITIES 2018/19**

All Wards

**The subject of the decision:**

The Director of Finance and Commercial (s151 Officer) presented a draft report which analysed the work undertaken by the Committee for the year to 31 March 2019. Under the Committee's Terms of Reference, it was proposed that the report would be presented at Cabinet in September 2019.

**Alternative options considered:**

None.

**The reasons for the decision:**

To agree the content of the draft report prior to submission to Cabinet.

**THE DECISION:**

That:-

- (1) the content of the report be agreed; and
- (2) the report be submitted to Cabinet in September 2019.

AGS.7 **INTERNAL AUDIT AND COUNTER FRAUD ANNUAL REPORT 2018/19**

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 2018/19 and any developments likely to have an impact on the plan throughout the remainder of the financial year.

**Alternative options considered:**

None.

**The reason for the decision:**

To take account of the statutory requirement under the Accounts and Audit Regulations.

**THE DECISION:**

That:-

- (1) the opinion of the Head of Internal Audit on the adequacy and effectiveness of the Council's framework of governance, risk management and control as at Annex 1 of the report be noted;
- (2) the outcome of the Quality Assurance and Improvement Programme and the confirmation that the internal audit service conforms to Public Sector Internal Audit Standards, as detailed in in paragraph 2.7 and Appendix 4 of the report be noted; and
- (3) the results of the audit and counter fraud work undertaken in 2018/19 as detailed in paragraph 1.4 and Annex 2 of the report be noted.

AGS.8 **ANNUAL GOVERNANCE STATEMENT 2018/19**

All Wards

**The subject of the decision:**

The Director of Finance and Commercial (s151 Officer) presented a report which set out the findings of a review of the governance framework, incorporating systems of internal control operating within the Council during 2018/19 and sought approval of the Annual Governance Statement.

**Alternative options considered:**

None.

**The reason for the decision:**

The preparation and publication of an Annual Governance Statement in accordance with the CIPFA/SOLACE Framework was necessary to meet the statutory requirements set out in Regulation 4(2) of the Accounts and Audit Regulations which

required authorities to “conduct a review at least once in a year of the effectiveness of its system of internal control” and to prepare a statement on internal control “in accordance with proper practices”.

**THE DECISION:**

That:-

- (1) the conclusion of the review of the system of internal control be agreed; and
- (2) the content of the Annual Governance Statement as detailed at Annex A of the report be approved for publication within the Annual Financial Report - Statement of Accounts 2018/19.

AGS.9 **STATUTORY AUDITOR REPORT TO THE AUDIT COMMITTEE ON THE 2018/19 AUDIT AND THE COUNCIL'S FINANCIAL REPORT - STATEMENT OF ACCOUNTS 2018/19**

All Wards

**The subject of the decision:**

The Director of Finance and Commercial (s151 Officer) submitted a report which presented the Statutory Auditor Results Report for the year ended 31 March 2018, the Management Representation Letter and the Council’s Financial Report 2018/19 for approval.

**Alternative options considered:**

None.

**The reason for the decision:**

The National Audit Office’s Code of Audit Practice (The Code) for Local Government Bodies required a report to be issued from the External Auditor (Ernst & Young LLP) to those charged with governance, on the work carried out during the audit, to discharge Ernst & Young’s statutory responsibilities, together with any governance issues identified.

**THE DECISION:**

That:-

- (1) the ‘Audit Results Report – IAS 260’ presented to the Audit, Governance and Standards Committee for the 2018/19 audit as prepared by Ernst & Young LLP attached at Annex A to the report be accepted;
- (2) the signing of the Management Representation Letter at Annex B of the report by the Council’s Director of Finance and Commercial, acting in the capacity of s151 Officer; be approved and
- (3) the audited Financial Report - Statement of Accounts for 2018/19 at Annex C of the report be approved.

AGS.10 **STATUTORY AUDITOR - QUARTERLY UPDATE REPORT**

All Wards

**The subject of the decision:**

The Director of Finance and Commercial (S151 Officer) presented a report which provided an update on the Council's statutory auditor, Ernst & Young LLP, activities to date.

A representative from Ernst & Young LLP attended the meeting to provide the update and answer questions.

**Alternative options considered:**

None.

**The reason for the decision:**

To take account of the work undertaken to date by the Council's statutory auditor.

**THE DECISION:**

That the quarterly report from the external auditor be noted.

AGS.11 **COUNTER FRAUD FRAMEWORK UPDATE**

All Wards

**The subject of the decision:**

The Director of Finance and Commercial (s151 Officer) presented a report which detailed the development of counter fraud arrangements within the Council. The Council had approved a new Counter Fraud and Corruption Policy and Strategy (with association action plan) in July 2017. This report provided an update on progress against the actions set out in the strategy and added new actions for the next financial year. In addition the Council's counter fraud risk assessment had been updated to reflect fraud risks currently facing the Council.

**Alternative options considered:**

None.

**The reasons for the decision:**

The Committee was satisfied with progress on the actions set out in the Counter Fraud and Corruption Strategy and the preventative measures introduced within the Counter Fraud Risk Assessment to reduce the risk of fraud.

**THE DECISION:**

That:-

- (1) the updated Counter Fraud and Corruption Strategy Action Plan detailed in Appendix 2 of the report be noted; and

- (2) the Counter Fraud Risk Assessment as detailed within Appendix 3 of the report be noted.

AGS.12 **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 nos AGS.13 on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 7 of Part 1 of Schedule 12A of the Act as the Committee was satisfied that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

AGS.13 **COUNTER FRAUD FRAMEWORK UPATE - ANNEX 3**

All Wards

**The subject of the decision:**

The Director of Finance and Commercial (s151 Officer) presented a report providing an annual update on the Counter Fraud Risk Assessment for the Council.

**Alternative options considered:**

None.

**The reasons for the decision:**

The Committee was satisfied with progress on the actions set out in the Counter Fraud and Corruption Strategy and the preventative measures introduced within the Counter Fraud Risk Assessment to reduce the risk of fraud.

**THE DECISION:**

That the Counter Fraud Risk Assessment as detailed within Appendix 3 of the report be noted.

The meeting closed at 10.40 am

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Chairman of the Committee

Present

Councillor R Kirk (in the Chair)

Councillor	P Bardon	Councillor	M Taylor
	M A Barningham		P Thompson
	C A Dickinson		D Watkins
	N A Knapton		

Apologies for absence were received from Councillors K G Hardisty and A Wake.

LC.3 **MINUTES**

**THE DECISION:**

That the minutes of the meetings of the Committee held on 5 February and 21 May 2019 (LC.10 - LC.11 and LC.1 – LC.2), and the meetings of the Licensing and Appeals Hearings Panel held on 5 February, 17 April, 6 June, 12 June and 9 July 2019 (LAHP.27, LAHP.28 – LAHP.29, LAHP.30, LAHP.1, LAHP.2 – LAHP.3 and LAHP.4) previously circulated, be signed as correct records.

LC.4 **HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY - VEHICLE AGE LIMITS**

All Wards

**The subject of the decision:**

This report sought consideration of a review of the hackney carriage and private hire vehicle age limits contained within the Council's Hackney Carriage and Private Hire Licensing Policy in order to improve standards and practices.

**Alternative options considered:**

The Committee was satisfied that a review of the age limits would be appropriate and a number of alternative approaches were considered. Specifically, the Committee considered making distinctions based on different vehicle types (i.e. petrol, vehicle, electric). The Committee concluded that the proposal was appropriate subject to the addition of a specific provision in respect of fully electric vehicles. No further amendments were deemed necessary.

**The reason for the decision:**

The Committee considered the Director's report in relation to the vehicle age limits contained within the Council's Hackney Carriage and Private Hire Licensing Policy.

The Committee also considered the responses to a preliminary consultation undertaken with the hackney carriage and private hire trade in February 2019. The Committee noted that only one of the consultees opposed a review of the vehicle age limits.

The Committee noted that the Council's existing vehicle age limits were higher than the limits imposed by neighbouring authorities, thereby providing a potentially attractive proposition to proprietors operating outside the district of Hambleton. The Committee was satisfied that a review of the age limits would be appropriate in order to address the potential risk to public safety and the sustainability of the existing trade.

The Committee considered the impact that the proposals may have on air quality within the district. The Committee noted that the Council was expected to consider to what extent the Hackney Carriage and Private Hire Licensing Policy could support any local environmental initiatives. The Committee was satisfied that any eventual reduction to the vehicle age limits would have a positive impact on air quality. The Committee considered whether or not to amend the proposal to further reduce the age limit pertaining to diesel vehicles. The Committee noted that the existing proposal, if approved, would ensure that all vehicles licensed by the Council would possess Euro V technology and all vehicles licensed after 1 September 2020 would possess Euro VI technology. On that basis, the Committee was satisfied that the existing proposal adequately promoted the Council's environmental initiatives.

The Committee noted that the purchase cost of electric vehicles may discourage members of the trade from licensing any such vehicles for private hire and public hire purposes. The Committee noted that steps should be taken to mitigate costs where wider social benefits are provided. The Committee was satisfied that arrangements should be made to encourage the use of electric vehicles and therefore concluded that the proposal should be amended to include provision for fully electric vehicles to be subject an upper age limit of 10 years.

The Committee noted that wheelchair accessible vehicles were not currently subject to the general age restrictions contained within the policy. The Committee was satisfied that the exemption was intended to ensure that proprietors were not discouraged from licensing wheelchair accessible vehicles and therefore concluded that the exemption should remain in place.

The Committee was satisfied that the proposed amendments would be likely to improve standards and therefore authorised the commencement of the consultation in order to gauge the views of the trade.

**THE DECISION:**

That a full consultation be authorised to be carried out in relation to the hackney carriage and private hire vehicle age limit proposals (as amended by Members) on the understanding that the matter will be referred back to the Committee for consideration of any responses.

LC.5 **HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY - PRACTICAL DRIVING ASSESSMENTS**

All Wards

**The subject of the decision:**

This report sought consideration of a reinstatement of a previous requirement for hackney carriage and private hire drivers to undergo a practical driving test prior to obtaining a licence.

**Alternative options considered:**

The Committee considered rejecting the proposal but concluded that it was appropriate to consult on practical driving assessments and no amendments were deemed necessary.

**The reason for the decision:**

The Committee noted that, prior to 1 January 2017, all applicants for hackney carriage and private hire driver licences were required to undergo a practical driving assessment to demonstrate competence.

The Committee was satisfied that the proposals would assist the Council in assessing the suitability of an applicant for a hackney carriage and private hire driver licence.

**THE DECISION:**

That a full consultation be authorised to be carried out in relation to practical driving assessments on the understanding that the matter will be referred back to the Committee for consideration of any responses.

LC.6 **HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY - INSURANCE WRITE-OFFS**

All Wards

**The subject of the decision:**

This report sought consideration of applying a general prohibition on specified categories of insurance write-offs in relation to all hackney carriage and private hire vehicles.

**Alternative options considered:**

The Committee considered rejecting the proposal but concluded that it was appropriate to consult on insurance write-offs and no amendments were deemed necessary.

**The reason for the decision:**

The Committee was satisfied that any vehicle subject to an insurance write-off should be adequately assessed before it can be used for public and private hire purposes.

**THE DECISION:**

That a full consultation be authorised to be carried out in relation to insurance write-offs on the understanding that the matter will be referred back to the Committee for consideration of any responses.

LC.7 **HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY - SAFEGUARDING TRAINING**

All Wards

**The subject of the decision:**

This report sought consideration of introducing a requirement for hackney carriage and private hire drivers to undergo safeguarding training prior to obtaining a licence.

**Alternative options considered:**

The Committee was satisfied that it was appropriate to review the Council's position with regards to safeguarding training for hackney carriage and private hire driver. A number of alternative approaches were considered and the Committee was satisfied that the consultation should not be restricted to new drivers. No further amendments were deemed necessary.

**The reason for the decision:**

The Committee considered the Director's report and was satisfied that safeguarding awareness training was a suitable and relevant requirement for all licensed drivers.

The Committee concluded that the proposal should be revised to include a requirement for all licensed drivers to complete the safeguarding training every three years.

**THE DECISION:**

That a full consultation be authorised to be carried out in relation to mandatory safeguarding training on the understanding that the matter will be referred back to the Committee for consideration of any responses.

LC.8 **LICENSING ACT 2003 STATEMENT OF LICENSING POLICY**

All Wards

**The subject of the decision:**

This report sought approval for a consultation on the proposed revision of the Licensing Act 2003 Statement of Licensing Policy.

**Alternative options considered:**

The Committee considered the Director's report and, having concluded that the proposed amendments were appropriate, no alternative options were deemed necessary.

**The reason for the decision:**

The Committee was satisfied that the amended policy takes account of recent legislative changes and provides additional guidance for the benefit of the public and trade.

**THE DECISION:**

That a full consultation be authorised to be carried out in relation to the draft Statement of Licensing Policy on the understanding that the matter will be referred back to the Committee for consideration of any responses.

The meeting closed at 12.20 pm

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Chairman of the Committee

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Present

Councillor P Bardon  
N A Knapton

Councillor M Taylor

LAHP.5 **ELECTION OF CHAIRMAN**

**THE DECISION:**

That Councillor M Taylor be elected Chairman for the duration of the meeting.

(Councillor M Taylor in the Chair)

LAHP.6 **EXCLUSION OF THE PUBLIC AND PRESS**

That under Section 100A(4) of the Local Government Act 1972, the press and public were excluded from the meeting during consideration of the item of business at minute no LAHP.7 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.

LAHP.7 **RENEWAL OF HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER LICENCE**

All Wards

**The subject of the decision:**

The Panel was asked to consider whether to grant or refuse an application for the renewal of a hackney carriage and private hire driver licence submitted by the applicant.

**Alternative options considered:**

The Panel considered the options outlined in the Director's report. The Panel concluded that the applicant was a fit and proper person to continue to hold a hackney carriage and private hire driver's licence subject to being issued with a written warning and therefore it was not necessary to refuse the application.

**The reason for the decision:**

The Panel considered the Director's report, the application for a hackney carriage and private hire driver licence, the applicant's DVLA licence, the applicant's oral representations, the Council's Hackney Carriage and Private Hire Licensing Policy and the relevant legislation.

The Panel was informed that the applicant had been licensed since May 2006 and recently applied to renew his licence. The Panel considered the applicant's DVLA driving licence and noted that the applicant received three penalty points for exceeding the speed limit in August 2017 and a further six penalty points for failing to give the identity of the driver in June 2018.

The Panel noted that in accordance with the conditions of his licence the applicant was required to notify the details of any conviction or fixed penalty points as soon as practicable. The applicant failed to inform the Council of the August 2017 conviction, which only came to light in July 2018. The Panel noted that the applicant was subsequently issued with a verbal warning.

The Panel noted that the applicant's speeding conviction from June 2018 conviction did not come to the Council's attention until July 2019. The applicant informed the Panel that he had believed that the verbal warning issued in July 2018 related to both the August 2017 and June 2018 convictions. The Panel noted that this explanation was accepted by officers.

The Panel considered that the applicant had been subject of a complaint in 2014 in relation to his driving manner. At the time the applicant admitted that he may have been driving too close to the complainant's vehicle but denied driving in a dangerous manner and insisted he had remained below the speed limit. The Panel noted that the officer had been satisfied that the appropriate action was to remind the applicant of his obligations on the road.

The Panel observed that, according to the Council's Policy, licensed drivers with nine or more penalty points endorsed on their driving licence in any rolling three year period would normally have their licence revoked. The Panel noted that between August 2017 and June 2018 the applicant received a total of nine penalty points for a speeding offence and failure to give the identity of the driver.

The applicant informed the Panel that, in June 2018, he had failed to respond to the DVLA request for the identity of the driver in relation to a speeding offence within the specified period (two weeks) due to personal circumstances. The applicant told the Panel that at that time his father-in-law died and within the subsequent two weeks he was making arrangements for the funeral and caring for his wife. The applicant confirmed to the Panel that he did return the DVLA form, however, this was after the deadline issued by the DVLA. The applicant told the Panel that had he returned the information on time he would have been issued with three points in respect of the speeding offence. The applicant was apologetic for his actions and explained that his late reply to the DVLA was not a deliberate act to disengage with the appropriate authority but as a result of his personal circumstances.

The Panel had concerns that the applicant had accumulated nine points over a rolling three year period. The Panel was satisfied that the applicant had nothing to gain from failing to notify the DVLA within the prescribed time limits. The Panel noted that the oversight resulted in the applicant receiving six penalty points for the failure to notify (as opposed to three points for speeding) and, ultimately, this was the reason for the application being referred to the Panel. The Panel concluded that a written warning issued by the Council's Principal Licensing Officer in relation to speed awareness, safe driving and policy requirements would be appropriate under the circumstances. The Panel concluded that the applicant's circumstances surrounding the incident in June 2018 justified a departure from the Council's policy. The Panel was therefore satisfied that the applicant remained fit and proper to hold a hackney carriage and private hire driver licence.

**THE DECISION:**

Taking account of the above and having given appropriate weight to the evidence the Panel reached the following conclusions:-

The Panel was satisfied that the applicant was a fit and proper person to continue to hold a hackney carriage and private hire driver licence. Accordingly, the application for renewal was granted subject to a written warning being issued by the Council's Principal Licensing Officer in relation to Policy requirements and the importance of driving safely and complying with speed limits.

The meeting closed at 10.10 am

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Chairman of the Panel

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Minutes of the meeting of the LICENSING AND  
APPEALS HEARINGS PANEL held at 10.30  
am on Tuesday, 27th August, 2019 at Main  
Committee Room, Civic Centre, Stone Cross,  
Rotary Way, Northallerton, DL6 2UU

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Present

Councillor P Bardon                      Councillor M Taylor  
                  N A Knapton

Also in Attendance

Councillor C A Dickinson

LAHP.8 **ELECTION OF CHAIRMAN**

**THE DECISION:**

That Councillor M Taylor be elected Chairman for the duration of the meeting.

(Councillor M Taylor in the Chair)

LAHP.9 **APPLICATION FOR THE GRANT OF A PREMISES LICENCE**

All Wards

**The subject of the decision:**

The Director of Law and Governance submitted a report seeking consideration of an application for a premises licence in respect of 4 Park Square, Great Ayton. The application sought to authorise the sale of alcohol for consumption on the premises from 11.00am to 11.00pm on Monday to Saturday; 12.00pm to 11.00pm on Sunday and 11.00am to 12.30am on New Year's Eve.

**Alternative options considered:**

The Panel considered all of the options outlined in paragraph 7.2 of the Director's report. The Panel was satisfied that the licensing objectives were not likely to be adversely affected by the proposed licensable activities provided that appropriate conditions were imposed. Therefore, the Panel concluded that the alternative options were not appropriate in this instance.

**The reason for the decision:**

The Panel considered the representations of the parties both written and oral, the Licensing Act 2003 as amended, the Council's Statement of Licensing Policy and the guidance issued under section 182 of the Licensing Act 2003.

The Panel noted that none of the statutory responsible authorities had objected to the grant of the licence.

The Panel noted that one local resident had submitted a representation against the application outlining potential adverse effects on the public safety objective and the prevention of public nuisance objective as a result of traffic, car parking and noise generated by customers.

The Panel noted that the applicant had provided an acoustic assessment of the premises carried out by a specialist acoustic consultant. The consultant identified that the only potential noise issue could result from noise emission from through the front windows or the entrance door of the premises, however, concluded that the overall noise impact from premises would be negligible.

The Panel noted that the applicant and the Environmental Health Officer had been in discussion during the consultation period, at which time two licence conditions had been agreed.

The Panel concluded that, while noise emanating from the pub of the premises, may be heard at nearby residential properties if the doors and windows to the premises are kept open, it was not satisfied that this was likely to have an adverse effect until after 10.00pm. The Panel also concluded that the disposal of refuse, particularly bottles, into receptacles outside the premises may also be heard by nearby residential properties, however, the Panel was not satisfied that this was likely to have an adverse effect until after 10.00pm.

The Panel was satisfied that by ensuring windows and doors were kept closed (except for access and egress) after 10.00pm and prohibiting the disposal of refuse, particularly bottles, into receptacles outside the premises after 10.00pm would ensure the promotion of the prevention of public nuisance objective.

The Panel noted that nearby parking and highway safety concerns had also been raised, however, the Panel was not satisfied that any concerns in this regard could be directly linked to licensable activities.

The Panel noted that the licence would be subject to all relevant mandatory conditions in addition to any conditions consistent with the applicant's operating schedule.

The Panel also noted that the premises licence may be subject to review in the event of a failure to adequately promote the licensing objectives.

**THE DECISION:**

The Panel resolved to grant the application as applied for subject to the following conditions:

- after 10.00pm all external windows and doors to the premises shall remain closed except for access and egress; and
- no refuse, including bottles, shall be placed into receptacles outside the premises after 10.00pm.

The meeting closed at 11.05 am

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Chairman of the Panel



SHP.3 **ALLEGATIONS ABOUT A DISTRICT COUNCIL MEMBER**

**The subject of the decision:**

The Monitoring Officer submitted a report seeking consideration of an allegation that Councillor Webster failed to comply with the provisions of the District Council's Code of Member Conduct by incorrectly completing his Register of Interests Form.

**Alternative options considered:**

The Panel considered all the options available but having concluded that Councillor Webster 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 and accompanying documents, the written representations of the complainant and the written and oral representations of Councillor Webster.

The Panel noted that it was alleged that Councillor Webster failed to record a relevant shareholding in Webster (Farmers) Limited in the section entitled "Securities (Shared) in a Body Owning Land in the District" on his Register of Interests Form.

Councillor Webster informed the Panel that Webster (Farmers) Limited does not own any land within the District and, therefore, on completing the form the 'Securities' section was left blank.

Councillor Webster told the Panel that he provided information on his Register of Interests Form over and above what was required in order to ensure his interests were transparent. The Panel noted that, alongside other interests, Councillor Webster had recorded an interest in Webster (Farmers) Limited under two other sections of his Register of Interests Form.

The Panel concluded that Councillor Webster had completed his Register of Interests Forms correctly.

The Independent Person was in agreement with the Panel's findings.

It followed that, in the Panel's view, the Councillor had not breached the Code of Conduct.

In reaching its findings the Panel concluded that the Register of Interests of Form may appear ambiguous to Members and the public. Therefore, it was the Panel's view that a review of the Council's Register of Interests Form should be carried out by the Monitoring Officer to ensure clarity on the types of interests which must be registered.

**THE DECISION:**

The complaint alleging that Councillor Webster had breached the Code of Conduct is not upheld.

The Panel recommends that the Monitoring Officer review the Council's Register of Interests Form.

The meeting closed at 10.40 am

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Chairman of the Panel

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