

Committee Administrator: Democratic Services Officer (01609 767015)

Monday, 7 December 2020

Dear Councillor

Notice of Meeting

Meeting **Council**

Date **Tuesday, 15 December 2020**

Time **2.00 pm**

Venue **Council Chamber, Civic Centre, Stone Cross, Rotary Way,
Northallerton DL6 2UU and virtually via Teams**

Yours sincerely

J. Ives.

Dr Justin Ives
Chief Executive

To: All Members of Hambleton District Council

Note: Press and public are welcome to attend meetings of Council. Due to current social distancing restrictions, measures have been implemented which limit the number of attendees able to be physically present in the meeting at any one time. Temporary arrangements are in place for members of the public to register in advance if they wish to attend a meeting. If you wish to attend the meeting, you are requested to register your intent no later than 24 hours before the meeting takes place. Spaces available are allocated on a first come first served basis. If you have not registered in advance access to the meeting cannot be guaranteed. Please note that the meeting is also available to be viewed virtually via Teams without the need to physically attend the meeting. Please click on the link on the website or dial 020 3855 5195 followed by the Conference ID: 171 424 930#

For further information please contact Democratic Services on Tel: 01609 767015 or email committeeservices@hambleton.gov.uk

Agenda

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1. Minutes 1 - 10
To confirm the minutes of the meetings held on 15 September 2020 and 5 November 2020 (C.38 – CA.42; CA.1 – CA.5 and C.6 – CA.7), attached.
2. Apologies for Absence
3. Announcements by the Chairman or Chief Executive
4. Statement of the Leader and Referrals from Cabinet 11 - 18

Date of Meeting	Minute Nos
1 December 2020	CA.9 to CA.13
5. Cabinet Portfolio Statements
 - a) Statement from the Portfolio Holder for Economic Development and Finance 19 - 20
 - b) Statement from the Portfolio Holder for Leisure 21 - 22
 - c) Statement from the Portfolio Holder for Governance 23 - 24
 - d) Statement from the Portfolio Holder for Planning 25 - 26
 - e) Statement from the Portfolio Holder for Environmental Health, Waste and Recycling 27 - 28
 - f) Statement from the Portfolio Holder for Transformation and Projects 29 - 30
6. Question Time
None received.
7. Notices of Motion
None received.

Agenda Item 1

Minutes of the meeting of the Council held at
2.00 pm on Tuesday, 15th September, 2020 at
Council Chamber, Civic Centre, Stone Cross,
Rotary Way, Northallerton, DL6 2UU and via Teams

Present

Councillor K G Hardisty (in the Chair)

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

Apologies for absence were received from Councillors B Phillips and A Robinson

C.39 Former Councillors Bert Langthorne and Mollie Haigh

A minute's silence was observed in memory of former Councillors Bert Langthorne and Mollie Haigh.

C.40 Minutes

The Decision:

That the minutes of the meetings held on 25 February and 17 April 2020 (C.30 - C.37 and C.38), previously circulated, be signed as correct records.

C.41 Announcements by the Chairman or Chief Executive

The Chairman wished to thank all staff for their support during his Term of Office and wished to thank staff for all of their tremendous work they carry out but particularly over the last six months during the continuing pandemic. The District Council had maintained all of its services during this time, with the exception of the Leisure Centres, which were required to close, but had now reopened. The Chairman gave recognition to all Members who had continued to work from home looking after the interests of residents during this time and gave specific thanks to the Leader for his continued hard work ensuring the efficient and caring operation of the Authority.

The Chairman had supported the Herriot Hospice Homecare during his Term of Office and was pleased to announce that a sum of £575 would be donated to the charity.

C.42 **Verbal Statement of the Leader and Referrals from Cabinet**

The Leader made a statement on the following matters:-

- the retention of the delegation to the Chief Executive due to emergency powers in accordance with the Council's Constitution as a result of the continuing situation regarding the Coronavirus pandemic; and
- the Leader paid tribute to all staff for their continued efforts and hard work, especially recognising the additional pressures they are under as a result of the Coronavirus pandemic.

The Leader moved Cabinet minutes CA.54; CA.59 – CA.61 and CA.70 – CA.77

The Decision:

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

Body	Date of Meeting	Minute Nos
Cabinet	10 March 2020	CA.54
	7 July 2020	CA.59 – CA.61
	8 September 2020	CA.70 – CA.77

The meeting closed at 2.30 pm

Chairman of the Council

Minutes of the meeting of the Council held at 2.35 pm
on Tuesday, 15th September, 2020 at Council
Chamber, Civic Centre, Stone Cross, Rotary Way,
Northallerton, DL6 2UU. This meeting was also
available to join via Teams.

Present

Councillor K G Hardisty (in the Chair)

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

Apologies for absence were received from Councillors D Hugill, B Phillips and A Robinson

C.1 Chairman

It was proposed by Councillor J Noone and seconded by Councillor D A Webster that Councillor M Barningham be elected Chairman of the Council until the Annual Meeting in May 2021. There were no other nominations.

The decision:

That Councillor M Barningham be elected Chairman of the Council until the Annual Meeting in May 2021.

(The Chairman then read out and signed the Declaration of Acceptance of Office and took the Chair).

C.2 Appointment of Vice-Chairman

It was proposed by Councillor Mrs B S Fortune and seconded by Councillor K G Hardisty that Councillor A Wake be appointed Vice-Chairman of the Council until the Annual Meeting in May 2021. There were no other nominations.

The decision:

That Councillor A Wake be appointed Vice-Chairman of the Council until the Annual Meeting in May 2021.

(The Vice-Chairman then read out and signed the Declaration of Acceptance of Office).

C.3 Announcements by the Chairman or Chief Executive

The Chairman announced that he would be supporting the Yorkshire Air Ambulance as his chosen charity during his term of office.

C.4 Cabinet Members and Delegation of Functions

The Chief Executive presented a report which asked the Leader to inform the Council of the appointments to the Cabinet for 2020/21 and asked the Council to approve the Scheme of Delegation for Officers.

The decision:

That:-

- (a) the appointments to Cabinet by the Leader for 2020/21 be noted as follows:-

Councillor Peter Wilkinson	- Deputy Leader and Portfolio Holder for Finance and Economic Development
Councillor Mrs Bridget Fortune	- Portfolio Holder for Leisure
Councillor Mrs Isobel Sanderson	- Portfolio Holder for Governance
Councillor Malcolm Taylor	- Portfolio Holder for Transformation and Projects
Councillor Steven Watson	- Portfolio Holder for Environmental Health, Waste and Recycling
Councillor David Webster	- Portfolio Holder for Planning

- (b) the Scheme of Delegation for Officers be approved.

C.5 Allocation of Seats and Appointments to Committees and Outside Bodies

The Chief Executive presented a report which asked Council to approve the allocation to seats and appointments to Committees and Outside Bodies.

The decision:

That:-

- (1) the Council appoints the Committees indicated at Annex 'A' of the report;

- (2) proportionality rules be waived in respect of the membership of the Standards Hearings Panel;
- (3) Membership of the Committees be that shown at Annex 'B' of the report;
- (4) the Council appoints as the Council's representatives on Outside Bodies identified with an asterisk within Annex 'C' of the report those Members indicated against those Outside Bodies;
- (5) the Scrutiny Committee be responsible for crime and disorder issues;
- (6) the Cabinet Portfolio Holder for Planning be appointed as the representative on the North Yorkshire Building Control Partnership;
- (7) the Deputy Leader of the Council be appointed as the District Council's Member of the North Yorkshire Police and Crime Panel; and
- (8) Councillor N A Knapton be appointed as the representative on The Parking and Traffic Regulation Outside London Adjudication Joint Committee.

The meeting closed at 3.02 pm

Chairman of the Council

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Present

Councillor M A Barningham (in the Chair)

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

An apology for absence was received from Councillor A Robinson

C.6 **Referral from Cabinet**

All Wards

The Leader moved Cabinet minutes CA.4 and CA.5.

The Decision:

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

Body	Date of Meeting	Minute Nos
Cabinet	3 November 2020	CA.4 – CA.5

In accordance with paragraph 14.5 of the Council Procedure Rules, there was a request for a recorded vote on the Motion, Members present were recorded as voting as follows:

For the motion: Councillors P Atkin, P Bardon, M A Barningham, G W Dadd, C A Dickinson, D B Elders, Mrs B S Fortune, B Griffiths, K G Hardisty, R W Hudson, J D Hugill, R Kirk, N A Knapton, C A Les, J Mortimer, J Noone, B Phillips, G Ramsden, M S Robson, Mrs I Sanderson, M Taylor, P R Thompson, A Wake, D Watkins, S Watson, D A Webster and P R Wilkinson (27)

Against the motion: none

The motion was carried.

C.7 **Local Government Restructure in York and North Yorkshire**

All Wards

The Chief Executive submitted a report which presented the York and North Yorkshire Local Government Reorganisation Case for Change (“the Case for Change”) prepared on behalf of the seven North Yorkshire District Councils of Craven, Hambleton, Harrogate, Richmondshire, Ryedale, Scarborough and Selby. The report asked Council to determine whether to submit the Case for Change to the Ministry of Housing Communities and Local Government (“MHCLG”) in response to the letter received by all the District Councils from the MHCLG on 9th October 2020 inviting proposals for unitary local government for the York and North Yorkshire area. Initial proposals were required to be submitted by 9 November 2020 and final proposals by 9 December 2020.

Members of Council discussed the submission of the report prepared by KPMG in detail and concern was raised by some Members of Council regarding the proposition not to submit the report to Government. Following discussion the majority of Council concluded that submission of the report would not be in the best interests of the residents of Hambleton.

The Decision

That:-

- (1) Council notes that on 9 October 2020 the Ministry of Housing Communities and Local Government invited proposals for unitary local government for York and North Yorkshire;
- (2) Council determines that the function of deciding on the response to the invitation from the Ministry of Housing Communities and Local Government pursuant to the Local Government and Public Involvement in Health Act 2007 is a function for the Council;
- (3) the report produced by KPMG on the York and North Yorkshire Case for Change not be submitted to the Government by the District Council; and
- (4) that representations be submitted by the District Council to the Government setting out the basis for retaining the status quo.

In accordance with paragraph 14.5 of the Council Procedure Rules, there was a request for a recorded vote on the Motion, Members present were recorded as voting as follows:

For the motion: Councillors P Atkin, P Bardon, M A Barningham, D B Elders, Mrs B S Fortune, K G Hardisty, N A Knapton, J Noone, B Phillips, G Ramsden, M S Robson, Mrs I Sanderson, M Taylor, P R Thompson, A Wake, D Watkins, S Watson, D A Webster and P R Wilkinson (19)

Against the motion: G W Dadd, C A Dickinson, B Griffiths, R W Hudson, J D Hugill, R Kirk, C A Les and J Mortimer (8)

The motion was carried.

The meeting closed at 3.36 pm

Chairman of the Council

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Leaders' Statement

This year has been the toughest, not only as a Council but also for our communities and businesses. However, as a Council we have done all we can to support those worst affected by the pandemic. Whether that be the expedient processing of business grants, welfare calls to our most vulnerable residents or contributions to our community food banks. Hambleton as always has risen to the challenge and delivered. In addition to this we have been dealing with the unnecessary, unwanted and ill-timed distraction of Local Government Reorganisation, the outcome of which should be known next year.

Despite our pandemic response and the distraction of local government re-organisation we continue to invest in and improve services for our residents. This includes; the successful completion of phase one of the Treadmills development with the C4DI and e-campus elements well underway and aiming to complete by the Spring 2021. Subject to approval today, the Cinema element of Treadmills will commence with Everyman giving a real boost to the hospitality sector in the district at a time when they most need it.

The development of Hambleton Crematorium at Maple Park is progressing well. Not only will this provide a new much needed service for our residents it will also be one of the first low carbon crematoriums in the country.

The £4m redevelopment of Thirsk and Sowerby Leisure Centre will commence in January having finalised the procurement process. This will provide residents with a state of the art 24/7 Gym facility as well as improving the infrastructure and aesthetics of the building.

These are just a few of the unique and innovative services this Council is achieving for the community it serves, whilst maintaining the third lowest Council Tax in the country.

Finally, may I take this opportunity to wish you all a Merry Christmas and a safe, happy and prosperous New Year.

Councillor Mark Robson
Leader, Hambleton District Council
15 December 2020



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**Decisions to be considered by
Full Council on 15 December 2020**

Decisions of the meeting of the Cabinet held
at 9.30 am on Tuesday, 1st December, 2020
at a Virtual Meeting via Teams

Present

Councillor M S Robson (in the Chair)

Councillor	P R Wilkinson	Councillor	S Watson
	Mrs I Sanderson		D A Webster
	M G Taylor		

Also in Attendance

Councillor	P Atkin	Councillor	B Griffiths
	P Bardon		K G Hardisty
	M A Barningham		J Noone
	D B Elders		

An apology for absence was received from Councillor Mrs B S Fortune

CA.9 Economic Response and Recovery Plan

All Wards

The subject of the decision:

This report sought approval for the Hambleton Covid-19 Economic Recovery Plan, attached as Annex A to the report.

Alternative options considered:

None.

The reason for the decision:

Cabinet was satisfied that the proposals contained within the plan aimed to support economic recovery in response to the Covid-19 pandemic and build future resilience of businesses based within Hambleton district, this supported the Council priority of Driving Economic Vitality.

The decision:

That Cabinet approves and recommends to Council that:-

- (1) the Hambleton Covid-19 Economic Response and Recovery Plan is adopted; and
- (2) the plan is regularly reviewed and with the agreement of the Portfolio Holder is amended to respond to the changing Covid-19 situation.

CA.10 **2020/21 Q2 Capital Monitoring and Treasury Management Mid-year Review**
All Wards

The subject of the decision:

This report provided the Quarter 2 update at 30 September 2020 on the progress of the capital programme 2020/21 and the treasury management position. A full schedule of the Capital Programme 2020/21 schemes was attached at Annex A to 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 £31,688,990 in the capital programme to £20,544,776 and all expenditure movements as detailed in Annex B and also in the capital programme attached at Annex A of the report;
- (2) the increase of capital expenditure of £5,515,953 funded as follows: £3,687,641 from borrowing, £1,454,670 is from external grants/contributions, £187,142 is funded from capital, £150,000 from the One Off fund, £25,000 from Revenue Contributions receipts and £11,500 from Computer Fund;
- (3) the funding allocation to the capital programme as detailed in paragraph 3.1 and 3.2 of the report;
- (4) the reduction in the Affordable Borrowing Limit to £62,500,000 as detailed in paragraph 4.2 of the report;
- (5) the treasury management and prudential indicators at Annex E of the report have been revised in light of the changes in the Treasury Management Strategy Statement in paragraph 4.2 of the report; and

- (6) to note the position of the Council's third party companies at Annex F of the report.

Note: Councillor B Griffiths (in attendance) left the meeting at approximately 10.15am following discussion of the above item.

CA.11 **2020/21 Q2 Revenue Monitoring Report**

All Wards

The subject of the decision:

This report provided an update on the revenue budget position of the Council and the reserve funds at the end of September 2020.

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 £9,269,670 as detailed in paragraph 3.8 of the report;
- (2) that reserves will be used to cover the shortfall created by the covid-19 pandemic if sufficient funds are not received from Government at the yearend as detailed in paragraph 4.6 of the report;
- (3) the allocation from the One Off Fund at paragraph 8.6 of the report of £231,000;
- (4) that it will not be part of a Business Rates Pool or Pilot Scheme in 2021/22 as detailed in paragraph 9.1 of the report; and
- (5) that a 'vehicle' is not to be set up as detailed in paragraph 10.0 of the report in relation to VAT partial exemption.

CA.12 **The World of James Herriot Centre, Thirsk**

Thirsk Ward

The subject of the decision:

The report sought approval from Cabinet and Council for the extension of the lease terms presently in place at The World of James Herriot for the purposes of the continued provision of a museum/visitor attraction celebrating the life and times of the veterinary surgeon Alf Wight.

Alternative options considered:

None.

The reason for the decision:

The continued operation of The World of James Herriot linked directly with the Council's priorities of Driving Economic Activity and Providing a Special Place to Live.

The Decision:

That Cabinet agrees and recommends to Council that:-

- (1) the existing lease with The World of James Herriot Ltd is surrendered and a new lease for a 30 year period at a peppercorn is established; and
- (2) suitable covenants are placed in the contract documents to protect the Council's position as set out in paragraph 5.3 of the report.

CA.13 **Council Tax Reduction Scheme 2021/22**

All Wards

The subject of the decision:

This report sought approval to continue with the current design of the Local Council Tax Reduction Scheme which was introduced in April 2020; and increase the level of income, within the income bands, as shown in paragraph 1.4 of the report by the appropriate level of inflation measured by the Consumer Price Index at the 1 October 2020.

Alternative options considered:

None.

The reason for the decision:

Each year the Council was required to review its Local Council Tax Reduction Scheme in accordance with the requirements of Schedule 1A of the Local Government Finance Act 1992 and to either maintain the scheme or replace it.

The decision:

That Cabinet approves and recommends to Council the current income banded Council Tax Reduction Scheme with no changes other than the increase of the income bands in line with CPI at 1 October 2020, is adopted from April 2021.

CA.14 Exclusion of the Public and Press

The Decision:

That under Section 100A(4) of the Local Government Act 1972, the press and public were excluded from the meeting during consideration of the items of business at minute no CA.15 on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act as the Cabinet was satisfied that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

CA.15 Treadmills Phases 2a and 2b Development Update

All Wards

The subject of the decision:

This report set out proposed changes to previously approved proposals in light of a changed market due to Covid-19 and due to new opportunities. The focus of the report was revised proposals for the delivery of the cinema and new proposals for the staff tenement building. The Council previously approved £9,612,703 to acquire and forward fund the development of Phase 2 in November 2019 (Minute CA.26 refers). The Council also approved the changed terms with C4DI in July 2020 (Minute CA.64 refers). The report also covered the position with the external funding bids and the opportunities these present to improve the financial position for the Council as well as secure key anchor tenants.

Alternative options considered:

None.

The reason for the decision:

This development formed part of Central Northallerton redevelopment which was identified as a key project in the Council Plan 2019-23 and it also linked to the Council's priority of Driving Economic Vitality. The development was also anticipated to attract further investment into the town centre.

The decision:

That Cabinet approves and recommends to Council that:-

- (1) the Council agrees to forward fund and acquire Phase 2b subject to securing external funding and staying within the existing budget envelope as agreed by Council in November 2019 (Minute CA.26 refers);
- (2) authority is delegated to the Deputy Chief Executive in consultation with the Leader to agree the final Heads of Terms and subsequent legal agreements with Central Northallerton Development Company Ltd as set out in paragraph 2.4 and with tenants as set out in paragraphs 3.1 to 3.9 of the report;
- (3) the Council agrees the revised use for the Staff Tenement Block as set out in paragraph 3.3 of the report; and
- (4) authority is delegated to the Director of Finance and Commercial (s151 officer) to finance the scheme as appropriate.

Declaration of Interest

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

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

The meeting closed at 10.52 am

Leader of the Council

Statement by the Cabinet Portfolio Holder for Economic Development and Finance

15 December 2020

C4Di

The C4Di Beta project has continued to progress throughout the Covid pandemic, operating several successful virtual events and gained a number of member sign-ups. Work has continued on the listed building that will become the C4Di Northallerton base on the Treadmills development and it is expected to open with the first tenants moving in early in the New Year.

Business Support

The effects of the Covid pandemic and the subsequent restrictions imposed are detrimental to the local economy. To support Hambleton businesses through this period the council have administered a number of grants:

- The Small Business Grant and the Retail Hospitality and Leisure Grant Schemes has delivered £29.28M to 2,542 businesses;
- The Discretionary Grant Scheme provided £1.42M to 188 businesses that were not eligible for other grant scheme support.

Recently announced grant schemes which opened in November include:

- Local Restrictions Support Grant (Closed) was launched on 16th November with £2.04M to support eligible businesses, by the end of November 200 business had been paid their grant and a further 601 applications were in the process of being assessed;
- Additional Restrictions Grant provides support to eligible businesses from a £1.83M grant and went live on 26th November.

Hambleton District Council has led the approach to Reopening the High Streets Safely, working with Town Councils, business networks and other stakeholders to make our towns a covid-safe and welcoming place. Encouraging safe shopping in the High Street is essential to getting our businesses trading and helping the local economy to recover; to support this we have delivered the 'Enjoy Hambleton Safely' campaign and will be suspending off-street car parking charges across the District for the whole of December.

Additional support in the form of business advice workshops to assist businesses in identifying how they can develop in these difficult times has been access by almost 300 businesses across the district. This is yet another example of the types of action we will deliver through the **Economic Response and Recovery Plan** to get Hambleton back on track as a Place to Grow.

Councillor Peter R Wilkinson

Deputy Leader and Portfolio Holder for Economic Development and Finance

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Statement by the Cabinet Portfolio Holder for Leisure

15 December 2020

Northallerton Sports Village

As many of you may know the Council has secured half a million pounds from the European Regional Development Fund towards the develop of the first phase of the Northallerton Sports Village (we did something similar with the Sowerby scheme a couple of years back). Detailed designs are currently being drawn up with works anticipated to start in Summer 2021. This will include the enhancement and creation of pathways and trails, significant landscape works and woodland management, allotments and car park.

Sowerby Sports Village

Still on sports villages, the Sowerby Sports Village has been highly commended at the Royal Institute of Chartered Surveyors (RICS) Social Impact Awards Grand Final in November. A great accolade for a facility we opened at the start of the Covid outbreak, which has been massively popular with residents, and which we continue to develop.

Quest Excellence Attainment

In November, Northallerton Leisure Centre and Thirsk and Sowerby Leisure Centre went through their 'Covid-themed' Quest assessment and successfully maintained their excellent ratings. The assessor was extremely impressed with the safety measures that were in place at both centres and identified Hambleton as a national exemplar in Covid safety. This was further borne out by the 1200 responses to post original lockdown surveys across all centres that identified **99%** of customers felt either safe or very safe with the protections in place.

Leisure Centre Improvements

At Stokesley the sports hall and activity room developments in partnership with the Arete Academy is due for completion this month, following the gym and reception works, and the centre has 'gone live' with its underwater detection camera system. At the Easingwold school site the new 3g pitch and sports hall, which the Council allocated £670,000 towards from section 106 funds, are both up and running. And design works are in progress for the improvements at Bedale Leisure centre.

Thirsk and Sowerby Leisure Centre Developments

In November planning approval was granted for the project and cost certainty has also now been completed. The refurbishment works will begin on site on the 25 January 2021. The scheme will require full closure of the centre with the intention to reopen in late August. Regular updates will be brought to ensure Members are kept up to date with progress, with the website being used to keep customers informed.

Councillor Mrs Bridget Fortune
Portfolio Holder for Leisure

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Statement by the Cabinet Portfolio Holder for Governance

15 December 2020

ICT

Entering lockdown and ongoing advice to work from home has presented a huge challenge in mobilising staff to be able to work effectively outside of the normal office arrangements. ICT brought forward the improvement programme to rollout Office365, increasing capacity for staff and Members to access email and council systems.

A transformation in the way we work has been the implementation of Microsoft Teams, this has enabled virtual meetings to take place at a time when social distancing requirements meant the usual face to face meetings were not permitted.

Communications

Good communication has been essential throughout the Covid pandemic and Members will have noted the regular and comprehensive briefings that have kept them abreast of both operational matters and the response that the council has been providing to residents and businesses.

Campaigns have been delivered to encourage the safe use of our market towns, 'Enjoy Hambleton Safely' was used extensively on social media throughout the summer and appeared on street signage and in our local shops.

The council website has been updated and a soft launch at the beginning of December has meant the website is fully compliant with recent changes to accessibility legislation and can now be even more responsive in sharing important news with our residents and communities.

Covid 19 Support

As well as ensuring that the civic centre and other Council buildings are Covid secure, Design and Maintenance are integral to the delivery of Government strategy with regard to the use of these sites as part of the Testing regime. The focus is now on extending this support to help with the roll out of vaccinations in the area.

Car Park Improvement Scheme

Whilst significantly impeded by all the different challenges this year the delivery of this scheme will be concluded in the New Year with new machines, flexible payment by cash card and virtual means, new layout with wider parking bays ,new signage, coach parking at Bedale and ,importantly, Electric Vehicle Charging Infrastructure

LED Lanterns

We have now seen the conclusion of a two year scheme to install over 2500 LED Lanterns across the district bringing our total number to 3400 of the total 3800 public lights. The scheme reduced the Councils energy consumption by 370,000Kwh and is saving £60,000 a year.

Work continues to convert the remaining 400 old technology lanterns.

Markets

Hambleton Markets at Thirsk and Northallerton have continued to offer socially distanced outdoor shopping experience ,the temporary closure of the road through the Town has been very popular with everyone and trader numbers have increased as stall holders who normally attended trade fairs and shows in the summer have sought another outlet to sell their goods. Northalleton now has approx 50 Stall holders.

Thirsk Farmers Market is now scheduled for the first Sunday of each month.

Councillor Isobel Sanderson
Portfolio Holder for Governance

Statement by the Cabinet Portfolio Holder for Planning

15 December 2020

Development Management

Although the Covid pandemic has required Development Management to work in different ways, the service has still provided a quality planning service. The average time for new applications to be validated has been 4 days and 78% of major planning applications and 82% of minor planning applications have been determined on time in the year to date.

£2.3 million of Community Infrastructure Levy investment has now been allocated to be spent on the North Northallerton Sports Village, the Sowerby Sports Village Thirsk and Sowerby Leisure Centre and Bedale Leisure Centre.

Local Plan

The four-week programme of Examination in Public hearings for the Hambleton Local Plan took place between 20th October 2020 and 18th November 2020 and was one of the first in the country to facilitate virtual attendance. This enabled the events to be progressed on time despite the nation entering a second national lockdown on 5th November 2020. Only the Inspector and representatives of the Council were allowed to be present in the COVID-secure Chamber in the Civic Centre from that point onwards, but all third parties were still accommodated in the hearings as up to 40 people per session joined via ZOOM or tuned into the livestreams on YouTube to contribute to and follow the discussions as they happened.

The Inspector concluded the programme by specifically thanking the Council for being able to keep everything on track and by predicting that other Councils would be concerned about following such a successful approach as virtual attendance is likely to be here to stay for a while at least. The barrister representing the Council stated that this form of event was the best he had experienced to date and that the technology used was particularly impressive. The Council can be proud of this achievement which keeps the Local Plan on course for adoption in 2021.

In the meantime, as would be expected, there were a number of matters arising which require further clarification and information from Officers, Consultants and even the Inspectors themselves. Once further evidence has been gathered there will be a need for further consultation on the following:

- The Habitats Regulation Assessment and the Position Statement from Natural England regarding this;
- The Capacity Study for the Gypsy and Traveller Accommodation Assessment;
- The Sustainability Assessment Addendum on economic options and some alternative site appraisals;
- An additional note on the proposed targets for housing numbers;
- The Local Green Space Assessment; and
- Standards for the provision of Playing Pitches.

There will also be a need for a limited number of focussed “mop-up” hearings around these issues where they have not been fully discussed so far. The tasks issued by the Inspectors, on which work is already underway, will require main modifications to the Local Plan which will be consulted upon. The Inspectors will issue a report, which will be the subject of fact checking by Officers, before the final version of the Plan is presented to Members for adoption in the summer of 2021.

Housing

Adaptation works and applications for adaptations under the Disabled Facilities Grant have continued throughout the Covid pandemic with 40 completed adaptations and 30 adaptations committed and due to commence. This means that Hambleton have committed the full amount of the DFG budget, £467,017, to be spent in year and will be supported by an additional £50,000 of capital funding from the council to meet demand of this statutory function.

Housing completions for 2019/20 have achieved 224% of target, delivering 651 completions against a target of 290, 31% of which were affordable.

Councillor David Webster
Portfolio Holder for Planning

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

15 December 2020

Waste and Street Scene

The service continues to deliver despite a challenging year. Covid restrictions have been very effective both within the depot and the out on the rounds, allowing refuse and recycling collections to continue throughout the pandemic, while in March and April some services had to be reduced such as special collections of bulky goods, all services are operating as normal. The public continue to be very supportive.

The garden waste collection service has had a busy year due to the effects of Covid and a very mild, long summer. Garden waste collections have now ceased for the winter months, with the exception of a collection for Christmas trees in January. The service will resume in mid-February. This suspension allows the service to carry out vital training and affords time to dedicate to enhanced litter picking along major routes as well as minor roads and villages. Garden waste income is up over 2% from last year.

Fly tipping unfortunately continues despite best efforts. Waste and Street Scene are targeting hot spots with the use of CCTV and signage, as well as working on joint initiatives with North Yorkshire Police and local authority partners to try to target cannabis farm dumping.

A new 'Digital Depot' system has now been launched, enabling depot staff and waste crews to work more effectively together in reducing admin and paper usage and therefore providing a better, more responsive service for customers.

Christmas and New Year collections will be altered, with some collections on Christmas week being a day earlier than normal, residents can find all the changes on the website.

Environmental Health

With Hambleton being in Tier 2 for Covid restrictions, Environmental Health staff continue to implement the latest government guidance and legislation. The team are carrying out unannounced visits to licensed premises in the evenings and at weekends to ensure the correct controls are in place and that premises are complying with requirements.

Staff also participate in joint working on outbreak control in food and other business locations. This detailed, valuable work helps to stop the spread of the virus and enables businesses who have been affected to get back to working as normal.

Outreach work continues with businesses to provide help and support to interpret the legislation and to provide help with measures such as risk assessments.

Alongside the Covid work and business as usual, a project is underway to provide an enhanced digital management system that makes managing cases easier and improves efficiency to create a better experience for customers.

Staff will be working over the Christmas period to be on hand in case of further outbreaks and to support businesses and residents.

Health and Safety

Health and safety monitoring, revision of risk assessments and management inspections of premises are all functioning normally, despite the extra burden all services are facing this year. This year's Health and Safety Plan was approved by Scrutiny Committee on 3 December.

Covid audits have been carried out at all premises including leisure centres and business centres, thus helping to ensure the safety of all our customers and tenants.

Safe working from home procedures have been drawn up including risk assessments, without the need for managers to carry out home visits. Most staff members are working from home, though tier 2 allows for opening of the Civic Centre and the leisure centres. Procedures are in place to ensure that managers are providing as much support as possible.

Emergency Planning

North Yorkshire is in Tier 2 with Covid cases falling over the last three weeks.

A local Covid testing station is up and running in Northallerton at the Forum car park, this alongside weekly mobile testing sites at Thirsk, Easingwold and Stokesley provides a good level of cover for symptomatic testing for the district.

Work is ongoing with the NHS, local authority partners and the military to prepare for large scale vaccinations and community testing across the district.

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

Statement by the Cabinet Portfolio Holder for Transformation and Projects

15 December 2020

Crematorium

Following full planning approval being obtained for the crematorium project which will be known as Hambleton Maple Park Crematorium the main contractors Wilmott Dixon commenced work on the site on 10 November 2020. Weather conditions permitting during the winter months the target date for completion of the project is Aug/Sept 2021. Temporary access will be created on the 22 acre site for use throughout the build to ensure that the landscaping can mature as much as possible prior to the opening. The strategic operation of the crematorium will be managed with a Company Ltd Partnership. Plans are in place to draw up role profiles for the recruitment of staff who will be required to manage and run the project.

Central Northallerton Redevelopment (Treadmills)

The project is progressing well with 2 of the retail units now occupied by Iceland and Lidl. Conversion works for the building of the C4Di are scheduled to be completed by January 2021. Discussions on the development of stage 2 are ongoing and we are awaiting the outcome of our application for Future High Street Funding re this project.

Northallerton Sports Village

The land transfer is scheduled to take place in March 2021. Plans are progressing for the integration of Stone Cross allotments.

Thirsk and Sowerby Leisure Centre Improvements

Planning permissions have been obtained along with sign off with all the project managers. This project is scheduled to commence on 25 January 2021 with a completion target date of August 2021.

Community Leisure Facilities Easingwold

The installation of new community sports facilities at the Outward Academy at Easingwold have been completed including a sports hall and 4G sports pitch. These facilities provide a much needed increase in facilities for sports clubs and residents in the Easingwold Ward.

Councillor Malcolm Taylor
Portfolio Holder for Transformation and Projects

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Minutes for Information

Committee	Date	Page
Cabinet	6 October 2020 3 November 2020 1 December 2020	
Scrutiny Committee	15 September 2020 1 October 2020 3 December 2020	
Planning Committee	15 September 2020 29 October 2020	
Audit, Governance and Standards Committee	15 September 2020 20 October 2020	
Licensing Committee	15 September 2020	
Licensing and Appeals Hearings Panel	21 October 2020 22 October 2020 9 December 2020	To follow

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**Decisions taken under Cabinet
authority to take effect on
19 October 2020**

Decisions of the meeting of the Cabinet held
at 9.30 am on Tuesday, 6th October, 2020 at
the Council Chamber, Civic Centre, Stone
Cross, Rotary Way, Northallerton, DL6 2UU
and via Teams.

Present

Councillor M S Robson (in the Chair)

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

Also in Attendance

Councillor	P Atkin	Councillor	D Hugill
	P Bardon		J Noone

CA.1 Minutes

The Decision:

That the decisions of the meeting held on 8 September 2020 (CA.70 – CA.78), previously circulated, be signed as a correct record.

CA.2 Affordable Housing Funding

All Wards

The subject of the decision:

This report sought consideration of various issues regarding affordable housing funding from the following sources: Commuted Sums (Affordable Housing) and Community Housing Fund.

Alternative options considered:

None.

The reason for the decision:

To take account of the legal basis for each commuted sum which is detailed within section 106 agreements for each housing scheme. Each agreement had specific wording (which varied agreement to agreement) which allowed for expenditure towards the cost of increasing affordable housing and, in some cases, improvement of affordable housing.

The decision:

That:-

- (1) the expenditure proposals relating to commuted sums (affordable housing) as shown at 1.2.5 of the report be agreed;
- (2) the funds committed for the Housing Development Officer post be reduced by £5,504 to cover the full costs of the bids for commuted sums (affordable housing) funding; and
- (3) the £75,000 expenditure relating to the Community Housing Fund as shown at 1.3.2 of the report be agreed.

CA.3 Public Open Space, Sport and Recreation Action Plans

Hutton Rudby Ward

The subject of the decision:

This report sought approval of the refreshed Public Open Space, Sport and Recreation Action Plan for Rudby.

Alternative options considered:

None.

The reason for the decision:

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

The decision:

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

The meeting closed at 9.43 am

Leader of the Council

**Decisions taken under Cabinet
authority to take effect on
16 November 2020**

Decisions of the meeting of the Cabinet held
at 9.30 am on Tuesday, 3rd November, 2020
at the Virtual Meeting via Teams

Present

Councillor M S Robson (in the Chair)

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

Councillor	P Atkin P Bardon M A Barningham D B Elders B Griffiths	Councillor	K G Hardisty R W Hudson R Kirk J Noone
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CA.6 Minutes

The Decision:

That the decisions of the meeting held on 6 October 2020 (CA.1 – CA.3), previously circulated, be signed as a correct record.

CA.7 Northallerton Sports Village

All Wards

The subject of the decision:

This report provided an update as to the present position with, and proposed steps for, the Northallerton Sports Village development. The report outlined the suggested phased approach for delivery of the village and proposed recommendations in order to achieve this.

Alternative options considered:

None.

The reason for the decision:

The proposed sports village was an integral part of the broader North Northallerton development scheme enhancing the quality of lives of the residents of the locality, as well as within the wider Northallerton area.

The decision:

That Cabinet approves:-

- (1) the Northallerton Sports Village master plan at Appendix 1 of the report;
- (2) the acceptance of the European Regional Development Fund Grant Funding Agreement for the Northallerton Environmental Enhancement Project (Phase 1) as detailed in paragraph 1.11 of the report;
- (3) that tenders are sought for Phase 1 works and that the appointment of the successful contractor is delegated to the Director of Leisure and Communities in consultation with the Portfolio Holder for Leisure;
- (4) the inclusion of the Northallerton Environmental Enhancement Project in the capital programme to fund expenditure for grants that have to be claimed retrospectively;
- (5) that further reports are submitted for Cabinet consideration with regards to subsequent phases and project progress; and
- (6) the waiving of Council procurement rules to allow the continued appointment of Glenrate Project Management Limited to provide technical and design advice and support.

CA.8 **Annual report on the Audit, 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 2020. An analysis of the work undertaken was attached at Annex A to the report.

Alternative options considered:

None.

The reason for the decision:

To comply with the Council's Constitution.

The decision:

That Cabinet endorses the report.

The meeting closed at 10.45 am

Leader of the Council

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**Decisions taken under Cabinet
authority to take effect on
14 December 2020**

Decisions of the meeting of the Cabinet held
at 9.30 am on Tuesday, 1st December, 2020
at a Virtual Meeting via Teams

Present

Councillor M S Robson (in the Chair)

Councillor	P R Wilkinson	Councillor	S Watson
	Mrs I Sanderson		D A Webster
	M G Taylor		

Also in Attendance

Councillor	P Atkin	Councillor	B Griffiths
	P Bardon		K G Hardisty
	M A Barningham		J Noone
	D B Elders		

An apology for absence was received from Councillor Mrs B S Fortune

CA.16 Minutes

The Decision:

That the decisions of the meeting held on 3 November 2020 (CA.4 - CA.8),, previously circulated, be signed as a correct record.

Note: Councillor Mrs I Sanderson joined the meeting at 9.38am prior to discussion of the above item.

CA.17 Making a Difference Grants

All Wards

The subject of the decision:

Following the success of the Making a Difference Grants' programme over the last six years, whereby £125,000 was made available each year to assist community projects, it was proposed that £250,000 be allocated to finance the 2021/22 Making a Difference Grants programme in light of the exceptional difficulties experienced by our communities in 2020. The Leader reported that the criteria contained within the Annex required some minor amendments to include reference to salaries and general running costs only being funded in exceptional circumstances and that generally works on land or to buildings would only be funded if the applicant could evidence that they held a minimum of 10 years left on their lease for the land or building and that the deadline for completion of projects was 30 April 2022.

Alternative options considered:

None.

The reason for the decision:

It was a legal responsibility upon the Council to ensure that this funding was only allocated to projects that met the terms and conditions of the grant scheme and to ensure that the funds were used for the purpose approved.

The decision:

That Cabinet approves an allocation of £250,000 from the One-Off Fund to be used to fund a 2021/22 Making a Difference Grants programme, applying the criteria and timetable (as amended) set out in Annex A of the report.

The meeting closed at 10.52 am

Leader of the Council

Minutes of the meeting of the Scrutiny Committee held at 3.04 pm on Tuesday, 15th September, 2020 at Council Chamber, Civic Centre, Stone Cross, Rotary Way, Northallerton, DL6 2UU. This meeting was also available to join via Teams.

Present

Councillor M A Barningham (in the Chair)

Councillor	P Atkin	Councillor	Mrs J W Mortimer
	P Bardon		J Noone
	K G Hardisty		G Ramsden
	R W Hudson		A Wake
	R Kirk		D Watkins
	N A Knapton		

SC.1 Election of Chairman

The decision:

That Councillor K G Hardisty be elected Chairman of the Committee until the Annual Meeting in May 2021.

(Councillor K G Hardisty in the Chair)

SC.2 Appointment of Vice-Chairman

The decision:

That Councillor D Watkins be appointed Vice-Chairman of the Committee until the Annual Meeting in May 2021.

The meeting closed at 3.08 pm

Chairman of the Committee

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Minutes of the meeting of the Scrutiny Committee
held at 9.30 am on Thursday, 1st October, 2020
at a Virtual Meeting via Teams

Present

Councillor K G Hardisty (in the Chair)

Councillor	P Atkin	Councillor	Mrs J W Mortimer
	P Bardon		J Noone
	R Kirk		D Watkins
	N A Knapton		A Wake

An apology for absence was received from Councillor R W Hudson.

SC.3 Minutes

The Decision:

That the minutes of the meetings of the Committee held on 13 February and 15 September 2020 (SC.24 to SC.26 and SC.1 to SC.2), previously circulated, be signed as correct records.

SC.4 Council Performance 2020/21 (Quarter 1)

All Wards

The Director of Finance and Commercial (s151 Officer) presented a report setting out the Quarter 1 Performance for 2020/21. The Committee asked a number of questions which were responded to at the meeting and where further information was requested it was agreed that the Committee would be provided with this information separately.

The decision:

That progress made against the Council Plan for Quarter 1 of 2020/21, as detailed within Annex A of the report, be noted.

Note: Councillor R Kirk joined the meeting at 9.43am. As Councillor Kirk was not present for the duration of the discussion he abstained from voting on this item.

SC.5 Review of Risk Management 2020/21 - Q1

All Wards

The Director of Finance and Commercial (s151 Officer) presented the quarterly monitoring report on the Corporate Risks, Corporate Project Risks and Service Risks with a net risk threshold of 12 or above affecting the Council.

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

The decision:

That the quarterly report on the Corporate Risks, Corporate Project Risks and Service Risks and the actions that are in place to mitigate the impact upon the Council of each risk be noted.

SC.6 **Policy Review Work Programme 2020/21**

All Wards

The Committee was asked to consider whether to carry out an in-depth policy review during 2020/21 or whether to postpone an in-depth policy review at the current time due to exceptional circumstances surrounding the COVID-19 pandemic.

The Committee agreed that the postponement of an in-depth review at the current time would be the most reasonable course of action under the current circumstances, and indicated that they were likely to recommence an in-depth policy review at the start of the financial year 2021/22. The Committee requested that an update on issues regarding fly tipping be presented to the Committee at a future meeting. The Committee also suggested potential topics for future consideration which included electric car charging points, planning enforcement and also the effects of COVID-19 on the District Council and the District in general.

The decision:

That:-

- (1) the Committee agrees to postpone the undertaking of any in-depth policy review of this current time due to the exceptional circumstances occasioned by the COVID-19 pandemic; and
- (2) the Director of Environment be requested to submit an update report to the Committee on issues surrounding fly tipping at a future meeting of the Committee.

The meeting closed at 10.20 am

Chairman of the Committee

Minutes of the meeting of the Scrutiny Committee
held at 9.30 am on Thursday, 3rd December, 2020
at a Virtual meeting via Teams

Present

Councillor K G Hardisty (in the Chair)

Councillor	P Atkin	Councillor	J Noone
	N A Knapton		D Watkins
	Mrs J W Mortimer		

Apologies for absence were received from Councillors P Bardon, R W Hudson, G Ramsden and A Wake.

SC.7 Minutes

The Decision:

That the minutes of the meeting of the Committee held on 1 October 2020 (SC.3 - SC.6), previously circulated, be signed as a correct record.

SC.8 Council Performance 2020/21 (Quarter 2)

All Wards

The Director Environment presented a report on behalf of the Director Finance and Commercial (s151 Officer) setting out the Quarter 1 Performance for 2020/21. The Committee asked a number of questions which were responded to at the meeting and where further information was requested it was agreed that the Committee would be provided with this information separately.

The decision:

That progress made against the Council Plan for Quarter 1 of 2020/21, as detailed within Annex A of the report, be noted.

SC.9 Review of Risk Management 2020/21 - Q2

All Wards

The Director of Environment presented a report on behalf of the Director of Finance and Commercial (s151 Officer) which provided the quarterly monitoring report on the Corporate Risks, Corporate Project Risks and Service Risks with a net risk threshold of 12 or above affecting the Council.

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

The decision:

That the quarterly report on the Corporate Risks, Corporate Project Risks and Service Risks with a net risk threshold of 12 or above affecting the Council and the actions that are in place to mitigate the impact upon the Council of each risk be noted.

SC.10 Health and Safety Annual Report 2019/20

All Wards

The Director of Environment submitted the Health and Safety Annual Report which provided an update on the Council's improvements in health and safety management during 2018/19 against the actions in the Corporate Health and Safety Plan, a copy of which was attached as an annex to the report.

The decision:

That the Health and Safety Annual Report 2018/19 and the Corporate Health and Safety Plan for 2019/20 be noted.

SC.11 Fly Tipping - Update

All Wards

The Director of Environment submitted a report providing an update on the current situation regarding fly tipping. It was noted that the Committee had previously undertaken a policy review on fly tipping during 2017 and had received various updates following completion of the review. The Director of Environment informed the Committee that local actions being taken by the Waste and Street Scene included the use of overt CCTV equipment and not covert CCTV equipment as detailed within the report.

The Committee asked a number of questions which were responded to at the meeting. These included the effectiveness of fixed penalty notices as a deterrent; the number of fly tips that included household waste; the use of overt CCTV cameras and the use of stencils.

The Committee suggested that the operational hours of the civic amenity sites could potentially have an impact on the number of instances of fly tipping and it was suggested that if the civic amenity sites were to remain open rather than close on specific days this may help reduce fly tipping within the District. The Committee recognised that this was a matter for North Yorkshire County Council and outside of the Committee's remit but requested that these comments be fed back to the appropriate body accordingly. The Committee was informed that DEFRA were currently reviewing various options with regard to civic amenity sites at a national level.

The Waste and Street Scene Manager reported that he had attended an online conference which discussed the national issue of tackling waste crime with the aim of sharing best practice and looking for further actions and potential solutions. It was anticipated that there would be a report published arising from this conference and the Committee requested that a copy of the report be submitted to a future meeting of the Committee when it became available.

The decision:

That:-

- (1) the report be noted; and
- (2) should a report be published following the online conference which discussed the national issue of tackling waste crime, this be submitted to the Committee for consideration at the appropriate time.

The meeting closed at 10.35 am

Chairman of the Committee

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Minutes of the meeting of the Planning Committee held at 3.09 pm on Tuesday, 15th September, 2020 in the Council Chamber, Civic Centre, Stone Cross, Rotary Way, Northallerton, DL6 2UU. This meeting was also available to join via Teams.

Present

Councillor M A Barningham (in the Chair)

Councillor	P Bardon	Councillor	J Noone
	D B Elders		M G Taylor
	Mrs B S Fortune		D Watkins
	B Griffiths		D A Webster
	K G Hardisty		

Apologies for absence were received from Councillors B Phillips and A Robinson

P.1 Election of Chairman

The decision:

That Councillor P Bardon be elected as Chairman of the Committee until the Annual Meeting in May 2021.

(Councillor P Bardon in the Chair)

P.2 Appointment of Vice-Chairman

The decision:

That Councillor J Noone be appointed Vice-Chairman of the Committee until the Annual Meeting in May 2021.

The meeting closed at 3.12 pm

Chairman of the Committee

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Minutes of the meeting of the Planning Committee held at 1.30 pm on Thursday, 29th October, 2020 in the Council Chamber, Civic Centre, Stone Cross, Rotary Way, Northallerton, DL6 2UU and virtually via Teams.

Present

Councillor P Bardon (in the Chair)

Councillor	M A Barningham	Councillor	J Noone
	D B Elders		A Robinson
	B Griffiths		M G Taylor
	K G Hardisty		D A Webster

Also in Attendance

Councillor P Thompson

Apologies for absence were received from Councillors Mrs B S Fortune, B Phillips and D Watkins

P.3 **Minutes**

The Decision:

That the minutes of the meetings of the Committee held on 5 March 2020 and 15 September 2020 (P.24 - P.25 and P.1 – P.2), previously circulated, be signed as a correct record.

P.4 **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) 20/00848/FUL - Proposed demolition of existing restaurant and removal of existing railway carriages currently used as bedroom, dining and storage accommodation. Erection of new hotel with car parking, including a bar, restaurant and gym at The Sidings Hotel and Restaurant, Shipton by Benningbrough for Pinnacle Country Parks

Permission Refused

(Matthew Pardoe spoke on behalf of the applicant in support of the application.)

Councillor P Thomson (in attendance) left the meeting at 2.10pm

Note: the meeting was adjourned at 2.10pm and reconvened at 2.30pm

- (2) 20/00497/FUL - Construction of 85no. residential dwellings with associated access, parking, landscaping and infrastructure at Land north East of Ashgrove, 89 Bedale Road, Aiskew for Taylor Wimpey UK Ltd

Permission Granted

(The applicant's agent, Sandra Manson, spoke in support of the application.)

(Michael Chaloner spoke objecting to the application.)

Note: the meeting was adjourned at 3.20pm and reconvened at 3.30pm

- (3) 20/01426/OUT - Outline application with some matters reserved for the construction of five dwellings (including 3 bungalows) and associated highway works including new footpath at OS Field 8464, Highthorne Lane,

Husthwaite for Daniel Gath Homes

Permission Granted because the Committee considered the proposed development would not result in an unacceptable loss of openness and would have no harmful impact on the significance of the Conservation Area.

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

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

Note: the meeting was adjourned at 4.05 pm and reconvened at 4.15pm

- (4) 20/01644/FUL - Part retrospective application for extensions, alterations, changes to the fenestration and proposed change of use of barn/garage building into a self contained dwelling with associated parking at Misty Meadows, Bell Lane, Huby for Ms Janine Bowers

Permission Refused because the Committee considered that the development would result in an inappropriate, cramped and congested layout between the existing dwelling and proposed dwelling, that would harm the amenity of occupiers of both properties.

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

(Kath Wood spoke objecting to the application.)

Councillor K G Hardisty left the meeting at 4.45pm.

Note: The meeting was adjourned at 4.45pm and reconvened at 5.00pm

- (5) 20/02013/CAT -Works to a tree in a conservation area - fell a large Acer at The Nursery School, 31 Romanby Road, Northallerton for Mrs Christine Trenholm

Consent Granted

The meeting closed at 5.05 pm

Chairman of the Committee

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Minutes of the meeting of the Audit,
Governance and Standards Committee
held at 3.17 pm on Tuesday,
15th September, 2020 at Council Chamber,
Civic Centre, Stone Cross, Rotary Way,
Northallerton, DL6 2UU. This meeting was
also available via Teams

Present

Councillor M A Barningham (in the Chair)

Councillor	P Atkin	Councillor	R W Hudson
	P Bardon		N A Knapton
	D B Elders		P Thompson
	K G Hardisty		

AGS.1 Election of Chairman

The decision:

That Councillor N A Knapton be elected as Chairman of the Committee until the Annual Meeting in May 2021.

(Councillor N A Knapton in the Chair)

AGS.2 Appointment of Vice-Chairman

The decision:

That Councillor D B Elders be appointed as Vice-Chairman until the Annual Meeting in May 2021.

The meeting closed at 3.20 pm

Chairman of the Committee

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Minutes of the meeting of the Audit,
Governance and Standards Committee held
at 10.00 am on Tuesday, 20th October, 2020
at a Virtual Meeting via Teams

Present

Councillor N A Knapton (in the Chair)

Councillor	P Atkin	Councillor	K G Hardisty
	P Bardon		R W Hudson
	D B Elders		P Thompson

AGS.3 Minutes

The decision:

That the minutes of the meetings of the Committee held on 28 January and 15 September 2020 (AGS.24 to AGS.30 and AGS.1 to AGS.2), previously circulated, be signed as a correct record.

AGS.4 Regulation of Investigatory Powers Act 2000 - Inspection by the Investigatory Powers Commissioner's Office

All Wards

The subject of the decision:

The Director of Law and Governance (Monitoring Officer) presented a report advising the Committee which set out the findings of the Investigatory Powers Commissioner following his recent inspection and asks the Committee to endorse the actions taken to implement the Commissioner's recommendations. The report also provided information on any activities which had been authorised under the Regulation of Investigatory Powers Act 2000 ("RIPA").

Alternative options considered:

None.

The reason for the decision:

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

The decision:

That:-

- (1) the position in respect of the inspection by the Investigatory Powers Commissioner's Office is noted;

- (2) the steps taken to comply with the Commissioner's findings are endorsed and the Council's updated RIPA Guide to Practice and Procedure Policy and Central Record of Authorisations are approved;
- (3) it be noted that no RIPA authorisations were made by the Council during the period 22 January 2020 to 20 October 2020; and
- (4) the frequency of the RIPA activity reports is reduced from quarterly reports to six-monthly reports.

AGS.5 Annual Report Code of Conduct Complaints

All Wards

The subject of the decision:

In accordance with the findings in the recent publication by the Committee on Standards in Public Life entitled 'Local Government Ethical Standards – A Review by the Committee on Standards in Public Life', this report sets out the Monitoring Officer's Annual Report on matters relating to ethical governance, including details of any complaint handling activity in relation to allegations of breaches of a code of conduct.

Alternative options considered:

None.

The reason for the decision:

The Committee was required to be presented with an annual report on code of conduct complaints.

The decision:

That the report of the Monitoring Officer be noted.

AGS.6 Annual Review of the Committee's Terms of Reference

All Wards

The subject of the decision:

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

Alternative options considered:

None.

The reason for the decision:

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

The decision:

That the Committee approves and recommends to Council that:

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

AGS.7 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.8 Annual Report to Cabinet on the Audit, Governance and Standards Committee's Activities 2019/20

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 2020. Under the Committee's Terms of Reference, it was proposed that the report would be presented at Cabinet in November 2020.

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 November 2020.

AGS.9 Internal Audit and Counter Fraud Annual Report 2019/20

All Wards

The subject of the decision:

The Director of Finance and Commercial (S151 Officer) presented a report which provided an update on counter fraud work undertaken in 2019/20.

Alternative options considered:

None.

The reason for the decision:

In accordance with chapter 5 of the Council's Audit Charter, the Head of Internal Audit is required to provide an annual report to the Audit, Governance and Standards Committee. The report is used by the Committee to inform its consideration of the Council's annual governance statement.

The decision:

That:-

- (1) the results of the audit and counter fraud work undertaken in 2019/20 be noted;
- (2) the opinion of the Head of Internal Audit on the framework of governance, risk management and control operating within the Council be accepted; and
- (3) that the Commercial Initiatives and Economic Development audits be included in the Audit Plan 2020/21 to be commenced at an appropriate time.

Note: Councillor P Bardon left the meeting due to technical difficulties at approximately 10.50am and re-joined the meeting at approximately 10.55am. Councillor P Bardon abstained from voting on the above item.

AGS.10 Annual Governance Statement 2019/20

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 2019/20 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 Committee agree with the conclusion of the review of the system of internal control; and
- (2) the content of the Annual Governance Statement attached at Annex A which is published within the Annual Financial Report - Statement of Accounts - 2019/20 be approved.

AGS.11 Statutory Auditor Report on the 2019/20 Audit and the Council's Financial Report - Statement of Accounts 2019/20

All Wards

The subject of the decision:

The Director of Finance (s151 Officer) submitted a report which presented the Statutory Auditor Results Report for the year ended 31 March 2020 and the Council's Financial Report 2019/20 for approval. The Management Representation Letter was not available for consideration at the meeting.

The Director of Finance reported that the Audit Results Report was still undergoing further work and the Letter of Representation was not yet finalised, both would be completed by the statutory deadline date of 30 November 2020.

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 the Chairman of the Committee be given delegated authority to:-

- (1) accept the 'Audit Results Report – IAS 260' presented to the Audit, Governance and Standards Committee for the 2019/20 audit as prepared by Ernst & Young LLP attached at Annex A to the report;
- (2) approve the Management Representation Letter which is required to be signed by the Council's Director of Finance, acting in the capacity of s151 Officer; and
- (3) approve the audited Statement of Accounts for 2019/20 at Annex C of the report.

AGS.12 CIPFA Financial Management Code

All Wards

The subject of the decision:

The Director of Finance and Commercial (s151 Officer) presented a report which informed the Committee of the contents of the Financial Management Code and the actions to be taken by Hambleton District Council to be compliant by 2021/22.

Alternative options considered:

None.

The reason for the decision:

Although the Code did not currently have any specific statutory backing, CIPFA reference that compliance with the Financial Management Code should be linked to the (s151) of the Local Government Act 1972. There was also an obligation upon Members to adhere to the Financial Management Code.

The decision:

That the report be noted.

AGS.13 Report Programme 2020/21

All Wards

The subject of the decision:

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

Alternative options considered:

None.

The reason for the decision:

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

The decision:

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

AGS.14 Annual Review of Risk Management

All Wards

The subject of the decision:

The Director of Finance and Commercial (s151 Officer) presented a report which provided the Committee with an annual review of the Council's risk management process.

Alternative options considered:

None.

The reason for the decision:

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

The decision:

That the Committee note the Corporate Risks, the Key Corporate Project Risks and the Service Risks with a net risk threshold of 12 or above attached at Annex A, B and C of the report respectively.

AGS.15 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 Council's annual review of counter fraud arrangements. The Council's Counter Fraud and Corruption Strategy had been refreshed in line with a new UK national Counter Fraud Strategy for local government. The report also provides an updated counter fraud risk assessment.

Alternative options considered:

None.

The reasons for the decision:

The work of the Counter Fraud team supported the Council's overall aims and priorities by preventing, detecting and deterring fraud against the organisation. Counter fraud work helped to reduce losses to the Council due to fraud and these savings could be used to fund Council services and initiatives.

The decision:

That the Council's new Counter Fraud and Corruption Strategy (2020-23) with associated action plan be approved and the updated Counter Fraud Risk Assessment be noted.

The meeting closed at 12.05 pm

Chairman of the Committee

Minutes of the meeting of the Licensing Committee held at 3.13 pm on Tuesday, 15th September, 2020 at Council Chamber, Civic Centre, Stone Cross, Rotary Way, Northallerton, DL6 2UU. This meeting was also available to join virtually via Teams.

Present

Councillor M A Barningham (in the Chair)

Councillor	P Bardon	Councillor	J Noone
	D B Elders		P Thompson
	K G Hardisty		A Wake
	R Kirk		D Watkins
	N A Knapton		

LC.1 Election of Chairman

The decision:

That Councillor R Kirk be elected as Chairman of the Committee until the Annual Meeting in May 2021.

(Councillor R Kirk in the Chair)

LC.2 Appointment of Vice-Chairman

The decision:

That Councillor P R Thompson be appointed Vice-Chairman of the Committee until the Annual Meeting in May 2021.

The meeting closed at 3.16 pm

Chairman of the Committee

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Present

Councillor P Thompson
A Wake

Councillor D Watkins

LAHP.1 **Election of Chairman**

The decision:

That Councillor P R Thompson be elected Chairman for the duration of the meeting.

(Councillor P R Thompson in the Chair)

LAHP.2 **Application for the Variation of a Club Premises Certificate Great Ayton Working Men's Club, Whinstone View, Great Ayton**

Great Ayton Ward

The subject of the decision:

The Director of Law and Governance submitted a report seeking consideration of an application for the variation of a premises licence in respect of Great Ayton Working Men's Club, Whinstone View, Great Ayton, TS9 6AT. The application sought to extend the licensable area by the addition of two external areas on the premises plans attached to the club premises certificate. The applicant proposed to make a smoking area available for use between the hours of 11am and Midnight, and a beer garden available for use between the hours of 11am and 10pm.

Alternative options considered:

The Panel considered all of the options in paragraph 8.2 of the officer's report.

The Panel was satisfied that the applicant's proposals would be likely to have an adverse effect on the licensing objectives and therefore it was not appropriate to grant the application as applied for. However, the Panel was satisfied that appropriate conditions could be imposed to adequately promote the licensing objectives and therefore it was not necessary to reject the application in its entirety. Accordingly, the Panel concluded that the alternative options were not appropriate in this instance.

The reason for the decision:

The Panel considered the written representations of all parties, 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 one of the representations annexed to the officer's report had been withdrawn prior to the hearing.

The applicant's representative informed the Panel that the applicant sought to provide a service in the external areas of the club premises. The Panel noted that the external areas were not included in the existing premises plans and therefore external consumption was not currently permitted due to a condition prohibiting the removal of drinks from the premises in open containers.

The Panel noted that the applicant had made assurances in relation to CCTV, regular glass collections and noise management in order to reduce any adverse impacts resulting from the proposed variation.

The Panel acknowledged that other local licensed premises are authorised to make use of external areas, but each application must be considered on its individual merits with a view to adequately promoting the licensing objectives.

The Panel considered representations in relation to children congregating around the club premises. However, the Panel was not satisfied that the existing concerns in this regard could be directly attributed to the club and, in any case, they would be unlikely to be exacerbated by the applicant's proposals.

The Panel considered representations relating to anti-social behaviour. The Panel noted that none of the responsible authorities, including North Yorkshire Police, had raised any objections in this regard. The Panel also noted that there was no significant history of complaints in relation to the club.

The Panel was satisfied that any issues of anti-social behaviour from members and guests could be appropriately managed by the club in line with operating schedule and the conditions attached to the club premises certificate. The Panel noted that the certificate could also be subject to review in the event of any issues in relation to anti-social behaviour resulting from the club's activities.

The Panel considered representations relating to beer glasses being discarded around the premises. The Panel was satisfied that this not only created a public nuisance but also posed a public safety risk. The Panel noted that the applicant had committed to undertaking regular glass collections. However, the Panel was satisfied that further action would be necessary to mitigate against the risks involved with glassware being discarded outside the beer garden (for example, in and around the neighbouring domestic properties). The Panel noted that, during the hearing, the applicant's representative had expressed a willingness on behalf of the club to adopt a 'no glassware' condition. The Panel concluded that such a condition should be imposed on the club premises certificate to prohibit the use of glass containers in any external areas of the club premises.

The Panel noted that the club is located in a residential area and the nearest residential properties on Cleveland Street are only a short distance from the grassed area on which the proposed beer garden was to be situated.

The Panel noted that the council's Environmental Health Service had not raised any objections in relation to noise or any other public nuisance. However, the Panel was concerned about the close proximity of the residential properties to the proposed beer garden and, having regard to the representations from local residents, it was satisfied on the balance of probability that the consumption of alcohol in that area until 10pm each day would be likely to have an adverse effect on the public nuisance objective. The Panel was not satisfied that the introduction of a noise management policy as proposed by the applicant would adequately address these concerns.

Accordingly, the Panel concluded that the proposed beer garden should only be used for the consumption of alcohol between the hours of 12pm and 6pm each day. The Panel once again noted that the club premises certificate may be subject to review if problems associated with the licensing objectives occur after the variation of the club premises certificate.

Having considered the representations relating to the proposed smoking area, the Panel was satisfied that the consumption of alcohol in that area until Midnight each day would be likely to have an adverse effect on the public nuisance objective. The Panel concluded that, with the mitigating measures offered by the applicant, the area could be used for alcohol consumption between the hours of 12pm and 10pm each day.

The decision:

That the club premises certificate be varied to amend the premises plans as proposed subject to additional conditions as follows:

- All external areas of the club premises shall be covered by the CCTV system in operation.
- No alcohol shall be supplied for consumption in the external area marked in yellow on the premises plans between the hours of 6pm and 12pm (Noon) each day.
- No alcohol shall be supplied for consumption in the external area marked in green on the premises plans between the hours of 10pm and 12pm (Noon) each day.
- The club shall ensure that no glass containers are used by members or guests for consumption in any external areas of the premises.
- The club shall ensure that all drinks containers are regularly collected from any external areas of the club premises.

- A noise management policy will be introduced to prevent excessive speech, noise or singing.
- A logbook will be kept of all noise monitoring carried out, all noise related complaints, the findings and any remedial action taken. The log will indicate whether it was routine noise monitoring or the result of a complaint. The log will be made available for inspection by the licensing authority or environmental health responsible authority.
- Prominent display notices will be erected asking members to keep noise to a minimum.
- No person under the age of 18 years will be admitted to any external areas of the club premises unless they are accompanied by an adult member.

The meeting closed at 10.30 am

Chairman of the Panel

Present

Councillor P Thompson
A Wake

Councillor D Watkins

LAHP.3 **Election of Chairman**

The decision:

That Councillor P R Thompson be elected Chairman for the duration of the meeting.

(Councillor P R Thompson in the Chair)

LAHP.4 **Application for the Grant of a Premises Licence Velveteen Rabbit Luncheon Club, 1 High Street, Great Ayton**

Great Ayton Ward

The subject of the decision:

The Director of Law and Governance submitted a report seeking consideration of an application for the grant of a new premises licence in respect of The Velveteen Rabbit Luncheon Club, 1 High Street, Great Ayton. The application sought to authorise the sale of alcohol for consumption on and off the premises between the hours of 8.30am and 11pm Monday to Saturday; between the hours of 8.30am and 10pm on a Sunday; and between the hours of 8.30am and 1am on Christmas Eve, Boxing Day and New Year's Eve. The application also sought to authorise the provision of live and recorded music between the hours of 11pm and 1am on Christmas Eve, Boxing Day and New Year's Eve.

Alternative options considered:

The Panel considered all of the options in paragraph 7.2 of the officer's report.

The Panel did not consider it necessary to reject the application. The Panel therefore considered whether to grant the application as applied for or to grant the licence subject to additional conditions. The Panel was satisfied that appropriate conditions should be imposed to adequately promote the licensing objectives and therefore 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 applicant informed the Panel that she had been a licence holder for over 10 years and that she understood her obligations and the benefits of working with local residents to reduce any adverse impacts.

The Panel considered representations relating to parking, traffic, late-night noise, excess lighting and anti-social behaviour.

The Panel also noted that concerns had been raised in relation to planning permission. The Panel was satisfied that any premises operating in breach of its planning permission would be liable to prosecution under planning law and therefore the Panel concluded that the applicant would need to ensure compliance in this regard, irrespective of any decision of the licensing authority.

The Panel was informed about existing issues relating to parking and vehicular traffic in the vicinity of the premises. However, the Panel was not satisfied that the existing concerns in this regard could be solely attributed to the premises. The Panel also noted that the licensing authority can only consider matters that relate to licensable activities. The Panel acknowledged that there may be issues surrounding parking and traffic in the area but concluded that any such issues would not be significantly affected by the addition of alcohol sales on these premises.

The Panel considered representations relating to late-night noise from customers and music. The Panel noted that the applicant only sought to authorise regulated entertainment on Christmas Eve, Boxing Day and New Year's Eve. The Panel also noted that it could not seek to regulate any exempt entertainment between the hours of 8am and 11pm.

The Panel was informed that several music events had taken place on the premises in recent months under the authorisation of a temporary event notice and that, on several other occasions, customers had been allowed to bring their own alcohol. The Panel was informed that no previous complaints had been made in this regard. The Panel also noted that none of the responsible authorities had made representations in relation to the application.

The applicant informed the Panel that she did not intend to use the external areas of the premises for alcohol consumption. However, the Panel noted that the applicant sought to authorise the sale of alcohol for consumption both on and off the premises and therefore, without further intervention, the external areas could still be used for alcohol consumption. The Panel concluded that, in order to reduce the likelihood of nuisance from customers, a condition should be imposed to prevent alcohol from being taken outside the premises in open containers for immediate consumption.

The Panel also noted that, in a letter dated 29th May 2020, the applicant had assured interested parties that the premises would remain open beyond 9pm on no more than seven days per year. The Panel concluded that it would be appropriate for the prevention of public nuisance to impose a condition to this effect.

The Panel was not satisfied on the balance of probability that the grant of the licence would have an adverse effect on the licensing objectives, provided the aforementioned conditions were imposed along with any appropriate conditions consistent with the applicant's operating schedule.

The Panel noted that the licence may be subject to review in the event of any issues resulting from licensable activities being carried out on the premises.

The decision:

That the premises licence be granted as applied for, subject to the following conditions:

- The premises shall not open for the carrying on of licensable activities beyond 9pm on any more than seven days per calendar year. At least seven days prior to opening beyond 9pm on any such occasion, the premises licence holder shall inform the licensing authority in writing.
- Any alcohol supplied for consumption off the premises must be in a sealed container.
- The premises licence shall ensure that all members of staff are subject to effective, ongoing training to understand and promote the licensing objectives and comply with the conditions imposed on the premises licence. Records of training will be documented and made available to the police or other responsible authorities.
- CCTV shall be in operation in all areas of the premises. The CCTV system shall record at all times that the premises are open for licensable activities and recordings shall be stored for a minimum period of 31 days.
- An incident log will be kept on the premises recording any incidents of crime, disorder and refusals of sale. The log will be available for inspection on request by a police officer or other responsible authority.
- The premises licence holder shall ensure that bottle bins are not emptied between the hours of 10pm and 10am.
- Notices shall be displayed requesting customers to respect the neighbours and to leave the premises quietly.

- A challenge 25 proof of age scheme will be in operation at the premises where the only forms of acceptable ID will be a passport, photo driving licence or proof of age card with the pass holographic logo.
- No person under the age of 16 years shall be permitted to enter or remain on the premises unless accompanied by a responsible adult.

The meeting closed at 2.30 pm

Chairman of the Panel

Present

Councillor R Kirk (in the Chair)

Councillor P Bardon

Councillor M A Barningham

LAHP.5 **Application for the Grant of a Premises Licence Woodhouse Farm, Little Ayton**

Great Ayton Ward

The subject of the decision:

The Director of Law and Governance submitted a report seeking consideration of an application for the grant of a new premises licence in respect of Woodhouse Farm, Little Ayton, TS9 6HZ.

The application sought to authorise the sale of alcohol for consumption on the premises between 12 noon and midnight on a Saturday and between 12 noon and 5pm on a Sunday; late night refreshment between 11pm and midnight on a Saturday; live music between 2pm and 11.30pm on a Saturday and between 12 noon and 5pm on a Sunday; recorded music between 12noon and midnight on a Saturday and between 12 noon and 5pm on a Sunday; performance of dance between 2pm and 11.30pm on a Saturday and 12 noon and 5pm on a Sunday.

Alternative options considered:

The Panel considered all of the options in paragraph 7.2 of the officer's report.

The Panel did not consider it necessary to reject the application. The Panel therefore considered whether to grant the application as applied for or to grant the licence subject to additional conditions. The Panel was satisfied that appropriate conditions should be imposed to adequately promote the licensing objectives and therefore 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 applicant informed the Panel that a premises licence was required to authorise the proposed activities at an annual music festival with an outdoor main stage, an indoor arena for acoustic music and a food court and bar.

The Panel was informed that the event had already been subject to scrutiny from the Council's Safety Advisory Group (SAG) comprising relevant bodies such as the police, the fire service, the ambulance service, emergency planning, highways and environmental health. The applicant indicated that his Event Management Plan had been developed in line with the advice of the relevant bodies.

The Panel was informed that, in accordance with the Event Management Plan, professional and properly authorised personnel had been engaged to provide security, medical assistance, traffic management, toilets, sound and stage. The applicant indicated that there would be security on all entrances, bag searches would be carried out, regular security patrols would be conducted and evacuation procedures would be in place. The applicant also informed the Panel that there would be an ambulance on site and that provision would be made for the air ambulance if necessary.

Note: Due to the applicant's temporary loss of connection, the hearing was adjourned at 10.24am and reconvened at 10.30am with all parties present.

The Panel considered the representations of three local residents in relation to traffic, noise and potential disorder from attendees.

The Panel noted that none of the responsible authorities had made representations in relation to the licence application and several mitigating measures had been agreed with the police and environmental health. The Panel concluded that the conditions agreed with the responsible authorities during the consultation period should be imposed on the licence in order to adequately promote the licensing objectives.

The applicant informed the Panel that, in order to reduce the potential impact on residents, he had cancelled proposals to hold a silent disco towards the end of the event and all activities would cease at Midnight. The Panel concluded that it was appropriate for the promotion of the licensing objectives to ensure that the event did not go beyond Midnight. Accordingly, the Panel concluded that the terminal hour for alcohol sales should be reduced to 11.30pm on the Saturday in order to allow adequate 'drinking up' time ahead of a Midnight finish.

The Panel was satisfied that other bodies such as the highways department of North Yorkshire County Council had been consulted and had influenced the development of the applicant's Event Management Plan.

The applicant informed the Panel that appropriate road closures would be in place as approved by the County Council's highways department and a suitable traffic management company would be responsible for ensuring that any risks in this regard were minimised.

The Panel was satisfied that suitable measures in this regard would be implemented outside the remit of the licence application and the licensing authority should not duplicate statutory requirements or other duties or responsibilities placed on employers and event organisers by other legislation.

The Panel was also satisfied that the surrounding areas would be appropriately marshalled in accordance with the applicant's Event Management Plan. However, the Panel noted that the licence may be subject to review if any issues in this regard have an adverse effect on the licensing objectives.

The Panel considered concerns raised by interested parties relating to a potential expansion of the event in future, both in terms of occupancy levels and frequency.

The Panel was satisfied that the aforementioned conditions agreed with North Yorkshire Police and the Council's Environmental Health team would restrict the licence to a single two-day event per year. The Panel was satisfied that these restrictions should apply to all licensable activities authorised by the licence.

The Panel noted that the applicant expressed no intention of expanding the event and, in any case, an extension on the agreed limits would be subject to further consideration from the licensing authority on receipt of a separate application.

The applicant indicated that no more than 2,000 attendees would be permitted entry to the event. The applicant also informed the Panel that all attendees would be required to purchase a ticket in advance of the event.

The Panel was concerned that, without appropriate restrictions in place, the number of attendees could rise significantly. Having considered the representations of the interested parties, the Panel was satisfied that the applicant would need to have some certainty over the number of attendees in order to adequately manage traffic, access and egress. The Panel therefore concluded that it would be appropriate for the prevention of public nuisance and crime and disorder to restrict access to ticket holders only.

The Panel also concluded that the number of tickets available for purchase should be restricted to 2,000. The Panel was satisfied that this would alleviate the concerns of local residents in relation to any future expansion of the event, although it again acknowledged that a new application could be made and would need to be considered on its individual merits in that scenario.

The decision:

That the premises licence be granted to authorise the following activities:

Sale of alcohol

- Saturday – 12pm Noon to 11.30pm
- Sunday – 12pm to 5pm

Live music

- Saturday – 2pm to 11.30pm
- Sunday – 12pm to 5pm

Recorded music

- Saturday – 12pm to Midnight
- Sunday – 12pm to 5pm

Performance of dance

- Saturday – 2pm to 11.30pm
- Sunday – 12pm to 5pm

Late night refreshment

- Saturday – 11pm to Midnight

subject to the following conditions:

- No person shall be permitted entry to the premises unless they are in possession of a ticket purchased prior to the start of the event. This condition shall not apply to staff and performers.
- The premises licence holder shall ensure that no more than 2,000 tickets are available for purchase in respect of any event authorised by the licence.
- The premises licence holder shall supply to Hambleton District Council Licensing Authority and North Yorkshire Police an Event Management Plan at least three months before any event or within another timeframe agreed in writing by the Licensing Authority and North Yorkshire Police.
- The event will be conducted in accordance with the Event Management Plan.
- Licensable activities shall be authorised by the premises licence for one event per calendar year taking place over the course of no more than two days.
- Only polycarbonate glasses will be used on the premises.
- There shall be no adult entertainment on the premises.
- The Music Noise Level (MNL) shall not exceed 65 dB(A) over a 15 minute period and shall be assessed not less than once per hour of the duration of the amplified live and recorded music. Measurements of the MNL shall be undertaken at the three nearest residential properties using a sound level meter complying with type 2 or better of BS EN 61672.
- The premises licence holder shall ensure that the promoter, sound supplier and all individual sound engineers are informed of the sound control limits.

- A written record of noise monitoring shall be kept detailing the date, time, duration, location, weather conditions, MNL measured and any action taken to reduce MNL. These results shall be made available upon request to an officer of Hambleton District Council's Environmental Health Service or Licensing Authority.
- The control limits set at the mixer position shall be adequate to ensure that the MNL shall not at any noise sensitive premises exceed 65 dB(A) over a 5 minute period in the 63Hz and 125Hz frequency bands throughout the duration of the event.
- The premises licence holder shall operate a Challenge 25 scheme in relation to all alcohol sales.
- No person under the age of 18 years shall be permitted to enter the premises unless accompanied by a responsible adult.

The meeting closed at 11.20 am

Chairman of the Panel

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