

Committee Administrator: Democratic Services Officer (01609 767015)

Thursday, 1 April 2021

Dear Councillor

Notice of Meeting

Meeting **Council**

Date **Tuesday, 13 April 2021**

Time **2.00 pm**

Venue **Council Chamber, Civic Centre, Stone Cross, Rotary Way,
Northallerton, DL6 2UU and virtually via Teams
(Press and public attendance via Teams - please see joining instructions
overleaf)**

Yours sincerely

J. Ives.

Dr Justin Ives
Chief Executive

To:	Councillors	Councillors
	M A Barningham (Chairman)	C A Les
	A Wake (Vice-Chairman)	Mrs J W Mortimer
	P Atkin	J Noone
	P Bardon	B Phillips
	G W Dadd	G Ramsden
	C A Dickinson	A Robinson
	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	D Watkins
	K G Hardisty	S Watson
	R Kirk	D A Webster
	N A Knapton	P R Wilkinson

Other Members of the Council for information

Important Note – Attendance of Press and Public via Teams

Members of the press and public are welcome to attend meetings of the District Council. In accordance with the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations which permits remote attendance in Local Authority meetings, members of the press and public are asked join this meeting to observe proceedings virtually via Teams (or by telephone).

Due to current social distancing restrictions, measures have been implemented within the Council Chamber which limit the number of persons able to be physically present in any meetings of the District Council at any one time. This situation is continually reviewed in line with current guidance.

If you wish to observe the meeting via Teams, please click on the link on the website. To listen to the meeting via the telephone, please dial 020 3855 5195 followed by the Conference ID: 198 930 177#

Please contact Louise Hancock, Democratic Services Officer, Tel: 01609 767015 or email committeeservices@hambleton.gov.uk for further information.

Agenda

Page No

1. Minutes 1 - 6
To confirm the minutes of the meeting held on 23 February 2021 (C.13 - C.19), attached.
2. Apologies for Absence
3. Announcements by the Chairman or Chief Executive
4. Verbal Statement of the Leader and Referrals from Cabinet 7 - 10

Date of Meeting	Minute Nos
9 March 2021	CA.29 to CA.31
13 April 2021	To follow
5. Cabinet Portfolio Statements
 - 5(a) Statement from the Portfolio Holder for Economic Development and Finance 11 - 14
 - 5(b) Statement from the Portfolio Holder for Leisure 15 - 16
 - 5(c) Statement from the Portfolio Holder for Governance 17 - 18
 - 5(d) Statement from the Portfolio Holder for Planning 19 - 20
 - 5(e) Statement from the Portfolio Holder for Environmental Health, Waste and Recycling 21 - 22
 - 5(f) Statement from the Portfolio Holder for Transformation and Projects 23 - 24
6. Question Time
None received.
7. Notices of Motion
None received.
8. Local Government Reorganisation 25 - 36
Report of the Chief Executive

Relevant Ward(s): All Wards

9. Urgent Decisions taken by Cabinet

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Report of the Chief Executive

Relevant Ward(s): All Wards

Agenda Item 1

Minutes of the meeting of the Council held at
2.00 pm on Tuesday, 23rd February, 2021 at a
Virtual Meeting via Teams

Present

Councillor M A Barningham (in the Chair)

Councillor	A Wake	Councillor	C A Les
	P Atkin		Mrs J W Mortimer
	P Bardon		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		D Watkins
	D Hugill		S Watson
	K G Hardisty		D A Webster
	R Kirk		P R Wilkinson
	N A Knapton		

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

C.13 Minutes

The decision:

That the minutes of the meeting held on 15 December 2020 (C.8 - C.12), previously circulated, be signed as a correct record.

C.14 Statement of the Leader and Referrals from Cabinet

The Leader moved Cabinet minutes CA.18 – CA.27 and made a statement to the Council on the following matters:-

- Sir Captain Thomas Moore who had sadly passed away on 2 February
- COVID-19 and the financial impacts of the ongoing pandemic
- Future High Street Fund
- Jasmine Harrison, the youngest women to row the Atlantic

A number of questions were asked based on the statement. The main issues which the Leader responded to were in relation to:-

- Future High Street Fund

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	9 February 2021	CA.18 – CA.27

Note: Councillor D Hugill left the meeting at approximately 2.20pm.

C.15 Cabinet Portfolio Statements

- (a) Councillor P R Wilkinson, Portfolio Holder for Economic Development and Finance made a statement regarding Vibrant Market Towns; Future High Streets Fund; workspaces; business support; C4Di; apprentices and graduates and the Hambleton Business Conference. A number of questions were asked relating to Vibrant Market Towns; the lack of a bus station in Northallerton and C4Di. Responses were provided at the meeting and where further information was required this would be circulated after the meeting.
- (b) Councillor Mrs B S Fortune, Portfolio Holder for Leisure made a statement regarding Making a Difference grants panels; Hambleton Heroes; Sports Villages; the crematorium; Leisure Centre improvements and Thirsk and Sowerby Leisure Centre developments. A question was asked regarding Hambleton Heroes which was responded to at the meeting.
- (c) Councillor Mrs I Sanderson, Portfolio Holder for Governance made a statement regarding ICT; Green Waste; COVID-19 testing and vaccinations; markets and Elections.
- (d) Councillor D Webster, Portfolio Holder for Planning made a statement regarding the Local Plan; Ingleby Arncliffe Neighbourhood Plan and Development Management. A question was asked regarding the Local Plan and Great Ayton allocations which was responded to at the meeting.
- (e) Councillor S Watson, Portfolio Holder for Environmental Health, Waste and Recycling made a statement regarding Waste and Street Scene; Environmental Health and Emergency Planning. A number of questions were asked regarding community litter picks and Green Waste licences which were responded to at the meeting.
- (f) Councillor M G Taylor, Portfolio Holder for Transformation and Projects made a statement regarding Council Key Projects including the Crematorium; Treadmills redevelopment; Future High Street Fund and the Town Hall Square and Town Centre improvements, Northallerton.

Note: Councillor Mrs I Sanderson left the meeting at approximately 2.55pm.

C.16 Council Tax 2021/22

All Wards

A revised addendum to the report had been circulated prior to the commencement of the meeting. It was moved by the Leader and seconded by the Deputy Leader that the Notice of Motion at Item 7 on the agenda be approved in pursuance of Minute CA.25.

The decision:

That pursuant to Minute CA.25:-

- (1) That it be noted that on 15 January 2021 Hambleton District Council calculated the Council Tax Base for 2021/22:
 - (a) for the whole Council area as 37,342.89 [Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the "Act")]; and
 - (b) for dwellings in those parts of its area to which a Parish precept relates as in the attached Annex A(1) of the report.
- (2) That the Council has calculated the Council Tax requirement for the Council's own purposes for 2021/22 (excluding Parish precepts) as £4,275,014.05.
- (3) That the following amounts be calculated for the year 2021/22 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992:-
 - (a) **District/Parish Gross Expenditure**
£ 49,589,748.89 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (2) of the Act taking into account all precepts issued to it by Parish Councils
 - (b) **District/Parish Gross Income (including Government Grants, use of Reserves and Collection Fund Surpluses etc)**
£ 43,711,835.95 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act
 - (c) **District/Parish Net Expenditure**
£ 5,877,912.94 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act, as its Council Tax requirement for the year (Item R in the formula in Section 31B of the Act)

- (d) **Basic Amount of Tax (including average Parish Precepts)**
£ 157.4038 being the amount at 3(c) above (Item R) all divided by Item T (1(a) above), calculated by the Council in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts)
- (e) **Parish Precepts**
£ 1,602,898.89 being the aggregate of all special items (Parish precepts) referred to in Section 34(1) of the Act (as per Annex 'A1' of the report)
- (f) **Basic Amount of Tax (Unparished Areas)**
£114.4800 being the amount at 3(d) above less the result given by dividing the amount at 4(e) above by Item T (1(a) above), calculated by the Council in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates
- (4) **Major Precepting Authorities** That it be noted that the North Yorkshire County Council, the North Yorkshire Police, Fire and Crime Commissioner, Fire and Rescue Authority and the North Yorkshire Police and Crime Commissioner - Police will issue precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Council's area and this will be as indicated in the table below and at Annex A1 of the report.
- (5) **Council Tax Bands for All Councils**
That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts in the tables below as the amounts of Council Tax for 2021/22 for each part of its area and for each of the categories of the dwellings.

Hambleton District Council

Valuation Bands

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
76.32	89.04	101.76	114.48	139.92	165.36	190.80	228.96

North Yorkshire County Council – excluding Adult Social Care

Valuation Bands

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
847.16	988.35	1,129.55	1,270.74	1,553.13	1,835.51	2,117.90	2,541.48

North Yorkshire County Council – Adult Social Care

Valuation Bands

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
93.54	109.13	124.72	140.31	171.49	202.67	233.85	280.62

North Yorkshire Police, Fire and Crime Commissioner, Fire and Rescue Authority

Valuation Bands

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
49.43	57.66	65.90	74.14	90.62	107.09	123.57	148.28

North Yorkshire Police, Fire and Crime Commissioner - Police

Valuation Bands

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
180.71	210.82	240.94	271.06	331.30	391.53	451.77	542.12

(6) **Excessive Council Tax**

That the Council determines that the Council's basic amount of Council Tax for 2021/22 (at 3(f) above) is not excessive in accordance with the principles approved under Section 52ZB of the Local Government Finance Act 1992.

- (7) The appropriate amount is transferred to the Council Taxpayers Reserve to support the decision at (3) above.
- (8) The policy on Balances and Reserves at Annex C of the report is approved.

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

For the motion: 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, R Kirk, N A Knapton, C A Les, J Mortimer, J Noone, G Ramsden; M S Robson, M Taylor, P R Thompson, A P Wake, D Watkins, S Watson, D A Webster and P R Wilkinson (24)

The motion was declared carried.

C.17 Members' Allowances Scheme 2021/22

All Wards

The Chief Executive submitted a report regarding the Members' Allowances Scheme which in line with the Local Authorities (Members' Allowances) (England) Regulations 2003 required the Council to consider its Allowances Scheme before the beginning of each year.

The decision

That the Members' Allowances Scheme for 2021/22 attached at Appendix B of the report be approved.

C.18 Statement of Pay Policy 2021/22

All Wards

The Chief Executive submitted a report seeking approval of the Statement of Pay Policy for the year commencing on 1 April 2021. The Council was required to adopt the Statement of Pay Policy each year.

The decision:

That the Statement of Pay Policy be adopted with effect from 1 April 2021.

Note: Management Team left the meeting prior to any discussion and voting on the above item.

C.19 Chairman's Announcements

The Chairman, on behalf of the Council, wished to congratulate Jasmine Harrison for becoming the first woman to row solo across the Atlantic.

The Chairman, on behalf of the Council, wished to record a vote of thanks to all staff for their continued hard work during the COVID-19 pandemic.

The meeting closed at 3.10 pm

Chairman of the Council

Decisions to be considered by Full Council on 13 April 2021

Decisions of the meeting of the Cabinet held
at 9.30 am on Tuesday, 9th March, 2021 at a
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

Also in Attendance

Councillor P Atkin
P Bardon
M A Barningham
D B Elders
B Griffiths

Councillor K G Hardisty
R Kirk
J Noone
G Ramsden

CA.29 Climate Change Policy and Strategy

All Wards

The subject of the decision:

This report sought Cabinet approval for the Climate Change Policy and Strategy attached in Annex A and B of the report respectively.

Alternative options considered:

None.

The reason for the decision:

The Climate Change Act 2008 set a target of net UK greenhouse gas emissions for 2050 to be 100% lower than the 1990 baseline figures. This was an ambitious target and one which could not be achieved without action from local government. Although Local authorities do not have a statutory duty to reduce emissions in line with the Climate Change Act 2008, they do need to produce plans and strategies that have a considerable bearing on emissions such as the Local Plan, Councils Plans, Waste Management Strategy, Procurement Strategy etc.

The decision:

That Cabinet approves and recommends to Council that:-

- (1) the draft Climate Change Strategy and Policy be approved and adopted with effect from 1 April 2021; and
- (2) the Strategy be included in the Council Plan.

CA.30 Public Sector Decarbonisation Scheme

All Wards

The subject of the decision:

This report sought approval from Cabinet and Council for the acceptance of a Government grant of £4,724,763 to assist the Council in implementing a range of initiatives that aimed to significantly reduce the carbon emitted by its leisure centres.

Alternative options considered:

None.

The reason for the decision:

The reduction in carbon emissions from the Council's leisure facilities was integral to the Council's Caring for the Environment priority.

The decision:

That Cabinet agrees and recommends to Council that:-

- (1) the grant offer detailed within section 1 of the report is formally accepted; and
- (2) any significant changes to the Capital Programme as a consequence of implementing the decarbonisation initiatives are brought to Cabinet for its consideration.

CA.31 Hambleton Homelessness and Rough Sleeping Review 2021-2024

All Wards

The subject of the decision:

This report requested the approval of the draft Homelessness and Rough Sleeping strategy for 2021-24 which had been developed following a homelessness review in consultation with partners and others.

Alternative options considered:

None.

The reason for the decision:

The Homelessness Act 2002 placed a duty on English local housing authorities, to formulate a homelessness strategy at least every five years. A review of homelessness in a local authority area must take place prior to a homelessness strategy being formulated and published. The legislation required local housing authorities to take strategic responsibility for tackling and preventing homelessness in their local authority area. This duty complemented other duties local housing authorities have to advise and assist persons who are homeless or threatened with homelessness.

The decision:

That Cabinet approves and recommends to Council that the draft strategy be approved and adopted from April 2021.

The meeting closed at 10.10 am

Leader of the Council

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Statement by the Cabinet Portfolio Holder for Economic Development and Finance

13 April 2021

Vibrant Market Towns

Hambleton Tourism Forum

The inaugural meeting of the Hambleton Tourism Forum was held on the 15 March 2021. The purpose of the Forum is to provide support to the Tourism and Hospitality sector across Hambleton and to provide a collective voice for those in the tourism industry. All key sectors of the industry are represented on the Forum nominated members include Solberge Hall, the World of James Herriot and York House Leisure.

A key priority for the Forum is supporting the #Discover Hambleton initiative which has been well-received by Forum members. They welcomed the initial approach of targeting residents and locals then developing it as a platform for national and international visitors in the future. The initiative will help support the long term recovery and regeneration of the tourism industry across the District and will position Hambleton as a great place to visit and to spend time and money once lockdown restrictions are lifted.

Pavement Licences

To date a total of 9 pavement licences have been issued to eligible businesses across the District and Business & Economy Officers are working closely with Licensing, Environmental Health and Planning to ensure that all businesses have access to advice and guidance that allows them to benefit from changes in planning legislation allowing them to re-open safely once the current lockdown restrictions are lifted. Those businesses that already have a Temporary Pavement Licence will have their licence extended automatically for a further 12 months beyond September 2021, subject to Parliamentary approval, without the need for re-applying. Chapters Deli in Stokesley is the latest business to receive their pavement licence.

Town Investment Plans

Following the success of the business case for Future High Streets Fund in Northallerton and previous economic analysis work in Bedale the Council is now working with Genecon as part of our Economic Response and Recovery Plan to develop Investment Plans for Bedale, Easingwold, Stokesley and Thirsk. All four towns have significant assets and opportunities on which to capitalise, but they also have challenges and threats that need to be countered to avoid destabilising their role, function and ultimately their vibrancy. It is important that we take a strategic view of our towns to enable us to respond to the challenges ahead.

The result will be the production of four evidenced Town Investment Plans that capture the key opportunities for enhancing the economic potential of each town. They will include portfolio of projects and 2 to 3 specific proposals which will be further developed with headline concept designs and costings. It is important that Hambleton is in a strong position to bid for future funding which becomes available for towns – this requires development of a robust project pipeline and a number of projects which are ‘shovel ready’ for investment.

North Yorkshire & East Riding Supply Chain Project

The Council is a key partner in the delivery of the 3 year ERDF funded project which was launched in July 2019 to develop and support supply chain linkages between local businesses. Led by East Riding of Yorkshire Council it offers a number of opportunities to businesses including:

- **Supplier Directory** – which businesses can register on and benefit from the opportunity to bid for supply chain opportunities. A sector specialist directory is also available.
- **Key Developments & Supply Chain Opportunities** – the Council and businesses can include opportunities on the website and to improve their supply chain from the supplier directory entries.
- **Business Advice** – business diagnostics and advice can be provided by the Councils Business & Economy Team.
- **Grants** – are available for capital and revenue investment – this is facilitated through the Business & Economy team.

We are currently working with a number of local businesses as part of this project including Northallerton Glass, Treske at Thirsk, Argo at Stokesley, Sugar Therapy and Goat Drinks at Thirsk.

Hambleton Business Conference

I am delighted this year that our annual Business Conference will be part of the opening and launch for C4DI, Hambleton's innovative new business centre.

The virtual event is part of Hambleton's Business Week which is being held over 3 days (11 May – 13 May) from the new C4DI building and will be available to delegates from not only the district but further afield. The business conference which falls on the 12 May will focus on growing the Hambleton economy through digital technology to support the high streets, market towns as well as those traditional businesses within the District.

We have a number of speakers lined up including Kate Hardcastle MBE who will lead a session on the 'Digital High Street' and Matthew Hopkinson from Didobi with some great national insights into high street change and technology futures.

Business Grants

The Covid-19 Business Grant schemes, that the Council is currently administering in line with Government guidelines, are listed below; the table shows the amount paid and the number of businesses who have received Business Grants from November 2020 to March 2021.

Since the beginning of April 2020 to March 2021, in excess of £42m has been paid out in business grants which is 81% of the funding received from Government. The Council continues to support and process the applications received. Information on business grants can be found on Council's website:

<https://www.hambleton.gov.uk/health-wellbeing/coronavirus-covid-19/6>

Scheme	Amount paid	Number of businesses
LRSB Closed Addendum scheme – Lockdown 2 November - 05/11 to 01/12 and	1,438,502	950
Additional Restrictions Grant (ARG) – Lockdown 2 November - 05/11 to 01/12	308,700	238
Local Restriction Support Grant (LRSB) Closed and Open – Tier 2 - 02/12 to 15/12 and 16/12 to 29/12	193,296	350
Local Restriction Support Grant (LRSB) Closed and Open - Tier 2 - 30/12 and Tier 3 - 31/12 to 04/01	113,725	409
Local Restriction Support Grant (LRSB) Sector – 01/11 to 04/11, 02/12 to 15/12 and 16/12 to 29/12	3,964	1
Christmas Support Payment – 02/12 to 29/12	41,000	41
LRSB Closed Addendum scheme - Lockdown 3 January – 05/01 to 15/02	2,210,778	976
Closed Business lockdown payment – Lockdown 3	4,131,000	914
Additional Restrictions Grant (ARG) – Tier 3 - 31/12 to 04/01 and Lockdown 3 January 05/01 to 15/02	470,412	425
LRSB Closed Addendum scheme - Lockdown 3 February - 16/02 to 31/03	2,007,245	850
Additional Restrictions Grant (ARG) – Lockdown 3 February - 16/02 to 31/03	406,000	190

Councillor Peter Wilkinson
Portfolio Holder for Economic Development and Finance

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Statement by the Cabinet Portfolio Holder for Leisure

13 April 2021

Leisure Centres Reopening

As of yesterday, there has been a partial re-opening of our leisure centres in line with Government guidance to include gyms, swimming pools and the Toning Suite – all with restricted numbers. Further activities will come online as per the Governments roadmap. The centres will continue to operate Covid secure practices to keep customers and staff safe.

Public Sector Decarbonisation Fund

Planning and preparations are taking place to implement the decarbonisation works at our leisure centres. As you will recall we were successful in obtaining a £4.72 million grant from the Government that will reduce our carbon emissions by 57%. It is planned for works to be completed by the end of this year.

Thirsk and Sowerby Leisure Centre Developments

As you know the works started at the beginning of February and the programme is progressing well and on time. Steel has been erected for the extensions, with some of the blockwork put in place. The works will take 30 weeks, reopening in September.

Take That Step – Adult Weight Management Scheme

Helping people control and reduce their body weight continues to be important, maybe even more so, during the Pandemic. Our service has been significantly adapted to work around the obstacles presented by Covid-19, with remote support including virtual exercise and activity sessions, one to one telephone contact and remote group workshops, all in place. Over 60% of our clients have lost at least 5% of their bodyweight over the most recent 12-week period.

Hambleton Heroes

We have had a very positive response to the Hambleton Heroes initiative with over 60 individuals or organisations being nominated for amazing acts of kindness and community support that have made such a difference to our residents during 2020. Letters of commendation from the Leader and Hambleton Heroes pin badges will be provided to all nominations for their fantastic contributions.

Councillor Mrs Bridget Fortune
Portfolio Holder for Leisure

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Statement by the Cabinet Portfolio Holder for Governance

13 April 2021

Car Park Improvement Scheme

The Council has now installed 29 new pay and display machines and introduced a payment App across its car parks. The new machines allow for payment by coins, cards and mobile devices. Tariffs are available for large vehicle/double bay rates allowing vehicles with trailers and camper vans to use our car parks. These changes, in addition to the work carried out providing wider bays and enhanced CCTV coverage at Bedale, Northallerton and Stokesley has brought our Car Parks up to date with modern technology. This could not have been completed at a better time when we expect increased visitor numbers in Hambleton due to the ongoing Covid restrictions on foreign holidays. New signage and improved pedestrian safety in the Car Parks will be of great benefit to those people visiting Hambleton for the first time.

Covid Testing and Vaccinations

The Council continues to support COVID testing and Vaccinations with the Forum car park in Northallerton continuing to host a walk-in testing until the end of June 2021, as well as parking for those attending the Forum for their vaccinations. The Galtes Centre also continues to operate as a vaccination centre and Millgate at Thirsk operates a weekly testing station.

Customer Services

Over the last twelve months the resilience and response to the challenges faced have been considerable with surges in customer contact, and changes in the working environment. The Customer Services team and the Council as a whole have responded incredibly well and, I am sure I speak for all District Councillors, in acknowledging this. Front line support from Customer Services has continued with residents and customers being encouraged to use online facilities whilst also providing enhanced telephony support for others.

The annual Council Tax despatch has seen an unprecedented surge in calls and electronic contacts, and as we move forward through the roadmap and easing of restrictions, Customer Services will play an important role in the offer of any support to both customers and as back office support to Revenues and Benefits.

Legal

The Legal Department continues to provide assistance over a wide ranging portfolio of work. This covers subjects as diverse as responding to judicial reviews and car parking orders.

During the last twelve months they have supported the delivery of important projects for the Council such as Treadmills and the Crematorium where any legal delays would have impacted badly on our ability to deliver there's projects on time.

Northallerton High Street

NYCC have agreed to continue to close the High Street on Market Days until June 2021. We can only hope that by then “Social Distancing “ is no longer part of our daily lives.

Electoral Services

Preparations are now underway for the Police Crime and Fire Commissioner elections in May. The Elections team will be in the Main Committee Room from 14 April and Covid Safe working measures are in place for office staff, postal opening teams, polling station staff and count staff.

Councillor Isobel Sanderson
Portfolio Holder for Governance

Statement by the Cabinet Portfolio Holder for Planning

13 April 2021

Local Plan

The Inspectors continue to engage with the Council to support progress of the Local Plan. Most recently they have set out how the increased needs shown in the Gypsy and Traveller Accommodation Assessment require the Council to take action stating that:

“without an identified supply of deliverable sites we are concerned that relying solely on windfall proposals will not meet the needs for gypsies and travellers and travelling showpeople defined by the GTAA. In the absence of a positively prepared strategy, this aspect of the Plan is unsound.” (Inspectors Post hearing letter 22 March 2021)

The Inspectors indicate three options to amend the Local Plan to address the issue. Of the three options presented (to allocate sites, to carry out an urgent review, or to remove the Policy HG 6 and prepare a new Development Plan Document), the most appropriate option is considered to be a modification to include a commitment to carry out an urgent review (with 6 months of adoption) of this Local Plan to ensure that there is a supply of specific, deliverable sites to meet the needs for gypsies and travellers and travelling showpeople (as identified in the Gypsy and Traveller Accommodation Assessment January 2021) over the plan period. The urgent review will have regard to the equality impacts of the Local Plan in accordance with the Public Sector Equality Duty contained in Section 149 of the Equality Act 2010.

Consultation on the amended policy HG 6 and the additional evidence is expected to run from April to mid-May 2021. Thereafter the Inspectors will consider the representations, possibly by hearing session(s) in June or July 2021, leading to the preparation of Main Modifications to the Local Plan and further consultation prior to receipt of the Inspectors report and finalising the Local Plan for adoption later in 2021.

Ingleby Arncliffe Neighbourhood Plan

The period of consultation on the Ingleby Arncliffe Neighbourhood Plan has closed, examination arrangements (by written representations) are in place with an expectation that a referendum on the Plan can be carried out in the summer of 2021.

Development Management

Application submissions continue to be high and this has generated an increase in fees received of more than 20% in comparison to the previous financial year. The service is processing both minor and major development proposals including schemes for draft allocation sites in the Local Plan such as the construction of 154 dwellings on land north east of Easingwold Community Primary School and employment development on the former Dalton Airfield.

Councillor David Webster
Portfolio Holder for Planning

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

13 April 2021

Waste and Street Scene

- Recycling tonnages remain high, during the lockdown. The national recycling rates for 19/20 were released on 3rd March 2021. HDC have moved from 98th place in 2018/19 to 73rd in 2019/20 out of 351 authorities. This is great news and is largely due to increased high quality publicity and engagement from the recycling service.
- Garden waste licences are on sale now for the coming season and sales are already at 80% of last year.
- A new fleet of recycling vehicles have been delivered with more environmentally friendly electric bin lifts fitted, which are not only better for the environment but are cheaper to run.

Environmental Health

- Preparations are underway for easing of lockdown restrictions for food and other businesses to ensure compliance with new legislation.
- The service is also gearing up to ensure that a high level of events such as fairs and food and music festivals can operate safely. As such, the Environmental Health led multi-agency Safety Advisory Group is convening to review plans for these events.
- Work continues on joint working for outbreak control in food and other business and high-risk 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.
- The Environmental Health Service, in partnership with Scarborough, Ryedale, Richmondshire and North Yorkshire, have been working to secure National Warm Homes Funding to tackle fuel poverty. The partnership has successfully secured £1.3 million in funding for Green Homes Grants, of which Hambleton's share is £597,000 which will help support people with inefficient heating systems replace them with renewable heating sources. This not only improves the quality of life for people on lower incomes, but supports the Council's Climate Change Strategy.

Emergency Planning

- Lateral Flow Device testing for Hambleton staff started in February. Initially testing was only for people who could not work from home and was centred on the 80 Waste and Street Scene staff and a smaller number at the Civic Centre. However, as the Government's roadmap for opening up the country reaches its later stages this testing has been opened up for elected Members who need to attend the Civic Centre and for other staff required to support the opening of the Civic Centre and the Leisure Centres.

- Work is underway to ensure that staff can return to work safely and that staff who are affected by mental health issues during lockdown are looked after and have access to any support they require.
- Timetable going forward -
 - From the 12th April public buildings, including the Civic Centre can open to the public, retail and indoor leisure can recommence.
 - From the 17th May larger outdoor events can start again, indoor entertainment and organised indoor leisure activities can restart.
 - From the 21st June no legal restrictions on gathering.
- In the meantime the message remains- Hands, Face and Space. Further updates will continue to be provided through the weekly Member briefings.

Climate change strategy

The Strategy went to Cabinet on the 9th March and work is progressing well on various projects, such as the Public Sector decarbonisation scheme, along with the refuse vehicle replacement using electric bin lifts and the Green Homes Grant.

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

Statement by the Cabinet Portfolio Holder for Transformation and Projects

13 April 2021

Key Council Projects

At April 2020 the Council had 17 live key projects which are distributed across the Council Plan priorities as follows; Driving Economic Vitality (4), Enhancing Health and Wellbeing (5), Caring for the Environment (4) and providing a special place to live (4).

As at the end of Quarter 4 (March) most projects were on target despite the challenges presented by the COVID pandemic, some inclement weather impacting on construction projects and procurement issues in the supply chain.

Maple Park Crematorium Project

Construction is progressing well despite the wet ground conditions that were experienced on site in the early stages of the ground works, however, it is likely there will be some slippage in the programme. The recent drier spell of weather has enabled ground works to continue, but some of the planting will need to be rescheduled. The structural steel frame is currently being erected which demonstrates real progress on site following the completion of the foundations. The steel work will be completed mid-April when work will start on the building envelope. The recent press release outlined the current stage of construction and informed our communities and interested parties of the progress on this key legacy project.

The contract with specialist local furniture maker Treske who are supplying all the furniture and fittings is in place and we are pleased to have secured this partnership with Treske who are experienced in this area having worked on crematorium fit outs across the country and to also be supporting the local economy and workforce in the District.

Our contractors in this project Wilmot Dixon are members of the considerate contractors scheme and £20,000 has been allocated for 'work in kind' (in the form of labour and materials) to be utilised to enhance and assist the impact of the project within the local community.

Vibrant Market Towns

The Council's COVID Response and Recovery Plan has been refreshed to reflect the Government's Road Map and ensure the safe and successful reopening of our high streets. Support will be continuing from HDC to ensure simple and fast advice is available for businesses and reinforce the public health messages. We will be seeking to identify and install mechanisms to record footfall as the confidence and numbers return. The planned series of roadshows that were postponed due to the COVID pandemic will be revisited. Support and advice will be provided in conjunction with the central government's Pavement Culture scheme to support our many hospitality businesses and for the Discover Hambleton Safely campaign.

Treadmills Redevelopment

With Hambleton's innovative new Business Centre, C4Di, opening in May with the District's annual conference, it is pleasing to report that the Heads of Terms with York College and Sunderland University for the 'e campus' now named "Campus @ Northallerton" to be located in the Staff Tenement building have been signed off. This is the start of an exciting journey to support e training for members of our communities and especially focusing on the younger generation as they develop and seek qualifications and skills to enhance their employment prospects in the modern digital environment.

Town Hall Square and Town Centre Improvements Northallerton

Galliford Try the appointed contractor for the scheme have commenced work on the project. The deadline of 31 March 2021 to allocate and spend the LEP funding allocated to the scheme has been met, which has enabled construction materials to be secured and purchased in advance to assist with the smooth and timely progress of the project eliminating one of the potential blockages that are currently being experienced across the building and construction sector. This project along with other key initiatives that can now be progressed following the securing of the Future High Street funding will have a significant impact on the appearance and economic vitality of Northern moving forward.

Capital Programme

Projects in the Council's Capital Programme are being re-aligned to enable the Council to take full advantage of the £4.75m Public Sector Decarbonisation Grant.

Councillor Malcolm Taylor
Portfolio Holder for Transformation and Projects

Hambleton District Council

Report To: Council

Date: 13 April 2021

From: Chief Executive

Subject: **Local Government Reorganisation**

Wards Affected: All Wards

Scrutiny Committee

1.0 Purpose and Background

- 1.1 The purpose of this report is to enable the Council to consider the consultation launched by the Secretary of State on proposals for unitary local government in York and North Yorkshire and decide how the Council should respond.
- 1.2 On 9 October 2020 in response to a request from North Yorkshire County Council the Secretary of State invited proposals for unitary local government for the York and North Yorkshire area. Initial proposals were required by 9 November 2020 and final proposals by 9 December 2020. The Secretary of State received two proposals from Councils in North Yorkshire:
- North Yorkshire District Councils, apart from this Council, submitted a joint proposal for two unitary councils covering the whole of North Yorkshire and the whole of the City of York; one unitary in the east comprising the districts of Ryedale, Scarborough, Selby and the City of York unitary; and one in the west comprising the districts of Craven, Hambleton, Harrogate and Richmondshire.
 - North Yorkshire County Council submitted a proposal for a single unitary council for the whole of the county of North Yorkshire with no changes to the existing City of York unitary.
- 1.3 This Council's resolved position was not to support the submission of the "Case for Change" document prepared on behalf of the District Councils and to make representations to the Secretary of State for retaining the status quo (Minute CA.5). A copy of the Council's letter to the Secretary of State is at Annex A. However, the consultation is not seeking views on retaining the current two-tier system of local government, so the Council must decide whether to support one of the unitary options and, if so, which one, or whether to maintain its position on the status quo.

2.0 The Consultation

- 2.1 Before implementing a proposal, the Secretary of State is required to consult any local authority that is affected by the proposal (but which has not submitted it) and any other persons he considers appropriate. The Secretary has a broad discretion on who to consult.

- 2.2 The consultation period runs for eight weeks until Monday, 19 April 2021.
- 2.3 Rather than selecting a preferred option the Secretary of State has consulted on both the options in paragraph 1.2. Views have been invited from any interested persons, including residents, and a full list of the specific bodies consulted is shown at Annex B.
- 2.4 The Council has brought the consultation to the attention of residents, businesses and organisations in Hambleton by including it in a prominent position on its website, by making twice weekly posts on its social media accounts and including it in the weekly briefing note to Parish and Town Councils.
- 2.5 The consultation asks six questions about each proposal to help inform the Secretary of State's assessment, these are included in Annex C. The outcome of the consultation could result in the Secretary of State implementing plans for local government reorganisation in North Yorkshire. This is of such significance that a consultation response approved by the Full Council is deemed necessary.
- 2.6 Once the consultation is concluded the Secretary of State will decide which proposal, if any to implement, subject to Parliamentary approval. The Secretary of State will assess the proposals against the three criteria set out in Annex D, which are summarised below, and also regard to all the representations received, including responses to the consultation, and all other relevant information available to him:
- Whether the proposal will improve local government?
 - Whether there is a good deal of local support "in the round" for the proposal?
 - Whether the proposed new Council area covers a credible geography?

3.0 Consideration of the Proposals

- 3.1 The full submissions the Secretary of State received from the six North Yorkshire District Councils and from North Yorkshire County Council can be viewed on the Council's website. Members have also received a presentation on both options; on 8 September 2020 by Dr Justin Ives, Chief Executive (East/West model) and on 2 November 2020 by Mr Richard Flinton, Chief Executive North Yorkshire County Council (Single Unitary model).
- 3.2 Both submissions claim they will deliver the best option for unitary government and make broadly similar claims about the quality of local services, financial sustainability, economic growth, delivering devolution and levelling up, delivering a carbon-negative region, improving partnership working and providing greater powers and funding for parish and town councils.
- 3.3 A summary of the key points taken directly from each bid is set out below:

Single Unitary Model for North Yorkshire

- Strong unified model of local government

- No disaggregation of current services delivered by NYCC, thereby minimising disruption.
- Simpler for customers to understand with a single point of contact for all services, delivered through 30 local access points.
- Local area offices in each of the former districts.
- Local delivery and accountability, with six area Committees discharging services and making decisions at a local level; dealing with issues such as planning, licencing and local highways.
- Protects and builds on the identity of North Yorkshire.
- Provides economies of scale and efficiencies; removing duplication and improving the financial sustainability.
- Savings of £30m per annum, up to £260m in five years, to support frontline services.
- Stepping stone to devolution with a mayoral combined authority in North Yorkshire and York bringing additional money and powers; potentially around £2.4bn of investment over 30 years.
- Achieves stronger local partnerships.

East/West Unitary Model

Creates two new councils of similar size and with similar broad features of urban and rural areas and a National Park in each area.

- The proposed East Unitary Authority has a population of 465,000 and the proposed West Unitary Authority has a population of 363,000.
- Reflects the economic “footprints” of the area by reflecting the way residents move and work.
- Delivers devolution with a well-balanced mayoral combined authority in York and North Yorkshire, with two authorities with similar populations, demography and economic power.
- Unlocks the growth potential of York by enabling housing provision and economic growth to be matched.
- Local delivery and accountability through a minimum of 8 Locality Committees, 4 in each unitary, with budgets and ability to make decisions at a local level on matters such as planning, licencing and local highways.
- Supports local democracy through a good ratio between councillors and electors with each councillor representing between 3,000 and 4,000 electors.
- Improved partnership working with greater integration of public services.
- Estimated budget savings of between £33m and £56m which could be reinvested into services.
- Protects local connections between councils and businesses.

- 3.4 In forming a view on which, if any, proposal to support, Members should take into account which would best meet the criteria in Annex D. These criteria are general, looking across the entire area of the proposals; on a more local level Members may wish to consider which proposal could be best for the residents and businesses in Hambleton in terms of services, access and jobs.

4.0 Next Steps

- 4.1 The Secretary of State has consulted on the proposals before he has made any assessment of their merits. Next he will need to consider each proposal, all the responses and representations received and all other relevant information against the criteria in Annex D.
- 4.2 The Secretary could then decide, subject to Parliamentary approval, to implement a proposal with or without modifications or to leave things as they are. A decision is expected by Summer 2021.
- 4.3 The consultation document states that if any proposal is to be implemented it is expected that the new unitary council(s) will take on the role from April 2023, with transitional arrangements in 2022-23 to support a smooth implementation. At this point the nature of any transitional arrangements is unclear.

5.0 Link to Council Priorities

- 5.1 The proposals for unitary local government directly impact on all of the Council's priorities.

6.0 Risk Assessment

- 6.1 The risk in the Council not agreeing to submit a response:

Risk	Implication	Gross Prob	Gross Imp	Gross Total	Preventative action	Net Prob	Net Imp	Net Total
Failure to submit a response by the deadline	The Council's view is not considered by Government. Negative impact on the Council's reputation. The Council does not demonstrate leadership.	4	4	16	Submit a response	1	1	2

- 6.2 There are no significant risks in the Council submitting a response.

7.0 Financial Implications

- 7.1 There are no financial implications arising from the Council responding to the consultation.

8.0 Legal Implications

- 8.1 The Secretary of State's powers for restructuring local government come from the Local Government and Public Health Act 2007 (the Act").

- 8.2 The Secretary of State's invitation under Section 2 of the Act for proposals for unitary local government started the legislative process for restructuring local government in North Yorkshire. There was no legal obligation on a council(s) to submit proposals, but once they did, then the Secretary of State's further powers are engaged.
- 8.3 Section 7 of the Act requires that before a proposal for local government reorganisation can be implemented, the Secretary of State must first consult any council that is affected by a proposal (but which has not submitted it) and any such other persons as he considers appropriate.
- 8.5 Once the Secretary of State has consulted he may by order (i.e. statutory instrument) implement a proposal with or without modification or take no action.

9.0 Equality Impact Assessment

- 9.1 There are no direct equality implications arising out of the Council responding to the consultations. Implementation of any proposal to reorganise local government in York and North Yorkshire should incorporate detailed consideration of these issues.

10.0 Recommendation

- 10.1 It is recommended that:

- (1) The Council determines its response to the Secretary of State's consultation on proposals for unitary local government in York and North Yorkshire.
- (2) The Council authorises the Chief Executive, in consultation with the Leader of the Council, to finalise and submit the Council's response to the Secretary of State's consultation including completion and submission of responses to the consultation questions.

Dr Justin Ives
Chief Executive

Background papers: None

Author ref: JI
Contact: Dr Justin Ives
Chief Executive
Tel: 01609 767001

from the Leaders Office

HAMBLETON
DISTRICT COUNCIL

The Rt Hon Robert Jenrick MP
Secretary of State for Housing,
Communities and Local Government
Ministry of Housing, Communities and
Local Government
4th Floor, Fry Building
2 Marsham Street
LONDON SW1P 4DF

Typetalk: 18001 01609 779977

Date: 9 November 2020

Dear Mr Jenrick

Local Government Reorganisation North Yorkshire

I am writing on behalf of Hambleton District Council to once again make representations on how vehemently the Council does not believe that Local Government Reorganisation is in the best interest of its residents or businesses. At an extraordinary meeting of Council held on 5th November 2020, it was resolved that representation would be made to yourself to retain the current 2 tier structure of Local Government in North Yorkshire.

North Yorkshire is unique as a County due to its size and geography, which we believe is not suited to one or even 2 Unitary Councils. Each District Council area has a unique character and identity and any unitary model would eradicate this local distinctiveness. As a Council we firmly believe that the current structure is best placed to serve our residents and retain decision making at a truly local level.

You said in your invitation to bid for a unitary structure of local government in North Yorkshire that it is required to be locally led with a broad level of local support. I must stress that although it is being pushed by North Yorkshire County Council it certainly does not have broad local support. I have in excess of 300 letters from businesses stating that this is not the correct structure of local government for Hambleton. Also, as part of the consultation, that I presume will happen next year, I intend to have a local poll, once legislation allows, with all residents to gauge their support for Local Government Reorganisation. However, I must say from conversation with residents and Parish Councils there is no consensus or support for this, particularly at a time when we should be concentrating on helping our residents and businesses through the current pandemic and supporting recovery.

As a District Council, Hambleton punches above its weight in all the services it delivers. If we consider Economic Development a great example is the Treadmills development in Northallerton, in 2014 the Council purchased HMP Northallerton from the Ministry of Justice and in partnership with a private developer we are transforming it into a multi-use development with, shops, bars, restaurants and a cinema. In terms of Planning and housing delivery we exceed our house building targets year on year, including the affordable homes element. Our Leisure Centres are amongst the best in the region, indeed in 2018 we opened the first gym to be operated 24/7 by a Local Authority in the UK, this is something we are looking to roll out across all our centres. We are also meeting the challenge of providing new services, that our residents need, that is why we have just started construction on what could be the UK's first carbon neutral crematorium.

.../Contd

Hambleton District Council

Civic Centre, Stone Cross, Rotary Way, Northallerton, North Yorkshire DL6 2UU

01609 779977 hambleton.gov.uk

Financially, we have not only weathered austerity we have embraced it, in 2014 our Auditors Deloitte went on record to state that we were one of the most financially resilient Councils in the country. Hambleton has the third lowest Council Tax in England, it is likely that whatever shape of Unitary Council you select council tax for Hambleton residents will increase significantly through the equalisation mechanism. This could mean our residents having to find an additional £180 per year for a Band D property, at a time when they can least afford it.

Taking all of this into consideration I feel compelled to ask you once again to stop Local Government Re-organisation because not only is it completely at the wrong time given the current pandemic it is also not in the best interest of our residents or businesses.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Mark Robson', enclosed within a large, loopy oval shape.

Councillor Mark Robson
Leader - Hambleton District Council
cllr.mark.robson@hambleton.gov.uk 01609 767105

Named Consultees

Principal councils in the area

- City of York Unitary Council
- Craven District Council
- Hambleton District Council
- Harrogate Borough Council
- North Yorkshire County Council
- Richmondshire District Council
- Ryedale District Council
- Scarborough Borough Council
- Selby District Council

Neighbouring principal councils

- Bradford Metropolitan District Council
- Cumbria County Council and the district councils within Cumbria County
- Darlington Borough Council
- Doncaster Metropolitan Borough Council
- Durham County Council
- East Riding of Yorkshire Council
- Lancashire County Council, the district councils within Lancashire County
- Leeds City Council
- Middlesbrough Council
- Redcar and Cleveland Borough Council
- Stockton on Tees Borough Council
- Wakefield Metropolitan District Council
- Sheffield City Region Combined Authority
- Tees Valley Combined Authority
- West Yorkshire Combined Authority

Other named consultees

Public Service Bodies

Health Bodies: Bradford and Craven CCG, Morecambe Bay CCG, North Yorkshire CCG, Vale of York CCG, Airedale NHS Trust Hospital, Bradford District Care Trust, Harrogate and District NHS Foundation Trust, Humber Coast and Vale ICS, Humber Teaching Foundation Trust, South Tees Foundation Trust, Tees, Esk and Wear Valleys NHS Foundation Trust, York Teaching Hospitals NHS Foundation Trust, Yorkshire Ambulance Service NHS Trust.

Policing, Fire and Rescue Bodies: North Yorkshire Police, Fire and Crime Commissioner (Julia Mulligan), Chief Constable of North Yorkshire Police, Chief Fire Officer of North Yorkshire Fire and Rescue Service.

Other Public Sector Bodies: Howardian Hills Area of Outstanding Natural Beauty, Forest of Bowland Area of Outstanding Natural Beauty, Nidderdale Area of Outstanding Natural Beauty, North Yorkshire Moors National Park Authority, Yorkshire Dales National Park Authority, Independent Chair of the North Yorkshire Safeguarding Adults Board, Independent Chair and Scrutineer of the North Yorkshire Safeguarding Children's Board, Transport for the North.

Business Bodies: Federation of Small Business (Yorkshire, Humber and the North East), West and North Yorkshire Chambers of Commerce, York and North Yorkshire Local Enterprise Partnership, Yorkshire & Humber CBI.

Voluntary Sector Bodies: Community First Yorkshire, York CVS.

Education Bodies: University of York, York St John's University.

Other Bodies: Lord-Lieutenant for North Yorkshire, Welcome to Yorkshire.

National Bodies: Environment Agency, Highways England, Local Government Association, National Housing Federation, National Association of Local Councils, Public Health England.

CONSULTATION QUESTIONS

This consultation seeks views on the North Yorkshire councils' proposal and in particular on the following questions in relation to each proposal:

- 1) Is the councils' proposal likely to improve local government and service delivery across each area? Specifically, is it likely to improve council services, give greater value for money, generate savings, provide stronger strategic and local leadership, and create more sustainable structures?
- 2) Where it is proposed that services will be delivered on a different geographic footprint to currently, or through some form of joint arrangements is this likely to improve those services? Such services may for example be children's services, waste collection and disposal, adult health and social care, planning and transport.
- 3) Is the councils' proposal likely to impact local public services delivered by others, such as police, fire and rescue, and health services?
- 4) Do you support the proposal from the councils?
- 5) Do the unitary councils proposed by the councils represent a credible geography?
- 6) Do you have any other comments with regards to the proposed reorganisation of local government in each area?

Please indicate reasons for your answers.

CRITERIA FOR ASSESSING PROPOSALS

The criteria for assessing unitary proposals are that – a proposal should seek to achieve for the area concerned the establishment of a single tier of local government, that is the establishment of one or more unitary authorities.

- a) which are likely to improve local government and service delivery across the area of the proposal, giving greater value for money, generating savings, providing stronger strategic and local leadership, and which are more sustainable structures;
- b) which command a good deal of local support as assessed in the round overall across the whole of the area of the proposal; and
- c) where the area of each unitary authority is a credible geography consisting of one or more existing local government areas with an aggregate population which is either within the range 300,000 to 600,000, or such other figure that, having regard to the circumstances of the authority, including local identity and geography, could be considered substantial.

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Hambleton District Council

Report To: Council

Date: 13 April 2021

From: Chief Executive

Subject: **Urgent Decisions taken by Cabinet**

Wards Affected: All Wards

Scrutiny Committee

1.0 Purpose and Background

- 1.1 This report sets out the details of an urgent decision taken by the Cabinet pursuant to Rule 16 of the Council's Access to Information Procedure Rules (as set out in Part 4 of the Council's Constitution).
- 1.2 In accordance with Rule 15 (i) of the Council's Scrutiny Procedure Rules (again, as set out in Part 4 of the Constitution), any Cabinet decision taken as a matter of urgency must be reported to the next available meeting of the Council, together with the reasons for the urgency.
- 1.3 At a meeting held on 9 March 2021, Cabinet considered a detailed report on Public Sector Decarbonisation Scheme. The decision could not reasonably be deferred until the next designated Cabinet meeting on 13 April 2021 because, in order to qualify for the scheme, a decision was required to be made by Cabinet before 31 March 2021.
- 1.4 Pursuant to Rule 16 of the Council's Access to Information Procedure Rules the approval was sought and obtained from the Chair of the Scrutiny Committee that the taking of the decision could not reasonably be deferred.
- 1.5 Having considered the report, Cabinet approved the following:-

"CA.30 That Cabinet agrees and recommends to Council that:-
 - (1) the grant offer detailed within section 1 of the report is formally accepted; and
 - (2) any significant changes to the Capital Programme as a consequence of implementing the decarbonisation initiatives are brought to Cabinet for its consideration."

3.0 Legal Implications

- 3.1 These are set out in paragraphs 1.1, 1.2 and 1.4 of the report.

4.0 Financial Implications

4.1 There are no financial implications associated with this report.

5.0 Risk Assessment

5.1 There are no risks associated with this report.

6.0 Equalities/Diversity Issues

6.1 There are no equalities or diversity issues associated with this report.

7.0 Recommendation

7.1 That the urgent decision made by Cabinet at the meeting held on 9 March 2021 be noted.

Dr Justin Ives
Chief Executive

Background papers: None

Author ref: JI

Contact: Dr Justin Ives
Chief Executive

Minutes for Information

Committee	Date	Page
Cabinet	9 March 2021 13 April 2021	To follow
Audit, Governance and Standards Committee	23 March 2021	
Licensing and Appeals Hearings Panel	17 February 2021 8 March 2021	

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**Decisions taken under Cabinet authority
to take effect on 22 March 2021**

Decisions of the meeting of the Cabinet held at
9.30 am on Tuesday, 9th March, 2021 at a
Virtual Meeting 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	K G Hardisty
	P Bardon		R Kirk
	M A Barningham		J Noone
	D B Elders		G Ramsden
	B Griffiths		

CA.32 Minutes

The decision:

That the decisions of the meeting held on 9 February 2021 (CA.23 – CA.28), previously circulated, be signed as a correct record.

The meeting closed at 10.10 am

Leader of the Council

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Minutes of the meeting of the Audit,
Governance and Standards Committee held
at 9.30 am on Tuesday, 23rd March, 2021 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

Also in Attendance

Councillor M S Robson

AGS.18 Minutes

The decision:

That the minutes of the meeting of the Committee held on 26 January 2021 (AGS.16 - AGS.17), previously circulated, be signed as a correct record.

AGS.19 Regulation of Investigatory Powers Act - Review of Activity and Review of Policy

All Wards

The subject of the decision:

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

Alternative options considered:

None.

The reason for the decision:

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

The decision:

That:-

- (1) the current Policy on the Regulation of Investigatory Powers Act be approved;
- (2) it be noted that no RIPA authorisations were made by the Council during the period 27 January to 22 March 2021.

AGS.20 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 is 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.21 Internal Audit, Counter Fraud and Information Governance Plans 2021/22

All Wards

The subject of the decision:

The Director of Finance and Commercial (S151 Officer) submitted a report presenting the proposed Internal Audit Plan for the financial year 2021/22 for approval and the Counter Fraud and Information Governance plans for information.

Alternative options considered:

None.

The reason for the decision:

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

The decision:

That:-

- (1) the Internal Audit Plan for 2021/22 be approved;
- (2) the Counter Fraud and Information Governance plans be noted.

AGS.22 Internal Audit and Counter Fraud Progress Report 2020/21

All Wards

The subject of the decision:

The Director of Finance and Commercial (S151 Officer) presented a report informing Members of progress made to date in delivering the Internal Audit Plan for 2020/21 and any developments likely to have an impact on the plan throughout the remainder of the financial year. The report also provided a summary of counter fraud work undertaken up to 19 February 2021.

Alternative options considered:

None.

The reason for the decision:

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

The decision:

That the work undertaken by Internal Audit and the Counter Fraud Team in the year to date be noted.

AGS.23 Review of Annual Treasury Management Strategy 2021/22

All Wards

The subject of the decision:

The Director of Finance and Commercial (S151 Officer) presented the Council's Treasury Management Strategy for the forthcoming year 2021/22 for review.

Alternative options considered:

None.

The reason for the decision:

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

The decision:

That:-

- (a) the Council's Treasury Management Strategy for 2021/22 be accepted; and
- (b) training on treasury management be held during 2021/22.

AGS.24 Review of Capital Strategy 2021/22

All Wards

The subject of the decision:

The Director of Finance and Commercial (S151 Officer) presented a report which provided an opportunity for the Committee to review the Council's Capital Strategy for the forthcoming financial year 2021/22; review the monitoring of 'separate bodies' that have been set up which were reported to Cabinet on a quarterly basis as an Annex to the Capital Monitoring and Treasury Management report; and review the Joint Venture Company – Central Northallerton Development Company Ltd – Accounts 2019/20.

Alternative options considered:

None.

The reason for the decision:

To comply with the Council's Constitution.

The decision:

That the Capital Strategy 2021/22 be noted.

AGS.25 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 and Commercial (s151 Officer) submitted a report which provided an update on the position of the statutory auditor report - Audit Results Report and the Council's financial report for 2019/20 as well as information on the external audit scale fees and fee variations. The Statutory Auditor Report – Ernst Young's Audit Results Report was not yet complete due to Ernst Young LLP requesting, as a result of their final internal consultation process, the Council to carry out a further independent review in relation to the Value for Money Opinion. Therefore, the Statement of Accounts 2019/20, the Annual Governance Statement along with the Audit Results Report and Letter of Representation would be brought back to the next meeting of Audit, Governance and Standards Committee when the independent review had been concluded and the Audit Results Report finalised.

Alternative options considered:

None.

The reason for the decision:

The Committee acknowledged that the external audit of the draft statement of accounts for the year ended 31 March 2020 had not yet been completed by the Council's external auditors, Ernst Young LLP, due to their request for the Council to carry out a further independent review in relation to the Value for Money Opinion. This situation was in line with the Regulation 10, paragraph (2a) of the Accounts and Audit Regulations 2015, as amended by the Accounts and Audit (Coronavirus) (Amendment) Regulations 2020 No. 404.

The decision:

That the Committee notes:-

- 1) the statutory auditor report on the 2019/20 audit and the Council's financial report – Statement of Accounts – 2019/20 will be presented at the next appropriate meeting; and
- 2) the external audit scale fees and fee variations.

AGS.26 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 demonstrated the Council's compliance to the Financial Management Code. In recognition of the financial pressures that Councils were facing, the Chartered Institute of Public Finance and Accountancy (CIPFA) had developed the Financial Management Code. The intention of the Financial Management Code is to provide guidance to Local Authorities to create a culture of strong, sustainable financial management giving assurance that authorities are managing resources effectively. The report detailed the Council's Financial Management Action Plan.

Alternative options considered:

None.

The reason for the decision:

Complying with the standards set out in the Financial Management Code was the collective responsibility of elected members and Management Team. Explicit standards of financial management were set out by the Financial Management Code. 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 and Management Team to adhere to the Financial Management Code.

The decision:

That the report be noted.

AGS.27 Report Programme for 2021/22

All Wards

The subject of the decision:

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

Alternative options considered:

None.

The reason for the decision:

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

The decision:

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

The meeting closed at 10.16 am

Chairman of the Committee

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Present

Councillor R Kirk (in the Chair)

Councillor N A Knapton

Councillor P Thompson

LAHP.8 Application for the Renewal of a Private Hire Vehicle Licence

All Wards

The subject of the decision:

The Director of Law and Governance asked the Panel to consider whether to grant or refuse an application for the renewal of a private hire vehicle licence, a Mercedes E-Class vehicle registration mark LT59 CWR.

Alternative options considered:

The Panel considered granting the application but concluded that the specific circumstances of the case were not sufficient to justify a departure from the Council's Hackney Carriage and Private Hire Licensing Policy.

The reason for the decision:

The Panel considered the officer's report, the applicant's representations, the Council's Hackney Carriage and Private Hire Licensing Policy and the relevant legislation.

The Panel noted that the vehicle in question satisfied the mechanical standards set out in the Council's Policy. However, the vehicle reached the general 10-year age limit (as prescribed by the policy) in September 2019.

The applicant invited the Panel to consider the exceptional circumstances of his case on the basis of the vehicle's quality, appearance and condition and the financial impact of the COVID-19 pandemic.

The Panel noted that Mercedes was recognised as a manufacturer of luxury vehicles and, having considered the images provided by the applicant, the Panel was satisfied that the vehicle appeared to be in good condition. The Panel considered the vehicle's MOT history and was satisfied that the mechanical condition of the vehicle was maintained to a high standard. The Panel noted that the last recorded mileage for the vehicle was 106,989.

The Panel noted that the general 10-year age limit on licensed vehicles was adopted by the Council in April 2016. The applicant confirmed that he was aware of the policy revisions at that time.

The Panel also noted that, in January 2020, the Council further reduced the general age limit to eight years but any vehicles already licensed at that point were excluded from the revisions. The Panel was satisfied that the vehicle in question had therefore been allowed to remain licensed up to the age of 10 years by virtue of those arrangements.

The Panel also noted that, on 10 February 2020, the Council's Licensing and Appeals Hearings Panel resolved to renew the licence for a further 12 months in respect of the same vehicle despite it having already exceeded the general 10-year age limit.

The applicant informed the Panel that the vehicle had not changed much since February 2020 due to limited work during the coronavirus pandemic. The applicant indicated that the vehicle had been used for a school contract during that time and had recorded a mileage of around 9,000 miles in the last 12 months. The Panel noted that the mileage recorded between August 2018 and August 2019 (prior to the pandemic) was just under 10,000 miles.

The Panel considered the challenges posed by the COVID-19 pandemic but it did not find that the applicant's circumstances were exceptional in this regard. The Panel concluded that many individuals and businesses would be adversely affected by the pandemic and any general relaxation of the policy on this basis would be a matter for the full Licensing Committee.

The Panel was satisfied that the Council's policy generally opposes the renewal of a licence in respect of vehicles over the age of eight years (or 10 years in the case of vehicles licensed prior to 31st December 2019). The Panel noted that the policy was expected to be applied in most cases, but each application must be considered on its individual merits. The Panel acknowledged that it was entitled to exercise its discretion to allow exceptions where the applicant had demonstrated that the policy objectives could still be met.

The Panel was satisfied that the age limit was adopted to promote public safety, to increase reliability and to improve the standard of hackney carriage and private hire services in the District.

The Panel was satisfied that the applicant had ample opportunity to replace the vehicle prior to it exceeding the general age limit and again after the Council exercised its discretion to depart from the policy in respect of the same vehicle 12 months ago. The Panel was not satisfied that a further extension could be justified in this instance and concluded that the renewal application could not be granted without undermining the policy objectives.

The decision:

Taking account of the above and having given appropriate weight to the evidence, the Panel decided to refuse the application.

The meeting closed at 9.53 am

Chairman of the Panel

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Present

Councillor R Kirk (in the Chair)

Councillor P Bardon

Councillor D Watkins

Also in Attendance

Councillor M S Robson

LAHP.9 **Application for the Grant of a Premises Licence - The Old Cinema, 38
Long Street, Thirsk**

Thirsk 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 Old Cinema, 38 Long Street, Thirsk. The application sought to authorise the sale of alcohol from 11am until 11pm every day and the exhibition of films from 9am until 11pm every day.

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 it was appropriate to impose additional conditions in order to adequately promote the licensing objectives.

The Panel 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 Panel gave appropriate weight to the representations submitted by North Yorkshire Police expressing concerns relating to crime and disorder on the basis that the proposed premises was part of a car showroom and alcohol sales were unlawful from excluded premises such as service areas and garages.

The Panel noted that section 176 of the Licensing Act 2003 prohibits the sale of alcohol from service areas, garages and premises used for the sale of motor vehicles. The Panel was satisfied that the provisions of section 176 were originally directed at removing the temptation to drink and drive and that this would engage the crime and disorder licensing objective.

The Panel noted that any sale of alcohol from excluded premises would be unlawful and therefore concerns in this regard would further engage the crime prevention objective.

The applicant informed the Panel that the premises were currently operating as a car showroom and that the application was intended to provide an opportunity for visitors to enjoy their time on the premises through association with the business. The Panel was informed that the café/bar/cinema element of the premises would not be used as an "open house bar" but instead would be primarily used by "friends of the business".

The applicant informed the Panel that the sale of alcohol would take place in the area marked "coffee bar" on the premises plans and the exhibition of films would take place in the area marked "cinema". The applicant indicated that the coffee bar/cinema would be separated from the car showroom areas of the premises by a cinema screen and a velvet curtain.

Officers of North Yorkshire Police raised concerns relating to the current layout of the premises. The Panel was informed that, on inspection in January and February 2021, the police could identify no clear separation between the car showroom and the proposed cinema/coffee bar and that the boundary of the proposed licensed premises was unclear. The applicant indicated that the premises were closed at the time of the police visit and, as no licence had been granted, the layout of the premises had not been altered yet. The Panel was satisfied that the applicant was under no obligation to invest in such measures at the application stage because he may incur unnecessary expense if, for example, the licence was refused. However, the Panel was satisfied that, in order to lawfully carry out any licensable activities, the applicant would be required to comply with any licence conditions and operate in accordance with the premises plans.

The Panel was informed by officers of North Yorkshire Police that they had attempted to reach an agreement with the applicant during the consultation period in order to adequately separate the sale of alcohol from the sale of motor vehicles. The Panel noted that the police had proposed a maximum of 12 events per year in order to ensure that, when the sale of alcohol was taking place, the premises were not operating as a car showroom. However, the applicant indicated that he wanted to open the bar whenever he deemed it appropriate and therefore the proposed restriction was not acceptable.

The Panel noted that the applicant had informed the police that “normal business” would take place between 10am and 5pm and the bar would be open between 5pm and 11pm. The Panel also noted that the police would be amenable to such arrangements provided no motor vehicles were on the premises when licensable activities were taking place. The police informed the Panel that the applicant was only willing to implement these arrangements as “good practice” but he would not volunteer licence conditions to this effect. The police informed the Panel that enforceable conditions would be required in this respect to prevent crime associated with the provisions of section 176.

The Panel noted that the Planning Authority had provided information during the consultation period to confirm that planning permission would not be required for the bar as the use of the premises would be regarded as ancillary to the primary use as a car showroom. The Panel was satisfied that, if the bar was ancillary to the showroom, it could not reasonably be regarded as separate premises.

The Panel was satisfied that the application sought to authorise the sale of alcohol between 11am and 11pm every day on premises which form part of an excluded premises as defined by section 176 of the Licensing Act 2003.

The Panel also noted that the applicant expected the bar to be primarily used by “friends of the business” and therefore the proposed use of the premises would be likely to contravene the provisions of section 176 unless appropriate conditions were imposed to address this matter.

The Panel concluded that it would be necessary to clearly divide the premises in order to ensure that any areas identified for the sale of alcohol did not form part of the premises used for the sale of motor vehicles. The Panel acknowledged that this may have implications on the existing planning permission and that, prior to making any alterations in this regard, the applicant would need to make enquiries with the relevant authorities outside the licensing process.

The Panel considered the licence conditions proposed by North Yorkshire Police as a means of promoting the licensing objectives. The Panel noted that the applicant’s operating schedule made reference to installing a suitable CCTV system, keeping an incident log, closing doors and windows where necessary and adopting a proof of age policy. The Panel was satisfied that appropriate and enforceable conditions should be imposed in this regard and that additional conditions (as proposed by the police) should be imposed to clearly identify the external areas of the premises.

The applicant informed the Panel that motor vehicles may be displayed on the licensed premises but they would not necessarily be for sale. The Panel was satisfied that vehicles for sale should not be permitted on the premises at any time that alcohol was available, but it was not satisfied that all motor vehicles should be prohibited. The Panel did not find it necessary, for example, to

prevent the applicant from displaying a motor vehicle as part of the customer experience provided it was not available for purchase.

The Panel was satisfied that, provided the premises were adequately distinct from the adjacent car showroom, it would not be necessary to restrict the number of occasions per year that licensable activities may be carried out. Furthermore, the Panel did not find it necessary to reduce the proposed hours for licensable activities.

In conclusion, 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 appropriate conditions were imposed. The Panel was satisfied that the applicant had demonstrated a commitment to promoting the licensing objectives.

The Panel noted that the licence would be subject to all relevant mandatory conditions and 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:

- Any part of the premises used for the sale and/or consumption of alcohol shall be separated from the adjacent car showroom by a permanently constructed partition wall.
- No customer shall be permitted to have direct access between the licensed premises and the adjacent car showroom.
- No motor vehicles available for sale shall be permitted on the licensed premises at any time during which the sale of alcohol is taking place.
- A colour digital CCTV system will be operational at the premises at all times when licensable activities are being carried out and at any other times where members of the public are present on the premises.
- The CCTV system shall contain the correct time and date stamp information.
- The CCTV system will cover all areas of the premises occupied by the public under the terms of the licence.
- The CCTV system must be capable of providing quality images of good evidential value. The CCTV system will have sufficient storage retention capacity for a minimum of 28 days continuous footage.

- The CCTV footage will be controlled and kept in a secure environment to prevent tampering or unauthorised viewing.
- The CCTV system will be adequately maintained and be capable of transporting recorded material onto a removable media.
- The CCTV system replay software must allow an authorised officer or an officer of North Yorkshire Police to search the picture footage effectively and see all the information contained in the picture footage for the purposes of detecting, investigating and preventing crime. It must be possible to replay exported files immediately e.g. no indexing of files or verification checks.
- No device shall be permitted that could in any way adversely affect or impede the quality of the images recorded by the CCTV system, e.g. smoke or dry ice machines.
- Prominent, clear and legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
- A documented staff training programme shall be provided to all members of staff at the premises in respect of the
 - retail sale of alcohol;
 - age verification policy;
 - conditions attached to the Premises Licence;
 - permitted licensable activities;
 - the licensing objectives; and
 - opening times for the venue.

with such records being kept for a minimum of one year. [For the avoidance of doubt, the one year period relates to each respective entry in the log book and runs from the date of that particular entry];

- A Refusal Register and an Incident Report Register shall be maintained on the premises. Such registers will record incidents of staff refusals to under age or drunk people as well as incidents of any anti-social behaviour and ejections from the premises. Such Registers shall be kept for a minimum of one year. [For the avoidance of doubt, the one year period relates to each respective entry in a Register and runs from the date of that particular entry in the Register].
- The premises shall operate a challenge 25 policy.
- The external area of the premises will be defined by a café-style barrier which shall consist of moveable posts, rigid cross beams (top and bottom) securely linked together with either a fabric or rigid infill.

- The external seating area shall not be used for the consumption of alcohol between the hours of 10pm and 11am.

All tables and chairs shall be removed (or stacked and secured) from the external areas of the premises by 10pm each day.

The meeting closed at 10.30 am

Chairman of the Panel