

# Public Document Pack

## Decisions taken under Cabinet authority to take effect on 16 June 2022

Decisions of the meeting of the Cabinet held  
at 9.30 am on Tuesday, 7th June, 2022 at  
the Council Chamber, Civic Centre, Stone  
Cross, Rotary Way, Northallerton, DL6 2UU

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### Present

Councillor M S Robson (in the Chair)

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

### Also in Attendance

|            |                |            |              |
|------------|----------------|------------|--------------|
| Councillor | P Bardon       | Councillor | K G Hardisty |
|            | M A Barningham |            | N A Knapton  |
|            | D B Elders     |            | G Ramsden    |
|            | B Griffiths    |            | A Wake       |

## CA.3 Minutes

### The Decision:

That the decisions of the meeting held on 5 April 2022 (CA.65 – CA.68), previously circulated, be signed as a correct record.

## CA.4 Burneston Public Open Space – Change of Use

Bedale Ward

### The subject of the decision:

This report sought consideration of approving a request from Burneston, Swainby with Allerthorpe and Theakston Parish Council (the “Parish Council”) to convert 0.22 hectares of public open space land for use as allotments.

### Alternative options considered:

None.

### The reason for the decision:

Cabinet was satisfied that the proposal to convert 0.22 hectares of public open space land for use as allotments supported the Council’s priorities of Enhancing Health and Wellbeing and Providing a Special Place to Live.

**The decision:**

That Cabinet:-

- (1) approves in principle to the land being appropriated for use as allotments as shown shaded in pink on the plan at Appendix 1 of the report on the basis that the parcel of land is no longer required as public open space;
- (2) agrees that the intention to appropriate part of the public open space land is advertised as described in paragraph 5.4 of this report;
- (3) agrees that the Council enter into a Deed of Variation of the lease with the Parish Council in accordance with paragraph 5.3 of this report; and
- (4) delegates authority to the Director of Leisure and Communities to satisfactorily resolve any issues arising from the advertisement(s), to grant consent to the Parish Council to use the land for allotment purposes and to appropriate the land for such use, subject to suitable conditions being agreed by the Parish Council in accordance with paragraphs 5.5 and 5.6 of this report.

CA.5 **Refurbishment of Cobbles and Surrender of Lease - Land at Stokesley**  
Stokesley Ward

**The subject of the decision:**

This report concerned a request by Stokesley Town Council for increased funding from the Council for the refurbishment of the town centre cobbles which is associated with the surrender of the lease between Stokesley Town Council and Hambleton District Council.

**Alternative options considered:**

None.

**The reason for the decision:**

Cabinet did not agree with the request for additional funding on the basis that there was no provision in the budget to cover the additional costs.

**The decision:**

That Cabinet does not agree to the request by Stokesley Town Council for additional funding, over and above that already agreed, for the refurbishment of the Town Centre Cobbles.

CA.6 **Bedale Hall Long Term Lease**

Bedale Ward

**The subject of the decision:**

This report sought approval for the existing long-term lease of Bedale Hall to be surrendered and a new lease granted to Bedale Hall Charitable Incorporated Organisation (CIO).

**Alternative options considered:**

None.

**The reason for the decision:**

Cabinet was satisfied that granting a new lease to give the local community responsibility for the day-to-day management of this asset linked to the Council's Providing a Special Place to Live priority.

**The decision:**

That Cabinet approves that:-

- (1) the Council accepts the surrender of the existing Bedale Hall lease from Bedale Town Council and Aiskew Parish Council;
- (2) the Council accepts the surrender of part of the lease for the adjoining playing fields from Bedale Town Council;
- (3) the Council grants a new lease to Bedale Charitable Incorporated Organisation for Bedale Hall and the additional playing fields land for a peppercorn rent, together with the appropriate restrictions set out in paragraph 5.1.4 of this report;
- (4) the intention to dispose of the playing fields land is advertised as described in paragraph 5.1.1 (b) of the report; and
- (5) subject to the Director of Leisure and Communities satisfactorily resolving any issues arising from the advertisement(s) and satisfying himself that the disposal is Subsidy Control Compliant, that the responsibilities for transferring the assets identified within the report are delegated to the Director of Leisure & Communities.

**CA.7 Exclusion of the Public and Press**

**The decision:**

That under Section 100A(4) of the Local Government Act 1972, the press and public were excluded from the meeting during consideration of the item of business at minute no CA.8 on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 5 of Part 1 of Schedule 12A of the Act. The reasons for this were that Cabinet was satisfied that the item considered information in respect of which a claim for legal professional privilege could be maintained in legal proceedings and the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

**CA.8 Asylum Reception Centre at Linton-on-Ouse**

All Wards

**The subject of the decision:**

Cabinet considered a report which set out the current position in relation to the plans to use RAF Linton-on-Ouse as an Asylum Reception Centre, it describes the actions the Council had taken to this point and sought authority for further potential actions taking into account the advice received on the legal options.

**Alternative options considered:**

None.

**The reason for the decision:**

Cabinet was satisfied with the action taken to date but noted that the response from the Home Office was awaited and therefore a further report be submitted to Cabinet on the assessment of the responses received from the Home Office and the legal advice associated with this for a decision on the Council's next steps, including a decision on submitting a legal challenge.

**The decision:**

That Cabinet:-

- (1) approves the actions which have been taken and which are described in paragraphs 3.1 to 3.6 of the report;
- (2) notes the legal advice from the Council's legal advisers as circulated at the meeting and summarised in paragraph 4.5 of the report;

- (3) approves the commissioning of further legal advice to assess and then advise on the Home Office's response to the Pre-Action Protocol Letter and the Planning Contravention Notice and on any further actions that might be taken by the Home Office on opening the Asylum Accommodation Centre; and
- (4) a further report be submitted to Cabinet on the assessment of the responses received from the Home Office and the legal advice associated with this for a decision on the Council's next steps, including a decision on submitting a legal challenge.

The meeting closed at 10.07 am

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Leader of the Council

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