

Committee Administrator: Democratic Services Officer (01609 767015)

Monday, 6 December 2021

Dear Councillor

Notice of Meeting

Meeting **Council**

Date **Tuesday, 14 December 2021**

Time **2.00 pm**

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

Yours sincerely

J. Ives.

Dr Justin Ives
Chief Executive

To: All Members of Hambleton District Council

Press and public are welcome to attend meetings of Council. Due to current social distancing restrictions, measures have been implemented which limit the number of attendees able to be physically present in the meeting at any one time. Temporary arrangements are in place for members of the press and public to register their attendance no later than 24 hours in advance of the meeting taking place. Spaces are allocated on a first come first served basis. If you arrive at the Civic Centre to attend the meeting and have not registered in advance a space cannot be guaranteed if there are no vacant seats available. Members of the press and public are also able to observe the meeting virtually via Teams. Please click on the link on the website or dial 020 3855 5195 followed by the Conference ID: 777 532 936# For further information please contact Democratic Services on telephone 01609 767015 or email committeeservices@hambleton.gov.uk

Agenda

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To confirm the minutes of the meeting held on 14 September 2021 (C.10 - C.14), attached.
2. Apologies for Absence
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Date of Meeting	Minute Nos
5 October 2021	CA.31 to CA.33
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7 December 2021	To follow
5. Cabinet Portfolio Statements
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Date of Meeting	Minute Nos
5 October	AGS.8 to AGS.9
7. Referral from the Licensing Committee

Date of Meeting	Minute Nos
8 December 2021	To follow

8. Question Time

None received.

9. Notice of Motion

To be moved by Councillor M S Robson and seconded by Councillor G W Dadd:

“Acknowledging the steps taken by the UK government and other world leaders at the COP26 climate conference in Glasgow, the huge scale of the challenge we face to keep the rise in average global temperature below 1.5°, the key role of local authorities in meeting the UK’s climate targets and, above all, our responsibility towards future generations, we believe the time has now come for Hambleton District Council to join other institutions and organisations throughout the country in declaring a climate emergency. We invite the people of Hambleton to join us in our efforts to rapidly cut emissions across the District and accelerate the progress we have already made as an Authority towards building a cleaner, greener, high-skills economy.”

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Report of the Chief Executive

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Agenda Item 1

Minutes of the meeting of the Council held at
2.00 pm on Tuesday, 14th September, 2021 at
Council Chamber, Civic Centre, Stone Cross,
Rotary Way, Northallerton, DL6 2UU

Present

Councillor M A Barningham (in the Chair)

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

Apologies for absence were received from Councillors D Hugill, K G Hardisty, Mrs J W Mortimer, B Phillips and S Watson

C.10 Minutes

The decision:

That the minutes of the meeting held on 27 July 2021 (C.6 - C.9), previously circulated, be signed as a correct record.

C.11 Verbal Statement of the Leader and Referrals from Cabinet

The Leader made a statement on the following matters:-

- Local Government Reorganisation
- Treadmills development
- Crematorium development
- Coach parking in Northallerton and Stokesley
- North Northallerton Bridge development
- Reinstatement of the Parish Liaison Meeting
- Sports Community and Leisure Awards
- Acknowledgement of the recent achievements of the athletes who had taken part in both the Olympics and Para Olympics, particularly Laurence Whiteley, Scott Lincoln and Marc Scott

A number of comments were made in relation to the Local Government Reorganisation and coach parking which were responded to at the meeting.

The Leader moved Cabinet minutes CA.16 – CA.17 (10 August 2021) and CA.19 – CA.25 (7 September 2021).

The Decision:

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

Body	Date of Meeting	Minute Nos
Cabinet	10 August 2021 7 September 2021	CA.16 – CA.17 CA.19 – CA.25

Note: The meeting was adjourned at 2.08pm and reconvened at 2.11pm due to a network failure. Due to continued technical issues, reconnection to the network was not possible and the network failure resulted in the connection to the meeting via Teams for observers no longer being available.

C.12 Cabinet Portfolio Statements

- (a) Councillor P R Wilkinson, Portfolio Holder for Economic Development and Finance made a statement regarding Additional Restrictions Grants and business support; Phase 3 of the Insight with Passion Workshops; workspaces (business centres), Councillor Wilkinson wished to acknowledge the continued hard work and support by the staff at the business centres who had operated throughout the pandemic; the Crematorium development; C4Di; Yorkshire Property Awards 2021 at which Treadmills won an award in recognition of the transformation of the former Northallerton Prison; Vibrant Market Towns and tourism. A number of questions were asked regarding the Treadmills development; Vibrant Market Towns and the provision of public conveniences within the market towns which were responded to at the meeting.
- (b) Councillor P R Thompson, Portfolio Holder for Leisure made a statement regarding the re-opening of the Leisure Centres; the re-development of Thirsk and Sowerby Leisure Centre; Thirsk and Sowerby Sports Village; Bedale Leisure Centre refurbishment; Northallerton Sports Village; CCTV and Hambleton Heroes.
- (c) Councillor Mrs I Sanderson, Portfolio Holder for Governance wished to record thanks on behalf of the Council to the Democratic Services Team for their work during the Pandemic which enabled the Council meetings to continue to take place and enabled the Council to continue to deliver services efficiently. Councillor Sanderson also made a statement regarding Customer Services Area Offices reopening; IT; communications; #Discover Hambleton; Northallerton Market; electric vehicle charging points. A number of questions were asked relating to communications which were responded to at the meeting.
- (d) Councillor D Webster, Portfolio Holder for Planning made a statement regarding Development Management, namely the number of applications received and processed; housing completions; staffing and the Royal

Town Planning Institute Presidential visit which was hosted by the District Council on 10 September. A question was regarding the information contained on the Planning Portal which was responded to at the meeting.

- (e) Councillor M S Robson presented a statement on behalf of Councillor S Watson, Portfolio Holder for Environmental Health, Waste and Recycling regarding Green Waste; the launch of a littering campaign; the addition of a refuse vehicle to the Council's fleet; the national shortage of HGV drivers and the impact on the service and Environmental Health.
- (f) Councillor M G Taylor, Portfolio Holder for Transformation and Projects made a statement regarding the Maple Park Crematorium development; North Northallerton Bridge development and Local Government Reorganisation. A question was asked regarding Local Government Reorganisation which was responded to at the meeting.

C.13 Referral from the Licensing Committee

The Decision:

That the reports, resolutions and recommendations of the following meeting of the Licensing Committee be received, approved and adopted:-

Body	Date of Meeting	Minute No
Licensing Committee	11 August 2021	LC.3

C.14 Independent Remuneration Panel - Appointment of Members

All Wards

The Director of Law and Governance (Monitoring Officer) submitted a report seeking approval of the membership of the Independent Remuneration Panel. The term of office for the existing members expired in September 2021. A recruitment exercise had been undertaken between June and July 2021 and three applications had been received. The Appointments Panel was consulted on the applications and was satisfied with the suitability of the applicants and recommended their appointment to Council. The Term of Office for the new Panel would be for the remainder of the term of the Council, until March 2023. The appointment of Members to an Independent Remuneration Panel thereafter would be a matter for the newly established Unitary Authority.

The decision:

That Mr J White, Mr A Sumner and Ms D Yates be appointed to the Independent Remuneration Panel for the remainder of the term of the Council, until March 2023.

The meeting closed at 3.10 pm

Chairman of the Council

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Leaders' Statement

The last two years have been difficult, not only as a Council but also for our communities and businesses. However, as a Council we have done all we can to support those worst affected by the pandemic. Whether that be the expedient processing of business grants, welfare calls to our most vulnerable residents or contributions to our community food banks, Hambleton as always has risen to the challenge and delivered.

Despite our pandemic response and the distraction of local government re-organisation we continue to invest in and improve services for our residents. This includes the successful completion of C4DI, with the e-campus element due for completion in Spring 2022.

The £4m redevelopment of Thirsk and Sowerby Leisure Centre is now complete and open. This provides residents with a state-of-the-art 24/7 Gym facility as well as improvements to the infrastructure and aesthetics of the building.

The development of Hambleton Crematorium at Maple Park is nearing completion and is due to open February 2022. Not only will this provide a new much-needed service for our residents, it will also be one of the first low carbon crematoriums in the country.

These are just a few of the unique and innovative services this Council is achieving for the community it serves, whilst maintaining the third lowest Council Tax in the country. However, 2022 brings with it many changes, not least elections to the new North Yorkshire unitary authority.

On a final note, I would like to take this opportunity to wish you and your families a Merry Christmas and a safe, happy New Year.

Councillor Mark Robson
Leader, Hambleton District Council
14 December 2021



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**Decisions to be considered by
Full Council on 9 November 2021**

Decisions of the meeting of the Cabinet held
at 9.30 am on Tuesday, 5th October, 2021 at
the Council Chamber, Civic Centre, Stone
Cross, Rotary Way, Northallerton, DL6 2UU

Present

Councillor M S Robson (in the Chair)

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

Councillor	P Atkin C A Dickinson B Griffiths	Councillor	K G Hardisty J Noone
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CA.31 Northallerton High Street Heritage Action Zone
Northallerton North and Brompton Ward; Northallerton South Ward

The subject of the decision:

This report provided an overview of the funding secured through Historic England's heritage led regeneration programmes. It also sought approval for additional Council funding towards the implementation of the Northallerton High Street Heritage Action Zone (HAZ) following a delay to the implementation and requirement to update the funding and spend profile.

Alternative options considered:

Options considered were as set out in the report.

The reason for the decision:

Cabinet was satisfied that the option to deliver the amended programme would offer best value for money for the Council and would help secure delivery of the project broadly in line with the original criteria.

The decision:

That Cabinet approves and recommends to Council an increase of £120,000 to the scheme and agree to funding being vired from the Northallerton Complementary Schemes budget.

CA.32 **North Yorkshire Safeguarding Children's Partnership Annual Report
2020 - 21**

All Wards

The subject of the decision:

This report sought approval of the draft North Yorkshire Safeguarding Children's Partnership's Annual Report 2020-21 attached at Appendix 1 to the report.

Alternative options considered:

None.

The reason for the decision:

Cabinet was satisfied that the Annual Report provided a summary of activity during 2020-21 as well as future priorities that North Yorkshire Safeguarding Children's Partnership would focus on in 2021-22 and beyond.

The decision:

That Cabinet approves and recommends to Council the content of the draft North Yorkshire Safeguarding Children's Board Annual Report 2020-21 at Appendix 1 of the report.

Declaration of Interest

Dr Justin Ives, Chief Executive, declared a personal interest as a Board Member of Broadacres and left the meeting at 9.45am prior to any discussion and voting on the next item.

CA.33 **Social Housing Decarbonisation Fund – Potential Joint Project with
Broadacres Housing Association**

All Wards

The subject of the decision:

This report provides an overview of the Social Housing Decarbonisation Fund and the potential opportunity for Hambleton District Council to participate in a joint funding application with Broadacres Housing Association which would benefit Broadacres properties.

Alternative options considered:

None.

The reason for the decision:

Cabinet was satisfied that the proposed Social Housing Decarbonisation Fund bid contributed to the Council's priority of 'Caring for the Environment' by enabling the delivery of carbon reduction initiatives.

The decision:

That Cabinet approves and recommends to Council that:-

- (1) the proposed submission of a grant funding application to the Social Housing Decarbonisation Fund be agreed; and
- (2) that the Deputy Chief Executive, in consultation with the Leader, is authorised to finalise the application, including actual properties to be submitted as part of any bid, and to enter into the Memorandum of Understanding with the Department for Business, Energy & Industrial Strategy and a separate legal agreement.

The meeting closed at 9.50 am

Leader of the Council

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**Decisions to be considered by
Full Council on 14 December 2021**

Decisions of the meeting of the Cabinet held
at 9.30 am on Tuesday, 2nd November, 2021
at the Council Chamber, Civic Centre, Stone
Cross, Rotary Way, Northallerton, DL6 2UU

Present

Councillor M S Robson (in the Chair)

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

Councillor	P Atkin P Bardon	Councillor	B Griffiths K G Hardisty
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CA.36 Asset Transfer Management

All Wards

The subject of the decision:

This report sought the establishment of a policy to guide future consideration by the Council to requests that it transfers certain community assets between now and the intended implementation date of Local Government Reorganisation (LGR) on 1 April 2023.

Alternative options considered:

None.

The reason for the decision:

Cabinet was satisfied that the policy would aim to complete, where possible, the transfer of those assets included within Appendix 1 of the report once the necessary considerations had been given by Cabinet and Council.

The decision:

That Cabinet approves and recommends to Council:-

- (1) the adoption of the interim community asset transfer policy as identified in paragraph 1.8 of the report, and

- (2) that Cabinet authorisation is sought, where necessary, for the approval of any transfers not yet sanctioned within Appendix 1 of the report.

The meeting closed at 9.42 am

Leader of the Council

Statement by the Cabinet Portfolio Holder for Economic Development and Finance

14 December 2021

Additional Restrictions Grant (ARG) – Business Support

The application form for ARG Business Support Grants went live on the HDC website on Monday 27th September and remained open for 4 weeks. In that time, over 100 applications were received from businesses across the Hambleton District. Following assessment, grants ranging from £900 to £5,000 were awarded (along with a small number of discretionary grants exceeding £5,000 awarded to businesses demonstrating significant project development and financial input).

In total, 94 businesses have been supported, from well known local brands such as Treske and Lewis and Cooper, to smaller enterprises including a children's football academy and a hair dressing academy

In total, £421,360 of ARG funding has been awarded in this round and the Council are considering a further round of funding in January 2022. A reserve list has also been compiled of those businesses that have contacted us, who will be notified should further funding be made available.

Business Support – Hambleton Apprenticeship Scheme

The Apprenticeship Wage Subsidy Scheme which has been delivered by the Council for a number of years continues to have a high take up from local businesses. A total of 18 apprentices have been supported to date in 2021/2022 in a range of different business settings from bricklaying to dental nurse to electrician to marketing and content development. This is well on the way towards the Council Plan target of facilitating 30 young people into local small businesses by April 2022 through apprenticeships and the graduate scheme.

Business Support – Insight with Passion Workshops Phase 3

The third phase of the Council's business support programme to support small customer facing businesses to survive and thrive has been a success, with businesses accessing the support at the suitable level for their business and personal preference. We have had some great feedback from businesses that have benefitted from the direct support through on-line workshops, bite sized videos and 1:1 sessions – recognising the pro-active approach of the Council when it comes to supporting small businesses. A total of 52 businesses have been supported during this phase of work.

C4DI Northallerton

C4DI Northallerton is now fully operational, the Business & Economy team have a daily presence on site and C4DI attend on a weekly basis. Over the past couple of months, there have been a number of tours and events held at C4Di Northallerton, all of which have been well attended and well received by the Elected Members, LEP and local businesses. The most recent event held on the 18th November with Northallerton BID, a Lunch & Learn session was attended by over 30 people representing local businesses. Both Sunderland University and York College attended the event to engage with C4DI and local businesses and start developing working relationships which will develop further once Campus@Northallerton is open and fully operational.

There continues to be a lot of interest in the building, C4DI & HDC have continued to meet with potential new members who are keen to learn more about what the membership offers but also they are keen to look inside the building. Currently there are 10 members, 3 of which are office based.

Vibrant Market Towns

Officers continue to work in partnership with key local stakeholders including the Town and Parish Councils and Business Networks to support the promotion of Small Business Saturday which is taking place this year on the 4 December, also to support the promotion of the many Christmas Events and activities planned to take place in the run up to Christmas in each of our market towns. This is in addition to promotion on-line and on social media @HambletonBiz and @DiscHambleton Twitter, Instagram and Facebook

Financial scenario

Strong financial management has been a cornerstone of the Political Leadership of Hambleton District Council. It has enabled investment in fantastic facilities for the residents as well as investment in economic infrastructure. Strong focus on service delivery has been maintained in the current year whilst delivering the investments in services in the Council Plan. Mid-year budget review was received at December Cabinet that showed that delivery continues within the financial envelope. Some capital expenditure will move to quarter 1 of 2022/23 but the significant benefits from those investments will still be delivered within the lifetime of this Council.

Draft budget proposals for 2022/23 are to be agreed at December Council. Although this will be the final budget for Hambleton District Council it was set broadly in line with the 4-year Financial Strategy approved by Council in February 2021. Formal consultation is now underway which will finish in early January. The responses will form part of the final budget report to February Council for approval.

Councillor Peter R Wilkinson
Portfolio Holder for Economic Development and Finance

Statement by the Cabinet Portfolio Holder for Leisure

14 December 2021

Sowerby Sports Village

The Council has been successful in securing £512k from the Football Foundation towards the construction of a 3G pitch at Sowerby Sports Village. A requirement of the funding is that changing provision is available on site and Cabinet has recently approved an approach to delivering this element of the project as part of phase 4 of the award-winning development.

Hambleton Heroes

A further group of Hambleton Heroes has been recognised for the outstanding commitments made to their communities in 2021. Individuals received custom made pin badges, with plaques being issued to organisations. Both receive a letter of appreciation. Social media posts sharing their amazing work are being shared throughout December.

Community Grants

The closing date for Making a Difference grants in 2022 has now closed and Member Panels will meet in the new year to consider the applications. The Bounce Back fund has just been launched to help projects in the market towns that support local economic recovery. The deadline for applications is 30 January 2022, with decisions being approved at Cabinet in March along with the Making a Difference grant awards.

Bedale Leisure Centre Developments

Works on the improvements started in late November, with completion scheduled for early January, ready for all the New Year resolutions. Works are taking place in the gym, studio, sauna and accessible changing room areas.

Thirsk and Sowerby Leisure Centre Reopens

The centre was successfully reopened to the public on the 27 October, with the official reopening taking place on the 2 December with guest of honour Jasmine Harrison, Thirsk & Sowerby's very own solo Atlantic rower. Customers have been delighted with the refurbishment.

Public Sector Decarbonisation Scheme

Pre-planning works continue for the £4.7m decarbonisation project across Hambleton's leisure centres. Salix (the Government agency) has approved the schedule of revised work which is timetabled to start in early 2022. Confirmation of start dates will be determined by Northern Powergrid's lead-in times to install the necessary substations at Northallerton, Stokesley and Bedale. A range of technologies including air source heat pumps, solar panels, electrical infrastructure and battery storage will be implemented.

Councillor Paula Thompson
Portfolio Holder for Leisure

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Statement by the Cabinet Portfolio Holder for Governance

14 December 2021

Free Car Parking

As all Members should now be aware, it was decided to suspend charging in all car parks operated by HDC, from 1 December 2021 to the 3 January 2022. This has been welcomed and continues our commitment to help businesses recover from the Covid Pandemic.

A word of caution is that time limits still apply to prevent those who might be tempted to park their cars all day!

World of James Herriot and the Forum

The Council is continuing to give support to these popular local attractions. They will benefit from a range of capital works designed to improve the fabric of the buildings so they continue to be “fit for purpose” and remain assets to our community.

Public Street Lighting

Over the last three years the Council has embarked on an ambitious program to replace all the bulbs used in our street lights to the more energy efficient LEDs lamps. This was helped by various grants and to date 3600 lamps have been converted, reducing our electricity consumption from 1.3 million KWh by 65% to 450,000 KWh. The remaining approx 200 lamps are understandably the more trickier installations but it is hoped will be completed in the near future.

Electoral Services

The team in Electoral Services have done sterling work on a tight timeframe and are to be congratulated on their work .

Recently we have had by -elections in the Raskelf and White horse seat, The Bid Referendum in Northallerton, Parish Council elections in Whorlton, Neighbourhood Plan referendum in Ingleby Greenhow and the election of the Police Fire and Crime Commissioner. A very mixed bag of elections but all to organise and to deliver results which would withstand any scrutiny.

ICT

My attention has been drawn to the fact that only approx 10 members have had their iPads updated with the new Mod.gov app. By not installing this app you are putting your device at risk !!

No new updates, including security fixes will be provided for the old app and in time your device will not work with the old version of Mod.gov.

As such ,it is important for Members to have their devices updated and Matthew Pegden in ICT is on hand to update your devices and offer training with the new app.

Phishing Campaign

ICT is running a long term campaign through to August 2022 to raise awareness among staff and members of suspicious e-mails. In recent trials a mock suspicious email did catch out a number of staff and raises awareness that we all need to remain vigilant when opening "links".

Councillor Isobel Sanderson
Portfolio Holder for Governance

Statement by the Cabinet Portfolio Holder for Planning

14 December 2021

Planning Policy

Local Plan

The public consultation period on the Main Modifications to the Local Plan closed on Tuesday 9th November 2021. 258 responses have been received, many of them relating to the allocation of industrial land at Leeming Bar (Allocation LEB3). The Planning Inspectors will consider the representations as they prepare their report on the Local Plan. Whilst there is some uncertainty on the period required for the Inspectors to complete their report officers are preparing for the Local Plan to be reported for adoption to Cabinet and Council on 22 February 2022.

Ingleby Arncliffe Neighbourhood Plan

The “94% in favour” result of the referendum held on 4 November 2021 means that this will be the first Neighbourhood Plan to be made in Hambleton. The Neighbourhood Plan will now be part of the Development Plan that must be considered in the determination of planning applications in the Neighbourhood Plan area.

Community Infrastructure Levy (CIL) Annual CIL Rate Summary

The charges currently levied under CIL need to be reviewed against an index calculated by the RICS under the requirements for setting the annual rate. Further details will be reported to the Management Team and Members in due course.

Land Charges

The Council has successfully enabled the migration of local land charges data to HM Land Registry’s Local Land Charges Register. HM Land Registry became the registering authority for the district on 28th October 2021.

Development Management

The completion of the land charges project has enabled staff to put more focus into the validation of planning applications and that area of the service has also been boosted by the appointment of a new validation officer so the team is operating at full strength. An additional officer has joined the planning enforcement team which now has four members of staff. In October and November a significantly higher number of complaints were resolved than received. Initial site visits are being carried out within the target periods and officers can allocate more time to complex and controversial issues. The team has been issuing planning contravention notices, which are proving helpful in gathering the evidence needed to pursue formal action, and several enforcement and breach of condition notices are now due to be served. The council has recently been successful in prosecuting landowners due to failures to comply with enforcement notices appertaining to two sites in the district.

The Development Manager for Enforcement therefore has capacity to also manage planning applications. As such the district has now been split into three areas in terms of allocations to the three Development Managers. There is now a north, a south and a west team. The west team will cover the wards of Sowerby and Topcliffe, Tanfield and Thirsk and is made up of a Development Manager, a Senior Planning Officer and a Planning Officer. The north and the south teams are otherwise unchanged.

This will enhance the performance of the team handling planning applications. For the Quarter 2 period 83.3 % of major applications were determined on time against a target of 80% whilst 85.1% of minor applications were determined on time against a target of 85%. The only outstanding vacancy in the staff structure is at the Planning Technician level handling other applications. The performance for that category in Quarter 2 was 83% of applications were determined on time. This could be improved upon if the post is filled. A previous recruitment exercise resulted in interviews being held but unsuccessfully. The opportunity is now being readvertised.

Meanwhile 86.9% of householder applications were determined on time and out of the 153 of the applications received in this category 150 were approved at a rate of 98%. This gives a clear indication of the team's commitment to enabling growth and development in the district.

Councillor David Webster
Portfolio Holder for Planning

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

14 December 2021

Waste and Street Scene

- **Garden waste:** Year 6 subscriptions will open in December 2021. To date as at 17.15pm on Thursday, 18 November 2021 income is £946,480 – 103.1% of year 4 income – providing 23,662 licences to 22,313 properties with 75.1% of purchasers self-serving.
- **Budgets:** Diesel prices have risen significantly in the last months, however, this has been offset by a significant increase in the re-cyclate prices being received.
- **LGR:** Lots of planning work is going ahead LGR, areas that are being looked at for waste include continuity of services, integrating services across the districts and issues around fleet management.

Environmental Health

- **Food:** Due to Covid food inspections were suspended for a year. However, the Food Standard Agency has guidelines to ensure that new and unregistered food business inspections are prioritised to ensure the safety of food and drink in Hambleton. This means that there has been a knock-on effect on the KPI performance for food inspections for A, B and C rated premises. This work will be caught up by the end of the financial year.
- **Covid:** the service continues to work with Public Health colleagues to manage local Covid outbreaks. Vaccination Centre moved to old Grammar school. Minor staff numbers affected.
- **New Management Information System:** development work is still ongoing with Civica, with a view to going live in March 2022.
- **LGR:** The service is preparing detailed plans for day one including food, residential and Safety Advisory Group work.
- **Air Quality:** New air quality monitors are being located around the district, but at present there are no issues with air quality anywhere in Hambleton.

Warm Homes Schemes: There have been two successful bids to the Warm Homes Fund and a total of £537,058 of funding has been obtained for a consortium between us, NYCC, Scarborough, Ryedale and Richmondshire. Within HDC this equates to 54 potential installs. Currently 38 installs of central heating or home insulation have been carried out. We are working with Communitas to install air source heat pumps - There has been a successful bid to the Warm Homes Fund and a total of £770,000 of funding has been obtained for the consortium. 15 have been installed in the HDC area.

ECO3 - Energy Company Obligation funding and ECO Flex Funding Measures include new boilers, cavity wall and loft insulation. 191 installations completed and work is ongoing. This equates to:

- 5112 tonnes of carbon reduction
- £1,662,323 Lifetime bill savings
- £386,401.91 Eco funding pulled in

We are also working with York City Council and other North Yorkshire Councils to ensure that effective enforcement work is carried out to improve the energy efficiency of the private rented sector. Properties must meet a minimum energy efficiency standard (MEES) of E or above.

- **Avian Flu:** An outbreak has occurred at Morton on Swale and work is being led by Public Health colleagues, at present there is no action for Hambleton however it is a very fluid situation and may change at short notice.
- **Climate Change Strategy**
- **Outreach:** developing the relationship with local community groups to start work engaging to improve communication, publicity and local action on environmental issues. Successful Electric vehicle day at Thirsk on the 6th November.
- **Queen's green Canopy:** A reminder to members to get in touch with Tracey Flint for their tree as soon as possible. The sooner your ward requirements are received the more likely that we will manage to catch the spring planting window rather than autumn.

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

Statement by the Cabinet Portfolio Holder for Transformation and Projects

14 December 2021

Maple Park Crematorium

Site Construction:-

The chapel ceiling which is constructed of oak and is a real feature of the chapel has now been completed and a two week window has been agreed with Treske for the installation of all the seating and fittings.

The Memorial Garden is progressing well with the above ground internment facility almost complete, a large percentage of the Maple trees have now been planted and will become established during the winter growing season.

The cremator is fully installed and the car park and entrance gates are nearing completion. A further site visit for members will be organised in January 2022, with completion and operational services by Hambleton District Council in February 2022.

Operational:-

The Crematorium Manager and Assistant Crematorium Manager are in place and have been engaging with Funeral Directors across the District, a site visit was organised to enable them to view the facilities that will be available to access and book as part of their professional services.

Interviews for the remaining 3 members of staff are scheduled for December which will include administrative and estate staff. Marketing for the cafe/wake facilities has been completed with a good level of interest from external parties wishing to operate this facility. A booking and management system (Plotbox) has been procured which will be the route for Funeral Directors to secure services at the crematorium.

A Limited Liability Partnership to provide governance of the asset is now incorporated following an incorporation meeting held on 30th November 2012.

North Northallerton Relief Road

Work to build and complete the £12m bridge and road link to ease traffic congestion in Northallerton is set to be complete by February 2022. The bridge beams and permanent formwork have been lifted into place in three operations that included a night time 'Possession' of the Teeside to Northallerton railway line. The scheme allows sufficient headroom for future electrification of the line, while work is ongoing on the construction of the reinforced concrete channel for a beck.

The three-span structure and link road will join the two new developments to the northern side of Northallerton, to accommodate all traffic and provide an east-west route particularly for HGVs that currently have to travel to the town centre or use Friarage Street to travel between the A167 and A684 east of Northallerton. Once the bridge is completed final works and checks on the full route of the link road will be undertaken before the complete route is opened to through traffic. The project has been undertaken and constructed by Eric Wright Civil Engineering.

Councillor Malcolm Taylor
Portfolio Holder for Transformation and Projects

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**Decisions to be considered by
Full Council on 9 November 2021**

Minutes of the meeting of the Audit,
Governance and Standards Committee held
at 1.30 pm on Tuesday, 5th October, 2021 at
Council Chamber, Civic Centre, Stone Cross,
Rotary Way, Northallerton, DL6 2UU

Present

Councillor N A Knapton (in the Chair)

Councillor P Atkin
D B Elders

Councillor K G Hardisty

Also in Attendance

Councillor M S Robson

Apologies for absence were received from Councillors P Bardon,
Mrs B S Fortune and R W Hudson

AGS.8 Member Code of Conduct

All Wards

The subject of the decision:

The Director of Law and Governance (Monitoring Officer) submitted a report seeking consideration of the Local Government Association's Model Code of Member Conduct and whether to recommend its adoption by the Council.

Alternative options considered:

The options considered were as set out in the report.

The reason for the decision:

Under the Localism Act 2011 the Council is required to have a code in place which deals with the expected conduct of its Members with reference to the Seven Principles of Public Life. The Committee was satisfied that the Council's current Code of Conduct fulfils that requirement and addresses the recommendations of the Committee on Standards in Public Life.

The decision:

That the Committee recommends to Council that the current Code of Member Conduct shall remain unchanged.

AGS.9 **Annual Review of the Committee's Terms of Reference**

All Wards

The subject of the decision:

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

Alternative options considered:

None.

The reason for the decision:

To fulfil the Audit Commission's good practice requirement to the annual review and incorporate the audit terms of reference suggested by CIPFA.

The decision:

That the Committee approves and recommends to Council that:

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

The meeting closed at 2.22 pm

Chairman of the Committee

Hambleton District Council

Report To: Council
Date: 14 December 2021
From: Chief Executive
Subject: **Appointment to Committees**
Wards Affected: All Wards

Scrutiny Committee

1.0 Purpose and Background

1.1 The purpose of this report is to consider a request by the Conservative Group to appoint a Member to the vacant seats on the Scrutiny Committee and the Thirsk and Sowerby Swimming Baths Charity which arose following the resignation of a Council Member in October 2021.

1.2 A by-election was held on Thursday, 25 November 2021 and Councillor Philippa James was duly elected as the Ward Member for the Raskelf and White Horse Ward.

2.0 Allocation of Seats

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

2.2 The Conservative Group has been consulted regarding the appointment of a Member to these vacancies and has requested that Councillor James be appointed to the Scrutiny Committee and the Thirsk and Sowerby Swimming Baths Charity.

3.0 Link to Council Priorities

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

4.0 Risk Assessment

4.1 There are no risks associated with this report.

5.0 Financial Implications

5.1 There are no Financial Implications associated with this report.

6.0 Legal Implications

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

7.0 Equalities and Diversity Issues

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

9.0 Recommendations

9.1 It is recommended that Councillor Philippa James be appointed to the vacancies on the Scrutiny Committee and the Thirsk and Sowerby Swimming Baths Charity.

Dr Justin Ives
Chief Executive

Background papers: None

Author ref: GN

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

Minutes for Information

Committee	Date	Page
Cabinet	5 October 2021 2 November 2021 7 December 2021	To follow
Planning Committee	23 September 2021 21 October 2021 18 November 2021	
Audit, Governance and Standards Committee	5 October 2021	
Licensing Committee	8 December 2021	To follow
Licensing and Appeals Hearings Panel	17 September 2021 1 October 2021	

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**Decisions taken under Cabinet authority
to take effect on 14 October 2021**

Decisions of the meeting of the Cabinet held
at 9.30 am on Tuesday, 5th October, 2021 at
the Council Chamber, Civic Centre, Stone
Cross, Rotary Way, Northallerton, DL6 2UU

Present

Councillor M S Robson (in the Chair)

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

Also in Attendance

Councillor	P Atkin	Councillor	K G Hardisty
	C A Dickinson		J Noone
	B Griffiths		

CA.34 **Minutes**

The Decision:

That the decisions of the meeting held on 7 September 2021 (CA.19 – CA.30), previously circulated, be signed as a correct record.

CA.35 **Northallerton High Street Heritage Action Zone**

All Wards

The subject of the decision:

This report provided an overview of the funding secured through Historic England's heritage led regeneration programmes. It also sought approval for additional Council funding towards the implementation of the Northallerton High Street Heritage Action Zone (HAZ) following a delay to the implementation and requirement to update the funding and spend profile.

Alternative options considered:

Options considered were as set out in the report.

The reason for the decision:

Cabinet was satisfied that the option to deliver the amended programme would offer best value for money for the Council and would help secure delivery of the project broadly in line with the original criteria.

The decision:

That Cabinet approves the changes to Northallerton High Street Heritage Action Zone and the associated Funding.

The meeting closed at 9.50 am

Leader of the Council

**Decisions taken under Cabinet authority
to take effect on 11 November 2021**

Decisions of the meeting of the Cabinet held
at 9.30 am on Tuesday, 2nd November, 2021
at the Council Chamber, Civic Centre, Stone
Cross, Rotary Way, Northallerton, DL6 2UU

Present

Councillor M S Robson (in the Chair)

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

Also in Attendance

Councillor	P Atkin	Councillor	B Griffiths
	P Bardon		K G Hardisty

CA.37 **Minutes**

The Decision:

That the decisions of the meeting held on 5 October 2021 (CA.31 – CA.35), previously circulated, be signed as a correct record.

CA.38 **Queen's Green Canopy - Tree Planting Initiative**

All Wards

The subject of the decision:

This report sought Cabinet approval for the planting of trees in each Ward as part of the Queen's Green Canopy initiative.

Alternative options considered:

None.

The reason for the decision:

The participation in the Queen's Green Canopy initiative in Hambleton would create a legacy in honour of The Queen's leadership which would benefit future generations. Cabinet was satisfied that the initiative also supported the Council's priorities relating to Caring for the Environment and Enhancing Health and Wellbeing.

The decision:

That Cabinet approves the participation in the Queen's Green Canopy initiative in Hambleton and that financial provision is made as set out in paragraph 4.1 of the report.

The meeting closed at 9.42 am

Leader of the Council

Minutes of the meeting of the Planning Committee held at 10.00 am on Thursday, 23rd September, 2021 in the Council Chamber, Civic Centre, Stone Cross, Rotary Way, Northallerton, DL6 2UU

Present

Councillor P Bardon (in the Chair)

Councillor	M A Barningham	Councillor	J Noone
	D B Elders		B Phillips
	Mrs B S Fortune		A Robinson (from 1.30pm)
	B Griffiths		M G Taylor
	K G Hardisty		D A Webster

Also in Attendance

Councillor	R Kirk	Councillor	M S Robson
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Apologies for absence were received from Councillors A Robinson and A Wake

P.13 Minutes

The Decision:

That the minutes of the meeting of the Committee held on 26 August 2021 (P.11 - P.12), previously circulated, be signed as a correct record.

P.14 Planning Applications

The Committee considered reports of the Deputy Chief Executive relating to applications for planning permission. During the meeting, Officers referred to additional information and representations which had been received.

Except where an alternative condition was contained in the report or an amendment made by the Committee, the condition as set out in the report and the appropriate time limit conditions were to be attached in accordance with the relevant provisions of Section 91 and 92 of the Town and Country Planning Act 1990.

The abbreviated conditions and reasons shown in the report were to be set out in full on the notices of decision. It was noted that following consideration by the Committee, and without further reference to the Committee, the Deputy Chief Executive had delegated authority to add, delete or amend conditions and reasons for refusal.

In considering the report(s) of the Deputy Chief Executive regard had been paid to the policies of the relevant development plan, the National Planning Policy Framework and all other material planning considerations. Where the Committee deferred consideration or refused planning permission the reasons for that decision are as shown in the report or as set out below.

Where the Committee granted planning permission in accordance with the recommendation in a report this was because the proposal is in accordance with the development plan the National Planning Policy Framework or other material considerations as set out in the report unless otherwise specified below. Where the Committee granted planning permission contrary to the recommendation in the report the reasons for doing so and the conditions to be attached are set out below.

The Decision

That the applications be determined in accordance with the recommendation in the report of the Deputy Chief Executive, unless shown otherwise:-

- (1) 21/00331/HYB - Hybrid planning application seeking a) Outline planning permission for employment development comprising industrial uses (Class B2/E(g)(iii)) and/or storage or distribution uses (Class B8), including ancillary office space, with associated infrastructure and landscaping; and b) Full planning permission for creation of new main access and road spur with associated infrastructure at Part OS Field 6717, Eldmire Lane, Dalton for Mr R Unsworth & Mr L Ross

Permission Granted subject to additional conditions and stipulations as follows:-

- Additional Condition 37 - (Surface water site access). Prior to the completion of the site access a post construction scheme for surface water for Part b) Full Planning permission for creation of new main access and road spur as approved on drawings AMA/20573/SK006 shall be submitted to, and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the completion of the access and before development of any subsequent phase commences and shall thereafter be retained until the relevant phase with the detailed surface water drainage scheme which connects to the proposed site access has been approved and is operational.
- Additional Condition 38 - (Landscape following completion of Access Part b). Prior to the commencement of Part b) Full planning permission for creation of new main access and road spur a Landscape scheme for the periphery of the site along Dalton and Eldmire Lane shall be submitted for the written approval of the Local Planning Authority. The scheme shall include a plan identifying the provision of landscape bunds, proposed species, heights and densities of planting and specifications for maintenance. The scheme shall be implemented in the first planting season in accordance with an agreed timescale in relation to the completion of the site access and any infrastructure delivery. The approved Landscape scheme shall be incorporated into the Landscape and Ecological Enhancement Plan required by condition 16 of this consent for each subsequent Phase of the development.

- Additional requirement for a financial bond of £50,000 to be provided to the local planning authority to be used for the monitoring, recording of breaches and potential enforcement of traffic routing measures.
- Additional condition requiring landscaping/acoustic fencing on the boundary opposite Dalton Caravan Park to be undertaken prior to commencement of use of the new access on Eldmire Lane into the development site.
- Additional requirement for increased highways signage including early signage on A168 and more detailed signage to direct traffic leaving the site to use the A168 access the A1 North and South. All highways signage to be in place prior to the operation of the development site.
- Additional requirement for regular independent traffic monitoring to be undertaken.
- Additional requirement to ensure that any loss of existing landscaping/ areas of biodiversity are replaced.
- An informative to be included that, notwithstanding the indicative layout plan, the larger/higher scale buildings should be sited nearer existing large neighbouring buildings (Wagg Foods Ltd) and the smaller/lower buildings should be sited nearer Dalton Lane and Eldmire Lane.
- HGV/lorry parking and holding areas to be detailed in the Routing and Management Operating Plans for the Section 106 legal agreement.
- A requirement that the reserved matters application is brought to Planning Committee for determination.

(The applicant, Hamish Robertshaw, spoke in support of the application.)

(Jamie Moores spoke on behalf of Topcliffe Parish Council.)

(Tony Bruce and Christian Rundell spoke objecting to the application.)

Note: Councillor M S Robson left the meeting at 11.51am.

The meeting adjourned at 11.51am and reconvened at 1.30pm.

Councillor R Kirk and Councillor A Robinson arrived at the meeting at 1.30pm

- (2) 20/00008/FUL - Change of use of an existing agricultural building to a function venue at Westholme, York Road, Thirsk for Mrs Sarah Goacher

Permission Refused

(The applicant, Clare Jones, spoke in support of the application.)

(Jean Varey spoke on behalf of Bagby and Balk Parish Council objecting to the application.)

- (3) 21/00925/OUT - Outline planning application with all matters reserved for a residential development of up to 30 dwellings for H.W.Mawer Charitable Trust at OS Field 5800, Land Adjoining Skottowe Crescent, Great Ayton

Permission refused in accordance with the officer report and recommendation.

(The applicant's agent, James Holmes, spoke in support of the application.)

(Howard Whitehead spoke objecting to the application.)

Note: Councillor R Kirk left the meeting at 2.42pm.

- (4) 21/01613/FUL - Construction of a detached dwelling with ancillary domestic buildings, including garages, barn, AD unit, stables plus equestrian area and associated landscaping at Dromonby Bridge Farm, Busby Lane, Kirkby in Cleveland for Mr R Jones

Permission Refused. The Committee refused the application for the following reasons: that the proposed development did not meet any of the exceptions under paragraph 80 of the NPPF; that the proposed development was contrary to CP4 and DP9 as the site was outside development limits and there were no exceptional circumstances to justify the granting of the application; and contrary to DP30 as the proposal did not protect the character and appearance of the countryside; and that the proposed development was contrary to DP30 as the proposal did not protect the character and appearance of the countryside.

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

Note: The meeting was adjourned at 3.42pm and reconvened at 3.49pm.

- (5) 21/01453/FUL - Alterations to existing farmhouse to create 2no self-contained dwellings for assured shorthold tenancy letting purposes at 3 Linton Wood Farm, Linton Woods Lane, Linton On Ouse for Univ Dev Co University College Oxford

Permission Granted subject to officers requesting confirmation from the agent regarding replacement windows and replacement of lean-to extension, with these matters to then be subject to condition.

- (6) 20/02491/OUT - Outline application with some matters reserved for the construction of two detached dwellings with garages and parking incorporating garaging and parking for Holly Tree Cottage at Holly Tree Cottage North End, Raskelf for Mark and Katie Stocks

Permission Refused. The Committee refused the application on the basis that the proposed development would constitute overdevelopment of the site; constitute back land development; constitute cramming of dwellings on the site; and have a detrimental impact on the character of the area.

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

(David Lee spoke objecting to the application.)

The meeting closed at 4.20 pm

Chairman of the Committee

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Minutes of the meeting of the Planning Committee held at 10.00 am on Thursday, 21st October, 2021 in the Council Chamber, Civic Centre, Stone Cross, Rotary Way, Northallerton, DL6 2UU

Present

Councillor P Bardon (in the Chair)

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

Also in Attendance

Councillor	R Kirk	Councillor	M S Robson
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An apology for absence was received from Councillor A Wake

P.15 Minutes

The Decision:

That the minutes of the meeting of the Committee held on 23 September 2021 (P.13 - P.14), previously circulated, be signed as a correct record.

P.16 Planning Applications

The Committee considered reports of the Deputy Chief Executive relating to applications for planning permission. During the meeting, Officers referred to additional information and representations which had been received.

Except where an alternative condition was contained in the report or an amendment made by the Committee, the condition as set out in the report and the appropriate time limit conditions were to be attached in accordance with the relevant provisions of Section 91 and 92 of the Town and Country Planning Act 1990.

The abbreviated conditions and reasons shown in the report were to be set out in full on the notices of decision. It was noted that following consideration by the Committee, and without further reference to the Committee, the Deputy Chief Executive had delegated authority to add, delete or amend conditions and reasons for refusal.

In considering the report(s) of the Deputy Chief Executive regard had been paid to the policies of the relevant development plan, the National Planning Policy Framework and all other material planning considerations. Where the Committee deferred consideration or refused planning permission the reasons for that decision are as shown in the report or as set out below.

Where the Committee granted planning permission in accordance with the recommendation in a report this was because the proposal is in accordance with the development plan the National Planning Policy Framework or other material considerations as set out in the report unless otherwise specified below. Where the Committee granted planning permission contrary to the recommendation in the report the reasons for doing so and the conditions to be attached are set out below.

The Decision

That the applications be determined in accordance with the recommendation in the report of the Deputy Chief Executive, unless shown otherwise:-

- (1) 20/02882/OUT - Outline planning application with access considered for the development of up to 88 dwellings on land at Blind Lane, Aiskew for Blind Lane Land Limited at Store at Old Hatchery, Blind Lane, Aiskew

Defer to obtain further information on the proposed access including a traffic impact assessment.

(The applicant's agent, Mark England, spoke in support of the application).

(Jonathan Ryder spoke objecting to the application.)

- (2) 21/00668/FUL - Retrospective extension to Hangar A and proposed hardstanding adjacent to Hangar A for Mr M Scott at The Airfield, Bagby

Permission refused. The Committee imposed an additional reason for refusal as follows: The proposal is contrary to the Local Development Framework Policies CP1 and DP1 as no noise control or mitigation measures have been provided to address the potential harm to the amenity of the local population arising from the use of the building for aeronautical engineering purposes identified in the Addendum to Business Case.

(The applicant's agent, Stuart Natkus, spoke in support of the application.)

(Sandra Langthorne spoke on behalf of Bagby and Balk Parish Council objecting to the application.)

Note: Councillor M G Taylor left the meeting at 11.14am.

- (3) 21/01058/FUL - The retention of 2 temporary hangars on site for a use for aircraft storage and ancillary storage of airfield machinery and equipment for a period of 24 months for Mr M Scott at The Airfield, Bagby

Permission Refused

(The applicant's agent, Stuart Natkus , spoke in support of the application.)

(Sandra Langthorne spoke on behalf of Bagby and Balk Parish Council objecting to the application.)

- (4) 21/01243/FUL - Retrospective and proposed concrete alterations to existing runway, reinforced geotextile matting to runway and earthworks to facilitate drainage for Mr M Scott at The Airfield, Bagby

Defer to obtain further information in relation to runway materials, safety measures and the applicant's business case.

(The applicant's agent, Stuart Natkus , spoke in support of the application.)

(Sandra Langthorne spoke on behalf of Bagby and Balk Parish Council objecting to the application.)

Note: Councillor M S Robson arrived at the meeting at 11.56am.

- (5) 21/01374/FUL - Sub-division of the existing dwellinghouse to form 2no dwellings with associated parking for Cowesby Estate Ventures at Village Farm, Ellerbeck

Permission Granted subject to additional conditions relating to: resurfacing of the access road; use of existing agricultural buildings; and the retention and maintenance of an existing footbridge.

(The applicant's agent, Tom Gibbons, spoke in support of the application.)

Note: Councillor M S Robson left the meeting at 12.23pm.

The meeting was adjourned at 12.23pm and reconvened at 1.37pm.

Councillor M G Taylor arrived at the meeting at 1.37pm.

- (6) 21/01017/MRC - Variation of Application Reference Number
18/02661/MRC - Variation of Conditions attached to Planning Consent
16/01987/OUT- Outline application (considering appearance, access, layout and scale) for the demolition of buildings and the construction of 3 dwellings as amended by details received by Hambleton District Council on 25th May 2017 for Mr and Mrs Walker at Former Garage, Low Street, Husthwaite

Permission Granted subject to an additional requirement for an approved scheme to enable works to be undertaken at a neighbouring property to mitigate the impact on neighbour amenity.

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

(Rupert Doswell spoke objecting to the application.)

Note: Councillor R Kirk arrived at the meeting at 1.58pm.

- (7) 21/00582/OUT - Outline planning application (some matters reserved) for the construction of 5 No. residential dwellings with access from Lumley Lane for Mr S Greensit at Land at Friars Garth, Lumley Lane Kirkby Fleetham

Permission Granted subject to additional conditions in relation to site levels and the size and type of the proposed dwellings.

(The applicant's agent, Giles Chaplin, spoke in support of the application).

(Nicola Lloyd spoke objecting to the application.)

- (8) 20/02689/HYB - Hybrid Planning Application comprising: 1) Full planning permission is sought for the demolition of the existing farmhouse and buildings and construction of a commercial development comprising of 21,000sq ft (1951 sq.m) of trade counter space (B8), a 3,777sq ft (351 sq.m) drive thru (E b) and sui generis and associated infrastructure comprising of carparking, landscaping, drainage and construction of an access road (Phase A1) from the Darlington Road to cross enable Phase 1B and 2. 2) Outline Planning Permission is sought for Phases 1B and 2 for the erection of the following: A four pump petrol station with up to 5,000sq ft (465 sq.m) of retail space (Sui generis and ancillary E a). A drive thru of up to 1,800sq ft (167 sq.m) (E b) and sui generis. Office units of up to 15,000sq ft (1395 sq.m) E g. Industrial units of up to 190,000 sq ft (18,116 sq m) B2 for Beckwith Knowle Developments Ltd at Land South East of Moor Close, Darlington Road, Northallerton

Permission Granted subject to: conditions relating to delivery of infrastructure and utilities; bat protection measures; drainage and fencing surrounding the balancing pond; and a requirement for a contribution towards highway improvements and the provision of a bus service.

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

Disclosure of Interest

Councillor K G Hardisty disclosed a non-pecuniary interest as a former governor for a neighbouring school.

Note: Councillor M S Robson arrived at the meeting at 2.46pm.

The meeting was adjourned at 3.23pm and reconvened at 3.32pm.

- (9) 21/01544/FUL - Residential development 2 units adjoining Redworth Bungalow Main Street, Shipton for Mr C. Reynard at Land to rear Of Redworth Bungalow, Main Street, Shipton By Beningbrough

Permission Granted subject to additional conditions in relation to site levels and drainage.

(The applicant, Andy Brook, spoke in support of the application.)

- (10) 21/01901/FUL – Erection of two detached garages as amended on 19 August 2021 for Mr and Mrs C Atha at Cringle Moor, Thirsk Road, Stokesley

Permission Granted subject to officers, in consultation with Ward Members and Councillor Mrs B S Fortune, addressing issues relating to drainage, roofing materials and the relocation of a large timber door.

(The applicant, Charles Atha, spoke in support of the application.)

(Mr Lee spoke objecting to the application.)

- (11) 21/01617/FUL - Conversion of general purpose agricultural livestock and storage building to general industrial use (Class B2), associated parking and new vehicle access and road to the site from the B6267 for Steven Houston, MHS Countryside Management Ltd at The Long Acres, Fore Lane, Thornborough

Permission Granted. The Committee granted the application on the basis that the proposed development would not have a significant impact on the character of the area and that the development would result in sustainable growth and expansion of a business in a rural area as supported by the NPPF. In this particular case, the material planning consideration of the NPPF is judged to outweigh any conflict with the Development Plan.

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

- (12) 21/01122/MRC - Application for removal of condition 3 (occupancy use - to allow for all year round residential occupancy) of approved application 2/04/037/0123B (04/02047/FUL) for the change of use of agricultural land to enable the siting of 3 static caravans for Mr and Mrs Cowell at Dalton Bridge House Caravan Park, Field Adjacent to Dalton Bridge House, Dalton Lane, Dalton

Permission Granted. The Committee granted the application with proposed condition 3 (restricting occupation to the over 55s) removed. The Committee was not satisfied that the proposed condition was necessary to grant the application and that the caravans could meet affordable housing requirements for the wider population.

- (13) 21/01125/MRC - Application for removal of condition 9 (occupancy use - to allow for all year round residential occupancy) of approved application 2/99/037/0123A for Siting of 3 static holiday caravans and formation of an access road as amended by letter and plans received by Hambleton District Council on 22nd September 1999 for Mr and Mrs Cowell at Dalton Bridge House Caravan Park, Field Adjacent to Dalton Bridge House, Dalton Lane, Dalton

Permission Granted. The Committee granted the application with proposed condition 3 (restricting occupation to the over 55s) removed. The Committee was not satisfied that the proposed condition was necessary to grant the application and that the caravans could meet affordable housing requirements for the wider population.

- (14) 21/01126/MRC - Application for removal of condition 9 (occupancy use) of approved application 14/01388/FUL. To allow for all year round residential occupancy for Mr and Mrs Cowell at Dalton Bridge House Caravan Park, Field Adjacent to Dalton Bridge House, Dalton Lane, Dalton

Permission Granted. The Committee granted the application with proposed condition 3 (restricting occupation to the over 55s) removed. The Committee was not satisfied that the proposed condition was necessary to grant the application and that the caravans could meet affordable housing requirements for the wider population.

Note: Councillors B Phillips, M Robson and A Robinson left the meeting at 5.15pm.

The meeting was adjourned at 5.15pm and reconvened at 5.23pm.

- (15) 21/01370/FUL - Change of use of land for the siting of a modular building club house (to be used as a facility by lodge park guests, as well as for weddings and private functions), alterations to siting and appearance of siting and appearance of approved lodges, new car parking area and retrospective formation of tiered outdoor seating, outdoor beach area, cinema screen, wedding pergola, internal roads, and all other hard and soft landscaping and associated works - as amended by Hambleton District Council 04.10.2021 for Mr A Platts at Strawberry Fields

Permission Refused

(The applicant's agent, Joe Smith, spoke in support of the application.)

The meeting closed at 5.58 pm

Chairman of the Committee

Minutes of the meeting of the Planning Committee held at 1.30 pm on Thursday, 18th November, 2021 in the Council Chamber, Civic Centre, Stone Cross, Rotary Way, Northallerton, DL6 2UU

Present

Councillor P Bardon (in the Chair)

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

An apology for absence was received from Councillor J Noone

P.17 Minutes

The Decision:

That the minutes of the meeting of the Committee held on 21 October 2021 (P.15 - P.16), previously circulated, be signed as a correct record.

P.18 Planning Applications

The Committee considered reports of the Deputy Chief Executive relating to applications for planning permission. During the meeting, Officers referred to additional information and representations which had been received.

Except where an alternative condition was contained in the report or an amendment made by the Committee, the condition as set out in the report and the appropriate time limit conditions were to be attached in accordance with the relevant provisions of Section 91 and 92 of the Town and Country Planning Act 1990.

The abbreviated conditions and reasons shown in the report were to be set out in full on the notices of decision. It was noted that following consideration by the Committee, and without further reference to the Committee, the Deputy Chief Executive had delegated authority to add, delete or amend conditions and reasons for refusal.

In considering the report(s) of the Deputy Chief Executive regard had been paid to the policies of the relevant development plan, the National Planning Policy Framework and all other material planning considerations. Where the Committee deferred consideration or refused planning permission the reasons for that decision are as shown in the report or as set out below.

Where the Committee granted planning permission in accordance with the recommendation in a report this was because the proposal is in accordance with the development plan the National Planning Policy Framework or other material considerations as set out in the report unless otherwise specified below. Where the Committee granted planning permission contrary to the recommendation in the report the reasons for doing so and the conditions to be attached are set out below.

The Decision

That the applications be determined in accordance with the recommendation in the report of the Deputy Chief Executive, unless shown otherwise:-

- (1) 20/02882/OUT - Outline planning application with access considered for the development of up to 88 dwellings on land at Blind Lane, Aiskew for Blind Lane Land Limited at Store at Old Hatchery, Blind Lane, Aiskew

Permission Granted subject to conditions restricting the number of dwellings, the provision of affordable housing and a requirement for the provision of a scheme to control traffic using Bluebell Way and Blind Lane.

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

(Ian Marr spoke on behalf of Aiskew and Leeming Bar Parish Council raising concerns in respect of the application.)

- (2) 21/01867/FUL - Change of use of land to domestic and the construction of a new two storey dwelling and double garage to replace an existing dwelling for Mr Cramp at Oakdene, Woundales Lane, Knayton

Permission Granted. The Committee was satisfied that, in accordance with Council Policy, the scale of the proposed dwelling was justified and that the proposal would not cause harm to the surrounding landscape.

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

(The applicant, Mr Cramp, spoke in support of the application.)

- (3) 20/02341/FUL - Construction of falcon breeding facility for Suhail Enterprises Limited at Dawney House Farm Dawney Lane Easingwold

Defer in order to obtain information as to the impact of the proposal on an existing business in accordance with the requirements of the NPPF.

(The applicant, Sara Skalman, spoke in support of the application.)

(Mr Fawcett spoke objecting to the application.)

- (4) 20/02342/FUL - Retrospective Application for the Change of Use of land for the siting of 2 no. mobile homes and associated parking to provide staff accommodation for the proposed Falcon Breeding Facility for Suhail Enterprises Limited at Dawney House Farm Dawney Lane Easingwold

Defer in order to obtain information as to the impact of the proposal on an existing business in accordance with the requirements of the NPPF.

- (5) 21/01561/REM - Application for approval of reserved matters for 1No. dwelling (layout, scale, appearance, access and landscaping) following outline approval of application 20/02373/OUT - Outline permission for construction of 2No dwellings for Mr & Mrs Lenton at The Old Forge, Exelby

Permission Refused. The Committee refused the application on the basis that the scale of the proposal was large and over-bearing and not of high quality design contrary to CP17 and DP32.

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

- (6) 21/01960/FUL - Construction of 5no. dwellings (including 1no. self-build) and associated infrastructure works for Daniel Gath Homes at OS Field 8464, Highthorne Lane, Husthwaite

Item Withdrawn

Note: Councillor M A Barningham left the meeting at 3.00pm.

The meeting was adjourned at 3.00pm and reconvened at 3.09pm.

- (7) 21/01643/FUL - Application for construction of 1no detached dwelling and a pair of semi-detached dwellinghouses with a triple garage block to the rear (within red line boundary of previously approved application 19/02169/FUL but with change of house types) for Hubylee Ltd at Land to the North of the Forge, Tollerton Road, Huby

Permission Granted subject to an additional condition in respect of the reporting of unexpected land contamination and an appropriate S106 agreement to secure tree belt planting.

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

- (8) 21/00623/FUL - Application for the construction of 1No. detached house and double garage for Mr S Knowles at Land North of the Forge, Tollerton Road, Huby

Permission Refused. The Committee refused the application for the following reasons:-

The proposed residential development is located outside Development Limits. The proposed scheme would extend the built form of the village into the open countryside, causing a physical and visual intrusion into the openness of the area. The proposal is considered to be detrimental to the surrounding open rural character of the countryside. The proposed residential development would cause significant harm contrary to the Hambleton Local Development Framework Policies CP4, DP9 and DP30 together with the Council's Interim Policy Guidance (IPG).

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

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

- (9) 21/01769/FUL - Construction of an agricultural livestock building for Mr Ben Rab at Newlands Farm, Corban Lane, Wigginton

Permission Granted

- (10) 21/02426/FUL - Construction of External Air Conditioning Compound and Installation of External Condenser Unit for Central Northallerton Development Company Ltd at Campus @ Northallerton, Tenement House, 4 Treadmills, Crosby Road, Northallerton

Permission Granted

- (11) 21/02427/LBC - Construction of External Air Conditioning Compound and Installation of External Condenser Unit for Central Northallerton Development Company Ltd at Campus @ Northallerton, Tenement House, 4 Treadmills, Crosby Road, Northallerton

Permission Granted

The meeting closed at 3.53 pm

Chairman of the Committee

Minutes of the meeting of the Audit,
Governance and Standards Committee held
at 1.30 pm on Tuesday, 5th October, 2021
at Council Chamber, Civic Centre, Stone
Cross, Rotary Way, Northallerton, DL6 2UU

Present

Councillor N A Knapton (in the Chair)

Councillor P Atkin Councillor K G Hardisty
D B Elders

Also in Attendance

Councillor M S Robson

Apologies for absence were received from Councillors P Bardon,
Mrs B S Fortune and R W Hudson

AGS.10 Minutes

The decision:

That the minutes of the meeting of the Committee held on 20 July 2021 (AGS.3 - AGS.7), previously circulated, be signed as a correct record.

AGS.11 Regulation of Investigatory Powers Act - Review of Activity

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 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 it be noted that no RIPA authorisations were made by the Council during the period 23 March to 5 October 2021.

AGS.12 Annual Review of Risk Management

All Wards

The subject of the decision:

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

The Committee enquired as to whether working from home was included within the corporate health and safety risks. The Committee was advised that there were appropriate policies in place regarding working from home and that the inclusion of this as a corporate risk would be reviewed and updated accordingly.

Alternative options considered:

None.

The reason for the decision:

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

The decision:

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

AGS.13 Internal Audit First Progress Report 2021/22

All Wards

The subject of the decision:

The Interim Director of Finance (S151 Officer) presented a report providing an update on audit work planned and undertaken, and counter fraud activity.

Alternative options considered:

None.

The reason for the decision:

To take account of the statutory requirement under the Accounts and Audit Regulations 2015.

The decision:

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

Note: Councillor M S Robson left the meeting at 2.10pm

AGS.14 Counter Fraud Framework Update

All Wards

The subject of the decision:

The Interim Director of Finance (s151 Officer) submitted a report which presented a review on the Council's counter fraud framework, updated the counter fraud strategy action plan, and presented a revised fraud risk assessment.

The Committee asked questions regarding whistleblowing which were responded to at the meeting and where further information was requested, it was agreed that this would be provided at the appropriate time.

Alternative options considered:

None.

The reasons for the decision:

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

The decision:

That the Council's updated counter fraud framework with associated action plan and the updated Counter Fraud Risk Assessment be noted.

The meeting closed at 2.22 pm

Chairman of the Committee

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Present

Councillor R Kirk (in the Chair)

Councillor D B Elders

Councillor J Noone

Also in Attendance

Councillor C A Dickinson

LAHP.11 Exclusion of the Public and Press

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

LAHP.12 Application for a Hackney Carriage and Private Hire Driver Licence

All Wards

The subject of the decision:

The Director of Law and Governance (Monitoring Officer) asked the Panel to consider whether the applicant ("D") was a fit and proper person to hold a hackney carriage and private hire driver licence.

Alternative options considered:

The Panel considered the options outlined in paragraph 5.1 of the Director's report. Having concluded that D was a fit and proper person to hold a hackney carriage and private hire driver's licence subject to a 12-month expiry, the Panel was satisfied that it was not necessary to refuse the application.

The reason for the decision:

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

The Panel noted that, on 5 February 2019, D's licence was revoked by the Council's Licensing and Appeals Hearings Panel after he accumulated nine penalty points on his DVLA driving licence for three separate speeding offences between November 2016 and October 2018.

The Panel noted that, in accordance with the Council's Hackney Carriage and Private Hire Licensing Policy, applicants and licensed drivers with nine or more penalty points endorsed on their driving licence would not normally be granted a licence until at least three years have elapsed from the date of the last offence.

D informed the Panel that he acknowledged the need to change his driving habits in the interests of public safety. D indicated that, following the revocation of his hackney carriage and private hire driver licence, he undertook training in speed awareness along with a range of other aspects of professional driving competence. D informed the Panel that he had learnt from his previous mistakes and had subsequently implemented a number of safety measures for all of the drivers and vehicles in his service.

The Panel noted that any driver's disregard for statutory speed limits puts the public at significant risk and, due to the nature of their work, hackney carriage and private hire drivers are expected to drive with extra care and consideration for other road users and pedestrians.

The Panel was satisfied that D acknowledged the seriousness of his previous offences and the Panel was pleased that D had taken positive steps to ensure that he drives within the statutory speed limits in order to reduce the risk to public safety in future. The Panel also noted that D had not received any further DVLA endorsements since his hackney carriage and private hire driver licence was revoked.

The Panel concluded on the balance of probability that D was a fit and proper person to hold a hackney carriage and private hire driver licence. However, the Panel was satisfied that the specific circumstances of the case would require close scrutiny of D's driving record and therefore it resolved to grant a licence for a period of 12 months (as opposed to the standard duration of three years), at which point, D's record could be further examined on renewal.

The Panel noted that the Council's policy establishes the minimum standards in considering whether a licence should be granted in most cases. In accordance with the policy, D would not normally be granted a licence before 2 October 2021 (three years from the date of the last offence).

Whilst the Panel acknowledged its obligation to consider D's application on its individual merits, and its discretion to depart from the policy where the specific circumstances justify taking such an approach, it was not satisfied that making an exception would be appropriate in this instance. The Panel was satisfied that the minimum standards contained within the policy place passenger safety as the priority while enabling previous offenders to sufficiently evidence their rehabilitation. On that basis, the Panel concluded that D's licence should be granted with effect from 3 October 2021.

The decision:

Taking account of the above and having given appropriate weight to the evidence, the Panel was satisfied that D was a fit and proper person to hold a hackney carriage and private hire driver licence.

The Panel therefore resolved to grant a 12-month licence with effect from 3 October 2021.

The meeting closed at 10.25 am

Chairman of the Panel

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Present

Councillor R Kirk (in the Chair)

Councillor D B Elders

Councillor B Phillips

LAHP.13 Exclusion of the Public and Press

That under Section 100A(4) of the Local Government Act 1972, the press and public were excluded from the meeting during consideration of the item of business at minute no LAHP.14 on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Act as the Panel was satisfied that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

LAHP.14 Application for the grant of a Hackney Carriage and Private Hire Driver Licence

All Wards

The subject of the decision:

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

Alternative options considered:

The Panel considered the options outlined in paragraph 5.1 of the Director's report. Having concluded that D was not a fit and proper person to hold a hackney carriage and private hire driver's licence, the Panel was satisfied that none of the alternative options were appropriate.

The reason for the decision:

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

The Panel noted that, according to the applicant's enhanced DBS disclosure, D received two cautions on 21 April 2018 – one for criminal damage and one for battery.

According to D, the cautions were issued after he was taken into police custody following a family dispute. D informed the Panel that, during an argument, he went outside the house “to cool off” but picked up a garden tool and smashed some windows of a van belonging to one of the people involved in the argument. Upon re-entering the house, D pushed open a door “with considerable force”, which struck a family member and knocked them to the floor.

D indicated that he was shocked by his own behaviour and therefore he attended a CBT (Cognitive Behavioural Therapy) course soon after the incident to understand why he reacted in the way that he did and to prevent a repeat. The Panel acknowledged that D had not received any cautions or convictions since the date of the incident in question.

D informed the Panel that he accepted a caution the day after the incident and agreed to pay £500 compensation. D indicated that he was not entirely sure of the offences that he was accepting guilt for at the time and, if he had seen any reference to battery, he would have disputed it.

The Panel noted that cautions can only be issued where there is an admission of guilt and where the evidence meets the standard normally required to bring a prosecution. For this reason, cautions are regarded in the same way as convictions when considering the suitability of an applicant.

The Panel also acknowledged that it is not entitled to review the merits of a conviction or caution and therefore it would need to consider the offences of criminal damage and battery as recorded.

The Panel considered the Council’s guidelines relating to applicant suitability and the relevance of criminal convictions contained within its Hackney Carriage and Private Hire Licensing Policy. The Panel acknowledged that applicants are generally expected to remain free from caution or conviction for a minimum period after committing an offence, although exceptions may be made where the circumstances justify it. The Panel was satisfied that the guidelines establish a minimum standard to place public safety as the priority while enabling previous offenders to sufficiently evidence their rehabilitation.

According to the Council’s policy, a licence will not normally be granted where the applicant has a conviction or a caution for criminal damage within 5 years of the date of application. Furthermore, a licence will not normally be granted where the applicant has a conviction or a caution for an offence involving violence against another person within 10 years of the date of application.

The Panel noted that the Council’s policy was recently revised following the publication of the government’s new Statutory Taxi and Private Hire Vehicle Standards, which set out a range of robust measures to raise standards and promote consistency in the interests of public safety.

The Panel noted that D's cautions were issued three and half years ago and therefore he fell short of the minimum standards in respect of both offences.

The Panel acknowledged its obligation to consider D's application on its individual merits, and its discretion to depart from the policy where the specific circumstances justify taking such an approach.

The Panel specifically considered the nature of D's offences and it was satisfied that an offence of battery should not necessarily raise the same level of concern as a more serious violent offence. The Panel also considered the positive submissions provided in support of the application, including the applicant's participation in a CBT course, the statements from D's business partner and statements from the family members involved in the incident in 2018. The Panel was satisfied that D had taken steps to resolve the matter with his family and to prevent any future occurrences.

However, the Panel remained concerned by D's overall behaviour at that time. In particular, the Panel was concerned that the criminal damage offence (which, according to D, was committed by smashing multiple vehicle windows with a garden tool) appeared to be a violent act in itself, albeit not against another person.

The Panel noted that licensed drivers have close regular contact with the public and therefore should not be of a violent or aggressive disposition and must be able to avoid confrontation.

The Panel was satisfied that all decisions on the suitability of an applicant should be made on the balance of probability in the interests of the public and applicants should not be given the benefit of any doubt.

Having considered the specific circumstances of D's case, the Panel was not satisfied that D was able to demonstrate that he had been successfully rehabilitated at this time. On that basis, the Panel concluded that D was not a fit and proper person to hold a hackney carriage and private hire driver licence.

The decision:

Taking account of the above and having given appropriate weight to the evidence, the Panel refused to grant D's application for a hackney carriage and private hire driver licence.

The meeting closed at 10.25 am

Chairman of the Panel

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