

Committee Administrator: Democratic Services Officer (01609 767015)

Monday, 5 September 2022

Dear Councillor

**Notice of Meeting**

Meeting           **Council**

Date               **Tuesday, 13 September 2022**

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

Note: 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: 168 032 524# For further information please contact Democratic Services on telephone 01609 767015 or email [committeeservices@hambleton.gov.uk](mailto:committeeservices@hambleton.gov.uk)

## Agenda

## Page No

1. Minutes 1 - 4  
To confirm the minutes of the meeting held on 16 August 2022 (C.10 - C.12), attached.
2. Apologies for Absence
3. Announcements by the Chairman or Chief Executive
4. Verbal Statement of the Leader and Referrals from Cabinet  

Date of Meeting	Minute Nos
6 September 2022	To follow
5. Cabinet Portfolio Statements
  - a) Verbal Statement from the Portfolio Holder for Economic Development and Finance
  - b) Verbal Statement from the Portfolio Holder for Leisure
  - c) Verbal Statement from the Portfolio Holder for Governance
  - d) Verbal Statement from the Portfolio Holder for Planning
  - e) Verbal Statement from the Portfolio Holder for Environmental Health, Waste and Recycling
  - f) Verbal Statement from the Portfolio Holder for Transformation and Projects
6. Question Time  
None received.
7. Notices of Motion  
None received.
8. Appointment of Aldermen 5 - 8  
Report of the Chief Executive

# Agenda Item 1

Minutes of the meeting of the Council held at  
10.00 am on Tuesday, 16th August, 2022 at  
Council Chamber, Civic Centre, Stone Cross,  
Rotary Way, Northallerton, DL6 2UU

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Present

Councillor A Wake (in the Chair)

Councillor	P Atkin	Councillor	G Ramsden
	P Bardon		M S Robson
	D B Elders		Mrs I Sanderson
	Mrs B S Fortune		M G Taylor
	K G Hardisty		P R Thompson
	P A James		D Watkins
	N A Knapton		S Watson
	J Noone		D A Webster
	B Phillips		P R Wilkinson

Apologies for absence were received from Councillors M A Barningham, G W Dadd, B Griffiths, R W Hudson, R Kirk and C A Les

## C.10 Minutes

### The decision:

That the minutes of the meeting held on 26 July 2022 (C.6 - C.9), previously circulated, be signed as a correct record.

## C.11 Verbal Statement of the Leader

The Leader made a statement to the Council on the following matters:-

- York and North Yorkshire Devolution Deal which had been signed on 1 August 2022.
- Visit by the Rt Hon Greg Clark, Secretary of State for Levelling Up, Housing and Communities, to various projects in Northallerton.
- RAF Linton-on-Ouse Asylum Reception Centre - The Leader announced that the Council had been informed that RAF Linton-on-Ouse was no longer being considered as an Asylum Reception Centre. The Authority was still awaiting formal notification by the Home Office and the MoD and that, until this was received, the legal work remained ongoing.

The Leader wished to applaud local Ward Members and the community residents for their support. This was an excellent outcome for the residents of Linton-on-Ouse and all those living in the surrounding areas as well as Hambleton District Council.

The Leader stated that, had the Council not intervened with this proposal and challenged the Government when it was first made aware of its plans, he firmly believed that there would already be asylum seekers on site, with the numbers steadily building up week by week.

- CCTV – Arson attempt - Tesco Supermarket – The Leader reported that a CCTV operative had assisted in avoiding a near disaster at the rear of Tesco Supermarket as an arson attempt was made by two young people who had set alight some pallets at the rear of the supermarket. This achievement would be recognised appropriately by the Authority and hopefully by the supermarket accordingly.
- North Northallerton Sports Village – The Leader reported that work was underway with the infrastructure for the sports village and that the project would be completed prior to 31 March 2023, by the end of the Council.

A number of statements were made based on the Leader's statement.

Members wished to record their gratitude to the Leader and the Council for their backing regarding the Linton-on-Ouse Asylum Reception Centre. The Community were extremely grateful for their support and the outcome was a significant achievement for the Leadership Team.

The Chairman of Council wished to record special thanks to the CCTV operative who had assisted in avoiding the arson attack at the rear of Tesco Supermarket.

#### Declaration of Interest

The Chief Executive declared a personal interest and left the meeting at 10.11am prior to any discussion and voting on the following item.

C.12 **Appointment of Section 151 Officer - Management Team Restructure of Responsibilities**

All Wards

The Deputy Chief Executive presented a report seeking approval for the appointment of the Chief Executive (Head of Paid Service) to the role of Section 151 Officer until 31 March 2023 and for the reallocation of the wider non-section 151 functions of the Director of Finance and Commercial.

**The decision:**

That Council approves that:-

- (1) The Chief Executive is appointed as Section 151 Officer until 31 March 2023;
- (2) authority is delegated to the Deputy Chief Executive to commission independent external advice and support, in the event that the Chief Executive acting as Head of Paid Service and/or Section 151 Officer may be considered to have a conflict of interest on the basis described in this report; and
- (3) the Chief Executive is authorised to allocate any remaining services of the Director of Finance and Commercial amongst the senior management team.

The meeting closed at 10.15 am

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Chairman of the Council

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## Hambleton District Council

**Report To:** Council  
13 September 2022

**From:** Chief Executive

**Subject:** **Appointment of Honorary Aldermen**

**Wards Affected:** All Wards

Scrutiny Committee

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### **1.0 Background**

1.1 The Council's Constitution makes provision for the appointment of Honorary Aldermen. This normally takes place following the election of a new Council.

1.2 This report asks Council to consider the recommendations of the Member Working Group and arrangements for the appointment of Honorary Aldermen.

### **2.0 Practice and Criteria**

2.1 Section 249 of the Local Government Act 1972 ("the Act") enables the Council to confer the title of Honorary Alderman on those who in the Council's opinion have rendered "eminent service" to the Council as past Members and who are no longer Councillors at the time of conferment. The Act contains no definition of what constitutes "eminent service", but it is clear it means service to the Council rather than to the community or other authorities.

2.2 Regulation 32 of the Local Government (Structural Changes) (Transitional Arrangements) (No.2) Regulations 2008, amended the Act and enables a Council that is to be dissolved as a result of local government reorganisation to elect not only past Members as Honorary Alderman but also serving Members. Honorary Alderman of a dissolved council become on the reorganisation date Honorary Alderman of the successor single-tier council. However, no Honorary Alderman shall, whilst serving as a Member of the single-tier authority, be entitled to be addressed as Alderman or to attend or take part in any civic ceremonies of that council as an Alderman.

2.3 The criteria used for consideration are that nominees must have: -

- served at least five consecutive full terms (a minimum of 20 years); or
- served at least four consecutive full terms (a minimum of 16 years) and served as Chairman of at least two Committees or been a Member of the Cabinet during that period.

### **3.0 Procedures**

- 3.1 The process for recommending the appointment of Aldermen involves a Working Group of Members. This is a reasonable and appropriate forum for discussing the merits of potential candidates. The Chief Executive, at the request of the Leader, convened a Working Group made up of one Member nominated by each political group plus the Deputy Leader of the Council.
- 3.2 Those fulfilling the eligibility criteria have been considered by the Working Group and the following principles applied: -
- The award be non-political and recognise the personal contribution made by the Councillor;
  - the award recognises an outstanding contribution to the work of the Council.
- 3.3 The procedure stipulates that the Working Group will make recommendations to Council which will determine the appointment of Aldermen.

### **4.0 Recommendations of the Working Group**

- 4.1 The Working Group comprising Councillors P Atkin, P Thompson and P R Wilkinson met on Tuesday, 28 June 2022 and recommended that Councillors David Webster, Mark Robson, Brian Phillips and Mrs Bridget Fortune, be conferred with the title of Honorary Alderman at a special meeting of Council convened for this purpose.

### **5.0 Legal Implications**

- 5.1 Recommendations for Honorary Alderman can be made by a Sub-Committee or Working Group. However, it is only the Council that can confer the title provided a resolution is passed by not less than two-thirds of the Members voting at a meeting of the Council specially convened for the purpose.

### **6.0 Equality/Diversity Issues**

- 6.1 Equality and Diversity Issues have been considered. However, there are no issues associated with this report.

### **7.0 Financial Implications**

- 7.1 There are no financial implications associated of this report.

### **8.0 Recommendation**

- 8.1 It is recommended that: -
- (1) Council considers and approves the recommendations of the Working Group for the appointment of Honorary Alderman; and

- (2) a special meeting of the Council be arranged to confer the title of Honorary Alderman of the District of Hambleton upon Councillors David Webster, Mark Robson, Brian Phillips and Mrs Bridget Fortune.

Dr Justin Ives  
Chief Executive

**Background papers:** None  
**Author ref:** JI  
**Contact:** Dr Justin Ives  
Chief Executive

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## Minutes for Information

<b>Committee</b>	<b>Date</b>	<b>Page</b>
Cabinet	6 September 2022	To follow
Planning Committee	4 August 2022 1 September 2022	To follow
Licensing Committee	8 September 2022	To follow

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Minutes of the meeting of the Planning Committee held at 10.00 am on Thursday, 4th August, 2022 in the Council Chamber, Civic Centre, Stone Cross, Rotary Way, Northallerton, DL6 2UU

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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		D A Webster
	K G Hardisty		

Also in Attendance

Councillor	P A James	Councillor	M S Robson
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Apologies for absence were received from Councillors J Noone and A Wake

**P.7 Minutes**

**The Decision:**

That the minutes of the meeting of the Committee held on Thursday, 7 July 2022 (P.5 - P.6), previously circulated, be signed as a correct record.

**P.8 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) 22/00924/FUL - Proposed Residential Conversion of Existing Church Premises, Construction of Energy Hub Outbuilding, New Site Access, Car Parking, Turning, Site Boundary Works and Amenity Areas at St Andrews Church, Todd Lane, Great Fencote for Mr Ian Shipley

Permission Granted subject to additional conditions set out in the supplementary information update list.

In addition there was an amendment to condition 8 in respect of visibility splays and an amendment to condition 11 as set out in the supplementary information update list.

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

(Councillor Chris Walker spoke on behalf of Kirkby Fleetham with Fencotes Parish Council objecting to the application.)

(Alison Booth on behalf of Kirkby Fleetham with Fencotes History Group spoke objecting to the application.)

- (2) 21/01362/FUL - Proposals for the installation of a solar photovoltaic array/solar farm with associated infrastructure at OS Field 6800, Fence Dike Lane, Scruton for Lightrock Power Ltd

Permission Refused. The Committee had concerns that the proposal would result in the loss of grade 2 best and most versatile agricultural land. The Committee was not satisfied that this loss could be justified and was therefore not supported by the Council's policies which encourages the siting of large scale solar farms on previously developed and non-agricultural land. The Committee felt that there were suitable sites within the district with lower classified land status and had concerns that there would be a negative cumulative impact if this application was approved.

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

(Chris Sowerbutts (on behalf of the applicant) and Rory Clarke spoke in support of the application.)

(Councillor Syd Nye spoke on behalf of Scruton Parish Council objecting to the application.)

(Harry Shepherd and Morris Daley spoke objecting to the application.)

In accordance with paragraph 14.5 of the Council Procedure Rules, Councillor B Griffiths requested a recorded vote on the motion, Members present were recorded as voting as follows:

For the motion of refusal: Councillors P Bardon, M A Barningham, D B Elders, Mrs B S Fortune, B Griffiths, K G Hardisty, A Robinson and M Taylor (8)

Against the motion of refusal: Councillors B Phillips and D A Webster (2)

Note: Councillor P A James and Councillor M S Robson left the meeting at 11.51am.

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

- (3) 20/01687/OUT - Outline planning application with access to be considered (all other matters reserved) for residential development (Use Class C3) of up to 145 homes, engineering and site works, car parking, access, landscaping, drainage and other associated infrastructure at Land North of Mowbray Road East Side of Stokesley Road Northallerton for Church Commissioners for England

Permission Granted subject to additional conditions relating to foul water drainage and site levels.

(The applicant's agent, Nolan Tucker, spoke in support of the application.)

(Councillor Paul Cornfoot spoke on behalf of Northallerton Town Council raising concerns regarding aspects of the development.)

(Mr Mathers spoke objecting to the application.)

- (4) 21/02482/FUL - Construction of 17 dwellings and associated highway works at Land rear of The Manor House, Main Street, Linton On Ouse for Mulberry Homes Yorkshire

Defer for further information. The Committee requested further information to be provided in respect of the matters outlined in paragraph 5.44 of the officer's report and additional information to be provided on the affordable

housing tenure (social rent), the removal of a horse chestnut tree, an assessment of housing need, details on boundary treatment and a density report on the siting of the proposed dwellings.

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

- (5) 22/00166/FUL - Demolition of existing structures and construction of 9 dwellings and associated parking and landscaping at Land to the south of Station Road, Thirsk for Frontline Estates Ltd

Defer for further consideration of the size and type of the proposed dwellings on Plots 8 and 9 to seek to lower the height of the dwellings and reduce the proximity to the bungalow on Olivette Crescent.

(Sue Bolton spoke objecting to the application.)

Note: The meeting was sojourned at 3.26pm and reconvened at 3.36pm.

- (6) 21/02712/FUL - Construction of 3 detached dwellings with garages and access at Part OS Field 1745, Back Lane, Tollerton for Messrs' N & M Ramsden & Foster

Permission Granted

(The applicant's agent, Ken Wood, spoke in support of the application.)

- (7) 22/01061/REM - Application for approval of reserved matters considering appearance, landscaping, layout and scale (in addition the size, type and mix) following outline approval 21/01762/OUT (allowed on appeal) for Application for Outline Planning Permission with some matters reserved (considering access and landscaping) for a development of 5no dwellings at Part OS Field 0038, Foss Syke Lane, Sandhutton for Mr Wheatley

Permission Refused with additional reasons in relation to site levels and drainage.

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

(Councillor Ian Corner spoke on behalf of Sandhutton Parish Council objecting to the application.)

- (8) 22/00004/TPO2 - Hambleton District Council (Stillington Parish) Tree Preservation Order 2022 No 4. at Weddells Cottage, Main Street, Stillington

To be varied and confirmed

The meeting closed at 4.23 pm

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Chairman of the Committee

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