



ORDINARY MEETING OF THE COUNCIL

Tuesday, 12 October 2021 at 6.30pm

Belle Vue Suite, Belle Vue Square Offices, Skipton

Please note the following advice in advance of the meeting:

The Government temporarily removed the legal requirement for local authorities to hold meetings in person during the Covid-19 pandemic. All local authorities were given new powers to enable meetings to take place virtually. The Council's powers to hold remote meetings expired on 7 May 2021.

Whilst the return to face to face meetings provides significant challenges, the Council has undertaken a great deal of work to ensure that face to face meetings are delivered in a COVID safe environment.

Spaces for public attendance are limited and so registration is essential to secure place.

Everyone who attends this meeting is encouraged to wear a face covering, unless exempt. Face masks and hand gel will be available. There will be a one-way entry and leaving system and attendees are asked to remain seated unless leaving the meeting or using facilities.

Council staff, elected members and members of the public are urged to take advantage of the national 'next step safely' campaign and access a free, rapid lateral flow test in advance of the meeting:

<https://www.nhs.uk/conditions/coronavirus-covid-19/testing/> Please note that whilst this is advised, it is not a requirement for entry to the meeting.

Anyone displaying Covid-19 symptoms is asked not to attend.

For more information email committees@cravenc.gov.uk

Thank you,

Democratic Services

All Members of the Council are summoned to consider the following business

AGENDA

1. **Apologies for Absence** – To receive any apologies for absence.
2. **Minutes** – To confirm the minutes of the Annual Council Meeting held on 25 May 2021.
3. **Public Participation** – In the event that questions are received, the Chairman will conduct the public participation session for a period of up to fifteen minutes. Where questions are asked, one related supplementary question may be permitted at the Chairman's discretion.
4. **Declarations of Interest** – All Members are invited to declare at this point any interests they have on items appearing on this agenda, including the nature of those interests and whether they wish to apply the exception below.

Note: Declarations should be in the form of either:

- a “**disclosable pecuniary interest**” under Appendix A to the Code of Conduct, in which case the Member must leave the meeting room; or
- an “**other interest**” under Appendix B of the Code. For these interests, the Member may stay in the meeting room, although they must leave if membership of the organisation results in a conflict of interest.

Exception: Where a member of the public has a right to speak at a meeting, a Member who has a disclosable pecuniary interest or an other interest and must leave the room, has the same rights and may make representations, answer questions or give evidence, but at the conclusion of that, must then leave the room and not take part in the discussion or vote.

5. **Chairman's Announcements** – To receive an up to date list of civic engagements attended by the Chairman.
6. **Recommendations for Confirmation** – Minutes containing recommendations for debate and confirmation by Council arising from meetings of Committees.
7. **Dispensation of the Six Month Rule** - To consider a request to approve a dispensation of the 'six-month rule.'
8. **Statement from the Leader of the Council** – The Leader of the Council will deliver his statement. Once the statement has been made, Members will be invited to ask questions.
9. **Statements from Lead Members, Chairmen of Committees and Council Representatives on Outside Bodies**

- a. **Lead Members** – To receive an update from Lead Members.
- b. **Chairman of Select Committee** – The Chairman of Select Committee to report on the Committee's work and answer any questions from Members.
- c. **Chairmen of Other Committees** – This is an opportunity for Members of the Council to ask questions of the Chairmen of the Committees listed below on any current issues or for those Chairmen to make a statement:
 - Audit and Governance Committee
 - Licensing Committee
 - Planning Committee
 - Standards Committee.
- d. **Council Representatives on Outside Bodies** – To receive an update from Council representatives on Outside Bodies on key areas of work.

10. **General Question / Statement Time** – This is an opportunity for Members to raise awareness of issues that may be affecting their Ward, and are of general interest or importance, by making a statement or asking a question.

(Council Procedure Rule 11.4 covers the conduct of this item. A Member must give advance notice by noon on the day before the meeting to Democratic Services of any issue to be raised. The time limit for dealing with matters under this Rule is up to 15 minutes in total, with no individual item taking more than 5 minutes. Timings may be varied at the Chairman's discretion.)

11. **Any other items** which the Chairman decides are urgent in accordance with Section 100B(4) of the Local Government Act, 1972.

12. **Date and Time of Next Meeting** – Tuesday, 14 December 2021 at 6.30pm.

Agenda Contact Officer:

Alice Fox, Democratic Services and Scrutiny Officer
E-mail: afox@cravendc.gov.uk

Recording at Council Meetings: Recording is allowed at Council, Committee and Sub-Committee meetings which are open to the public, subject to

- (a) the recording being conducted with the full knowledge of the Chairman of the meeting; and
- (b) compliance with the Council's protocol on audio/visual recording and photography at meetings, a copy of which is available on request. Anyone wishing to record must contact the Agenda Contact Officer prior to the start of the meeting. Any recording must be conducted openly and not disrupt proceedings.

ANNUAL COUNCIL MEETING

25 May 2021

Present – The Chairman (Councillor Harbron) and Councillors Brockbank, Brown, Foster, Handley, Heseltine, Hull, Ireton, Jaquin, Lis, Metcalfe, Moorby, Morrell, Mulligan, Myers, Place, Pighills, Pringle, Shuttleworth, Solloway, Staveley, Sutcliffe and Whitaker.

Officers – Chief Executive, Director of Services, Chief Finance Officer (s151 Officer), Strategic Manager for Planning and Regeneration, Solicitor to the Council and Monitoring Officer, Democratic Services Manager and Senior Democratic Services Officer.

Start: 2.00pm

Finish: 2.30pm

Apologies for Absence – Apologies for absence were received from Councillors Barrett, Madeley, Mercer, Noland, Ogden, Rose and Wheeler.

Minutes –

Resolved – That the minutes of the Council meeting held on 27 April 2021 were confirmed as a correct record.

Public Participation – There were no members of the public in attendance.

Declarations of Interest – There were no declarations of interest.

CL.1222

OUTGOING CHAIRMAN'S ADDRESS

The Chairman stated that it had been a privilege to represent the district and thanked members and officers for their support over the past 12 months.

CL.1223

THANKS TO OUTGOING CHAIRMAN

The Leader of the Council thanked Councillor Harbron on behalf of the Council.

CL.1224

ELECTION OF CHAIRMAN OF THE COUNCIL

Resolved – That Councillor Sutcliffe is elected Chairman of the Council for the 2021-2022 municipal year.

CL.1225

DECLARATION OF ACCEPTANCE OF OFFICE BY THE NEW CHAIRMAN

The new Chairman, Councillor Sutcliffe read out and signed the Declaration of Acceptance of Office.

(Councillor Sutcliffe in the Chair)

CL.1226

ANNOUNCEMENT OF CHAIRMAN'S CONSORT

Marcia Firth was confirmed as the Chairman's Consort for the 2021/22 municipal year.

CL.1227

CHAIRMAN'S ACCEPTANCE SPEECH

The Chairman stated that he was honoured to have been elected and was very much looking forward to his year in office.

CL.1228

ELECTION OF VICE-CHAIRMAN FOR THE 2021/22 MUNICIPAL YEAR

Resolved – That Councillor Myers is elected Deputy Chairman for the 2021/2022 municipal year.

CL.1229

DECLARATION OF ACCEPTANCE OF OFFICE BY NEW VICE-CHAIRMAN

The new Vice-Chairman, Councillor Myers, read out and signed the Declaration of Acceptance of Office.

CL.1230

APPOINTMENTS

The following appointments were confirmed:

- a) Allocation of Committee Places for Committees, Sub-Committees and Panels 2021/22

Resolved – That the appointments contained in the report are confirmed, subject to Peter Charlesworth and Robert Stead no longer serving on Standards Committee and Councillor Harbron to be added as a Member of Planning Committee.

- b) Appointment of Office Holders, Lead Members and Member Champions 2021-22

Resolved – That the appointments contained in the report are confirmed, subject to Councillor Myers to be added as Lead Member for Planning.

- c) Appointments to Outside Bodies

Resolved – That the appointments contained in the report are confirmed, subject to a further three-year term of office for members of Yorkshire Housing Group, Chair of Select Committee to be added as a member of Craven Barnfield Regeneration Board and Councillor Moorby to replace Councillor Myers as a member of Parking and Traffic Regulation Outside London Joint Committee.

CL.1231

APPOINTMENT OF PARISH REPRESENTATIVE TO STANDARDS COMMITTEE

The Solicitor to the Council and Monitoring Officer submitted a report which sought to appoint a Parish Representative to Standards Committee.

Resolved – That Marion Swales (Bentham Town Councillor) is appointed as a non-voting member of Standards Committee until the Annual Meeting of Council 2023.

CL.1232

COUNCIL DECISION MAKING

The Chief Executive submitted a report which provided an update on the latest position in relation to Council Decision Making in light of the decision by the Ministry of Housing, Communities and Local Government not to extend the regulations that enabled virtual meetings to take place on or after 7 May 2021.

Resolved – That a working group comprising Lead Members and Chairs of Committees is setup to consider future meeting arrangements.

CL.1233

ANY OTHER ITEMS

- a) Local Election Results – Members welcomed two members onto the Council following the recent Local Elections on Thursday, 6 May 2021. Councillor David Pighills representing Barden Fell and Councillor Robert Ogden representing Penyghent. Councillor David Staveley had also been elected County Councillor for Ribblesdale.
- b) Appointment of Chief Finance Officer (s151 Officer) – Members were asked to consider and approve the appointment of a Chief Finance Officer following the recent resignation of Richard Weigh.

The following recommendation was submitted by the Recruitment and Appeals Panel following its meeting on 25 May 2021:

- a) That Graham Soulsby is appointed as the Council's Chief Finance Officer (s151 Officer) from 6 September 2021 for a period of 12 months, at which time the appointment will be reviewed.

Resolved – That the recommendation of the Recruitment and Appeals Panel meeting held on 25 May 2021 is confirmed.

CL.1234

DATE AND TIME OF NEXT MEETING

Tuesday, 3 August 2021 at 6.30pm.

Chairman



The Chairman of Craven District Council
(Councillor Alan Sutcliffe)

Civic Engagements

During the period June 2021 to October 2021

JUNE 2021

Monday 14th June - Service of Licensing for Revd Dr Sue McWhinney

Monday 21st June - Armed Forces Day Flag Raising Ceremony

Sunday 27th June - Armed Forces Day Flag Lowering Ceremony

Sunday 27th June – Hellifield Races at Peel Park

JULY 2021

Thursday 15th July - Annual Harrogate's Mayors Civic Luncheon at the Great Yorkshire Show

Tuesday 27th July – Mike Davies CEO to adopt The Principle Trust Children's Charity

AUGUST 2021

Sunday 1st August – Yorkshire Day 2021 with Lord Mayor of York

Sunday 8th August – Royal British Legion event – 100 years celebration

Sunday 22nd August – The Principle Trust Children's Charity – 'Olympic cycle home' at Ilkley Rugby Club

SEPTEMBER 2021

Tuesday 7th September - Scarborough Cricket Festival with Mayor of Scarborough

Wednesday 8th September - Civic & Community Leaders Briefing at RAF Menwith Hill

Friday 17th September – The Principle Trust Children's Charity computer presentation

Agenda item 5

OCTOBER 2021

Events to be confirmed.



COUNCIL MEETING

12 October 2021

Recommendations for Confirmation

Report of the Democratic Services and Scrutiny Manager

Ward(s) affected: All

1. **Purpose of Report** – To present recommendations of Committees which require confirmation by Council.
2. **Recommendation** – To approve recommendations within the minutes reproduced in the appendices to this report.
3. **Report**
 - 3.1 In the current cycle of meetings Policy Committee has made recommendations which require confirmation by Council. The recommendations are contained in the minutes, which are set out within the appendices to this report.

Policy Committee

The Chairman of Policy Committee will present recommendations in respect of the following minutes:

14 September 2021

POL.1147	Outturn Revenue Budget Monitoring Report – Quarter 4 2020/21
POL.1148	Capital Programme Outturn Report – 2020/21
POL.1149	Review of Council Priority Actions

- 3.2 Members requiring a copy of any of the reports associated with the above minutes are asked to contact the Democratic Services Team.

4. **Author of the Report** – Alice Fox, Democratic Services and Scrutiny Manager, Telephone (01756) 706226, E-mail: afox@cravendc.gov.uk
5. **Background documents** – None
6. **Appendices**

Appendix A	POL.1147	Outturn Revenue Budget Monitoring Report – Quarter 4 2020/21
Appendix B	POL.1148	Capital Programme Outturn Report – 2020/21
Appendix C	POL.1149	Review of Council Priority Actions

POL.1147

OUTTURN REVENUE BUDGET MONITORING REPORT
- QUARTER 4 2020/21

The Chief Finance Officer (S.151 Officer) submitted a report advising Members of the revenue budget position of the Council, based on the quarter 4 review of income and expenditure to the end of March 2021. The Council's financial position had continued to be affected by the impacts of the Covid-19 pandemic. Major income streams such as car parking and leisure had been affected by facility closure and would continue to be affected as activity recovers but not to the income levels that were assumed when the budget was approved. However, the Government's Sales, Fees and Charges Compensation Scheme had enabled the Council to claim £1,875k to support the losses of income over the 2020/21 financial year.

The general fund reserve balance stood at £995k and it was possible that support from general balances may be required in the current year or over the medium term as part of the response to current financial pressures.

The Council had £6,720k in earmarked reserves as at 1st April 2020 and at the end of quarter 4, £176k of savings had been confirmed as achieved as per the definitions of the Income and Savings Plan. However, in relation to income generation, commercial waste was likely to be impacted as a consequence of measures in response to Covid-19 and were being carefully monitored.

The Chief Finance Officer would determine how in-year variances were treated, the latest forecast showed an increased in-year deficit, but that should be addressed when the latest tranche of Government support for lost income was confirmed, though it was still likely that reserves may be needed to support the Council's finances both in this financial year and indeed, in future years.

During the ensuing debate, Members thanked all officers for their efforts in what had been a challenging year for public services.

RECOMMENDED – (1) That, the outturn revenue budget monitoring position as at 31st March 2021 is noted.

(2) That, the latest position of the savings achieved this quarter and identified as green in Appendix B to the report now submitted is noted and that these savings will be transferred to an earmarked reserve for support to the 2021/22 budget and beyond.

(3) That, a revenue budget of £27,191 is carried forward for completion of revenue commitments in 2021/22 as identified in Appendix D to the report now submitted, is confirmed.

(4) That, the transfer of the balance of the revenue budget surplus to earmarked reserves is approved and that the allocations are delegated to the Chief Finance Officer (S.151 Officer).

POL.1148

CAPITAL PROGRAMME OUTTURN REPORT –
2020/2021

The Chief Finance Officer submitted a report informing Members of the outturn position of the Council's capital programme for 2020/21 and the sources of funding.

The 2020/21 capital programme of £4,495k approved in February 2020 was further enhanced by the inclusion of £5,036k of slippage from the 2019/20 programme as well as some significant additions namely the redevelopment of the Council's depot and the works on the Engine Shed Lane link road, giving a revised programme of £15,443k.

At 30th March, the outturn spend on the 2020/21 programme was £9,166k and the report summarised the programme and provided an update on the status of various projects. Due to continued reliance on capital receipts and the Council's reserves to fund expenditure over the medium and long term, it was agreed that 2021/22 projects would be reviewed by the Corporate Leadership Team.

Resources to fund the capital programme and a forecast of future receipts and programme costs were set out in the report now submitted.

RECOMMENDED – (1) That, the outturn position of the 2020/21 capital programme and how the programme has been financed is noted.

(2) That, £9,380,371 is carried forward for the continuation of the 2020/21 projects in 2021/22.

POL.1149

REVIEW OF COUNCIL PRIORITY ACTIONS

The Chief Executive submitted a report presenting an analysis of a review of all Council priority actions, including actions in the Council Plan, major projects and the Climate Emergency Strategic Plan, in respect of Local Government Reorganisation (LGR).

The reorganisation of local government in North Yorkshire would create a single unitary authority across the county effective from April 2023 and this would impact on the Council's ability to deliver on its Council Plan priorities.

The Chief Executive's report described areas where activity was unlikely to be completed before the date of transfer of responsibilities, suggested actions related to that activity and the overall impact on the Council's ability to deliver on its activity as a result.

The Council would not deliver the following Council Plan priority actions but they would be marked as a priority for inclusion in the corporate plan of the new authority:

- delivering schemes through the Joint Venture Company;
- using Council assets to build 25 homes per annum (2022/23); and
- the creation of new employment sites in Bentham, Ingleton and Settle (Anley Crag)

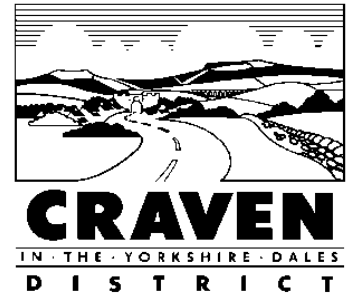
Priorities listed as either at 'significant risk' or 'at risk' were identified in the report along with 8 major projects that would not be completed by April 2023 and should be reviewed for inclusion in the service plan of the new authority as should a range of actions relating to the Climate Emergency Strategic Plan.

The Chief Executive stated that the Council had to be realistic as to what could be achieved before the new authority came into being and acknowledged further cuts to the Council's priorities may be required and that a further report(s) would be submitted to the Policy Committee as necessary.

RECOMMENDED – (1) That, the analysis of priority actions is noted.

(2) That, the increased risk to delivery during the period of Local Government Reorganisation is noted.

(3) That, the changes to the Council's priorities as described in the report now submitted are approved.

**COUNCIL MEETING -
12th October 2021****Dispensation of the Six-Month Rule****Report of the Solicitor to the Council
(Monitoring Officer)**

Ward(s) affected: All

1. Purpose of Report

To consider a request to approve a dispensation of the 'six-month rule.'

2. Recommendations –

2.1 That, in accordance with Section 85 of the Local Government Act 1972, Council approves a dispensation of the six-month rule for all Councillors until the 31st March 2022 to reflect the continuing impact of the COVID pandemic.

3. Report

3.1 Section 85(1) of the Local Government Act 1972 states that *"if a member of a local authority fails throughout a period of six consecutive months from the date of [their] last attendance to attend any meeting of the authority [they] shall, unless the failure was due to some reason approved by the authority before the expiry of that period, cease to be a member of that authority."*

3.2 Section 85(1) of the Act therefore provides the Council may grant a dispensation for such absence providing the dispensation is granted before the six-month period of absence has expired.

3.3 During the COVID pandemic, many Councillors attended Council and Committee meetings remotely as permitted by the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) England and Wales) Regulations 2020.

3.4 These Regulations have now ceased to apply, and all Council and Committee meetings must take place in a 'single specified geographical location with all Councillors being physically present' to avoid falling foul of the six-month rule.

3.5 However, the impacts of the pandemic continue to be felt and the Leader of the Craven Independents Group has written to the Solicitor to the Council (Monitoring Officer) requesting that Council be asked to consider granting to all Councillors a blanket dispensation of the six-month rule.

- 3.6 Under the circumstances, Members are asked to consider approving a dispensation of the six-month rule for all Councillors until the 31st March 2022 to ensure that no Member is caught by the 'six month rule' because they have been unable to attend meetings due to illness or self-isolation.

4. Financial and Value for Money Implications

- 4.1 There are no direct financial implications.

5. Legal Implications

- 5.1 These are detailed in the report.

6. Contribution to Council Priorities

- 6.1 The Council's decision-making processes help achieve the aims and objectives of the Council Priorities.

7. Impact on the declared Climate Emergency

- 7.1 None identified.

8. Risk Management

- 8.1 There are no risk management issues associated with this report.

9. Chief Finance (s151 Officer) Statement

- 9.1 A Chief Finance Officer statement is not required for this report.

10. Monitoring Officer Statement

- 10.1 The Monitoring Officer is satisfied that the proposal is within the legal powers of the Council.

11. Equality Impact Analysis

- 11.1 By approving a dispensation of the six months rule no elected member will be placed at a disadvantage due to the pandemic.

12. Consultations with Others

- 12.1 Corporate Leadership Team (CLT) and Political Group Leaders.

13. Background Documents

- 13.1 There are no background documents.

14. Appendices

14.1 None.

15. Author of the Report

Annette Moppett, Solicitor to the Council (Monitoring Officer)
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Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.