

## ORDINARY MEETING OF THE COUNCIL

**Belle Vue Square Offices, Belle Vue Suite, Skipton  
Tuesday 7 August 2018 at 7.00pm**

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

**Note: Any Member who wishes to ask a question is asked to give notice by no later than noon on the day before the Council Meeting. This will give those answering questions time to produce a response. Otherwise written answers may be given after the meeting.**

### AGENDA

**Exclusion of the Public:** In accordance with the Council's Access to Information Procedure Rules, Members are recommended to exclude the public from the meeting during consideration of Appendix D to item \$6 on the grounds that it is likely that if Members of the public were present there would be disclosure to them of exempt information as defined in Paragraph 3 (relates to the financial or business affairs of any person including the Authority holding the information) of those Rules and Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).

- 1. Apologies for Absence**
- 2. Minutes** – To confirm the minutes of Annual Council held on 22 May 2018.
- 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 (new) Code of Conduct, in which case the Member must leave the meeting room; or
- an “**other interest**” under Appendix B of the (new) 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** – A list of engagements attended by the Chairman is attached.

**\$6. Recommendations for Confirmation** – Minutes containing recommendations for debate and confirmation by Council arising from meetings of Committees.

**7. Motions on Notice** – In accordance with Council Procedure Rule 12.1, the Council is asked to consider the following motion on notice:

“That this Council investigates how other Councils, including Burnley and Peterborough, have introduced and enforced a local by-law whereby anyone stopped who is walking a dog and is not carrying a dog-waste bag is liable for fine / prosecution. In addition, that a report be brought back to Policy Committee to enable further debate of this matter.”

Moved by: Councillor Richard Welch

Seconded by: Councillor John Dawson

**8. Annual Review of the Constitution** – To receive a report from the Solicitor of the Council and Monitoring Officer presenting amendments to the Craven District Council Constitution for the municipal year 2018/2019, for approval.

**9. Delegation of Powers to the Strategic Manager for Planning and Regeneration in respect of the Local Plan** – To receive a report from the Legal Services Manager to consider the delegation of powers to the Strategic Manager for Planning and Regeneration, in connection with the Independent Examination of the Craven Local Plan.

**10. Statement from the Leader of the Council** – The Leader of the Council will deliver his statement. When the Statement has been made, Members will be invited to ask questions of the Leader.

**11. Statements from Lead Members and Chairmen of Committees** (as appropriate)

**a. 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:

- i. Audit and Governance Committee
- ii. Licensing Committee
- iii. Planning Committee
- iv. Standards Committee

12. **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.

*(Note: 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 the Democratic Services Unit 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.)*

**Agenda Contact Officer:**

Guy Close, Democratic Services Manager  
Tel: (01756) 706226  
E-mail: [gclose@cravenc.gov.uk](mailto:gclose@cravenc.gov.uk)

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

(i) the recording being conducted with the full knowledge of the Chairman of the meeting; and

(ii) 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 (details above) prior to the start of the meeting. Any recording must be conducted openly and not disrupt proceedings.

**Emergency Evacuation Procedure**

In case of an emergency, or if the alarm sounds, leave the meeting room and exit the building using the main doors onto the Square. If those doors are not available, please use the nearest available door.

The assembly point is in Belle Vue Square at the front of the building, nearest the main road. An officer will take a roll call once everyone is out of the building.

Please do not leave a meeting without telling the Chairman or a representative of Legal and Democratic Services.

## **ANNUAL COUNCIL MEETING**

**22 May 2018**

**Present** – The Chairman (Councillor Place) and Councillors, Baxandall, Brockbank, Brown, Dawson, Foster, Harbron, Heseltine, Hull, Ireton, Jaquin, Lis, Madeley, Mason, Mercer, Moorby, Morell, Mulligan, Myers, Rose, Shuttleworth, Solloway, Staveley, Sutcliffe and Whitaker.

**Officers** – Chief Executive, Solicitor to the Council and Monitoring Officer, Chief Finance Officer, Director of Services, Strategic Manager Planning and Regeneration and Democratic Services Manager.

**Apologies** – Councillors Barrett, Graham, Pighills, Thompson and Welch.

Start: 7.00pm

Finish: 8.00pm

CL.1036

### **STEPHEN BUTCHER**

The Chairman opened the meeting by asking Members to join him in observing a minute's silence in memory of former Councillor, Stephen Butcher, who sadly died on 1 May 2018.

CL.1037

### **DECLARATIONS OF INTEREST**

There were no declarations of interest.

CL.1038

### **ELECTION OF COUNCILLORS 2018**

The Returning Officer reported on the results of the District Council elections held on 3 May 2018.

The Chairman thanked the Returning Officer and election staff for their hard work in conducting a well organised election.

**Resolved** – That the report is noted.

CL.1039

### **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.1040

### **THANKS TO OUTGOING CHAIRMAN**

The Leader of the Council, Councillor Foster, thanked Councillor Place on behalf of the Council.

CL.1041

### **ELECTION OF CHAIR FOR THE 2018-19 MUNICIPAL YEAR**

**Resolved** – That Councillor Hull be elected Chair for the 2018-2019 municipal year.

CL.1042

**CHAIR'S INSIGNIA OF OFFICE AND  
PAST-CHAIRMAN'S BADGE**

At this point, the outgoing Chairman, Councillor Place, and the new Chair, Councillor Hull, left the meeting room, so that Councillor Hull could be invested with the Chair's Chain of Office.

On returning to the meeting room, Councillor Hull presented a Past-Chairman's Badge to Councillor Place.

CL.1043 **DECLARATION OF ACCEPTANCE OF OFFICE BY NEW CHAIR**

The new Chair, Councillor Hull read out and signed the Declaration of Acceptance of Office.

**(Councillor Hull in the Chair)**

CL.1044

**ANNOUNCEMENT OF CHAIR'S CONSORT**

Ms Claire Lindblom, was confirmed as the Chair's Consort for the 2018/19 municipal year. The Leader of the Council presented Ms Lindblom with a bouquet of flowers.

CL.1045

**CHAIR'S ACCEPTANCE SPEECH**

The Chair stated that she was honoured to have been elected and was very much looking forward to her year in office.

CL.1046 **ELECTION OF VICE-CHAIR FOR THE 2018/19 MUNICIPAL YEAR**

**Resolved** – That Councillor Whitaker be elected Deputy Chair for the 2018/2019 Municipal year.

CL.1047

**VICE-CHAIRMAN – INSIGNIA OF OFFICE**

The Chair invested the newly appointed Vice-Chairman with the Insignia of Office.

CL.1048

**DECLARATION OF ACCEPTANCE OF OFFICE BY NEW  
VICE-CHAIR**

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

CL.1049

**MINUTES**

**Resolved** – That the Minutes of the Council Meeting held on 24 April 2018 are confirmed as a correct record and signed by the Chair.

CL.1050

**PUBLIC PARTICIPATION**

There were no questions received from members of the public.

CL.1051

**CHAIRMAN'S ANNOUNCEMENTS**

It was noted that a list of engagements attended by the Chairman together with some future engagements was included within the agenda.

CL.1052

**RECOMMENDATIONS OF SELECTION COMMITTEE**

Recommendations of Selection Committee held on 14 May 2018 were submitted:

*Note: For each minute, the motion was proposed and seconded "That the recommendations in the Minute are confirmed".*

- a) Minute SEL.88 – Allocation of Committee Places for Committees, Sub-Committees and Panels 2018/19

**Resolved** – That the recommendations at Minute SEL.88 are confirmed.

- b) Minute SEL.89 – Appointment of Office Holders, Lead Members and Member Champions 2018-19

**Resolved** – That the recommendations at Minute SEL.89 are confirmed.

- c) Minute SEL.90 – Appointments to Outside Bodies

The following amendments were discussed:

- **Yorkshire Dales National Park** – Clarification in relation to continuing appointments for Councillors Foster and Heseltine and that Councillor Lis had been appointed as the Council's third representative. These appointments were until the term of office ended or there was a relevant change in the political proportionality on the Council.
- **North Yorkshire County Council (NYCC) – Craven Area Committee** – It was advised that following changes to the committees structure at NYCC, there was no longer an appointment to be made to NYCC – Craven Area Committee.

**Resolved** – That the recommendations at Minute SEL.90, as amended, are confirmed.

CL.1053

**OTHER RECOMMENDATIONS FOR CONFIRMATION**

Recommendations of Licensing Committee held on 17 May 2018 were submitted:

*Note: For each minute, the motion was proposed and seconded "That the recommendations in the Minute are confirmed".*

- LIC. 202 – Review of Taxi Licensing Policy

**Resolved** – That the recommendations at Minute LIC. 202 are confirmed.

CL.1054                    **APPOINTMENT OF INDEPENDENT PERSON TO THE  
STANDARDS COMMITTEE**

The Solicitor of the Council and Monitoring Officer submitted a report regarding the appointment of an Independent Person to Standards Committee.

**Resolved** – That Roger Millin be appointed as an Independent Person to the Standards Committee for a four year term (to Annual Council 2022).

CL.1055                    **STATEMENT BY THE LEADER OF THE COUNCIL**

The Leader of the Council congratulated Welcome to Yorkshire for its sponsorship of a Yorkshire Dales themed garden, which won gold at this year's RHS Chelsea Flower Show.

In relation to a query regarding the Yorkshire Dales National Park Authority's decision to withdraw its objection to the planning application at Hellifield Flashes, the Leader of the Council undertook to contact the National Park and report back with an explanation.

CL.1056                    **GENERAL QUESTION / STATEMENT TIME**

Councillor Solloway provided a brief update on his role since his recent appointment as Leader of the Independent Group. He particularly thanked his predecessor, Councillor Barrett and the support he had received from Members.

In relation to the question submitted to Councillor Dawson, Chairman of Craven Spatial Planning Sub-Committee at the Council meeting on 24 April 2018, it was reported that a detailed response had been provided to all Members. Councillor Dawson thanked officers in Planning for their hard work in putting together the information for Members.

A question was submitted by Councillor Brown to Councillor Foster, Leader of the Council, as follows:

***“Is the Leader of the Council aware that the Council is selling high sugar content drinks in single use plastic bottles in our Leisure Centres? Is this an intentional policy or something the Council might seek to change in the light of the obesity epidemic and our stated aim of cutting plastic waste?”***

Councillor Foster advised that Craven Leisure Centre provided a variety of products and only 3 of these were covered by the sugar tax. Its products were sold in plastic bottles, glass bottles and aluminium cans and all of these were recyclable.

In addition, the Council's vending supplier was undertaking a review, which was focussed on making its vending services healthier and to reduce the percentage of sugar in its vending machines. Its links with Skipton Triathlon also supported its focus on healthy eating.

Chairman



*The Chairman of Craven District Council*

(Councillor Wendy Hull)

**Civic Engagements**

During the period - June/July 2018

June

- **Saturday 16<sup>th</sup>** Dukes Waterloo Annual Dinner, Skipton Golf Club
- **Wednesday 20<sup>th</sup>** Civic Leaders Briefing, RAF Menwith Hill
- **Monday 25<sup>th</sup>** Flag Raising Ceremony – Armed Forces Week
- **Monday 25<sup>th</sup>** Summer Garden Party – High Sheriff of North Yorkshire, Scampston Walled Garden, Malton
- **Friday 29<sup>th</sup>** Grand Opening of Craven College £1.6m Animal Management Centre, Aireville Campus, Gargrave Road, Skipton

July

- **Sunday 1<sup>st</sup>** Flag Lowering Ceremony – Armed Forces Week
- **Thursday 12<sup>th</sup>** Civic Lunch – Great Yorkshire Show – In the Mayor's Pavilion
- **Friday 13<sup>th</sup>** North Yorkshire County Youth Orchestra Concert, Richard Whiteley Theatre, Giggleswick School
- **Friday 20<sup>th</sup>** Memorial Service – Lord Lieutenant Barry Dodd CBE, York Minister
- **Sunday 29<sup>th</sup>** Service of Celebration marking 70<sup>th</sup> anniversary of the funding of the NHS, Ripon Cathedral



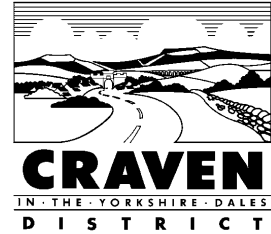
**NOT FOR PUBLICATION** as Appendix D is considered exempt by virtue of Category 3 (financial or business affairs of any particular Person (including the Council) of the Council's Access to Information Procedure Rules and Part 1 of Schedule 21A of the Local Government Act 1972 (as amended).

## AGENDA ITEM 6

### COUNCIL MEETING

7 August 2018

### Recommendations for Confirmation



#### Report of the Democratic Services Manager

**Ward(s) affected: Not applicable**

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 the following Committees have made recommendations which require confirmation by Council. Those recommendations are contained in the following minutes, the full text of which is set out within the appendices to this report.

#### **Policy Committee**

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

**19 June 2018**

POL.927	Capital Programme Outturn 2017/18
POL.928	Digitisation and Archiving Project
POL.929	Ings Beck and Gallow Syke (Skipton) Water Management Project
\$POL.931	Purchase of 6 Apartments for First Time Buyers

**24 July 2018**

POL.937	Final Outturn Revenue Budget Monitoring Report Quarter 4 2017/18
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3.2 Any Member 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** – Guy Close, Democratic Services Manager, Telephone (01756) 706226, E-mail: [gclose@cravenc.gov.uk](mailto:gclose@cravenc.gov.uk).

5. **Appendices**

Appendix A	POL.927	Capital Programme Outturn 2017/18
Appendix B	POL.928	Digitisation and Archiving Project
Appendix C	POL.929	Ings Beck and Gallow Syke (Skipton) Water Management Project
Appendix D <b>(Exempt)</b>	\$POL.931	Purchase of 6 Apartments for First Time Buyers
Appendix E	POL.937	Final Outturn Revenue Budget Monitoring Report Quarter 4 2017/18

POL.927

**Capital Programme Outturn 2017/18**

The Chief Finance Officer submitted a report which informed Members of the outturn position of the Council's capital programme for 2017/18 and the sources of financing.

**Recommended –**

- 1) That the Committee notes the outturn position of the 2017/18 capital programme.
- 2) That the Committee notes how the 2017/18 capital programme has been financed.
- 3) That the Committee confirms the carry forward of £4,704,299 for the continuation of 2017/18 projects in 2018/19.

POL.928

**Digitisation and Archiving Project**

The Chief Finance Officer submitted a report which sought approval for funding the supplementary capital estimate for digitisation of the Council's Archives.

**Recommended** – That the supplementary capital estimate of £96,000 to progress the digitisation of the Council's archive records to be funded from the IT reserve, be approved.

POL.929

**Ings Beck and Gallow Syke (Skipton) Water Management Project**

The Strategic Manager for Planning and Regeneration submitted a report which sought Member approval for the delivery of a scheme of works to reduce the potential occurrence of flooding to the west of Skipton and enable the development of land for employment by managing the conveyance of the watercourses known as Gallow Syke and Ings Beck in Skipton.

Members particularly thanked officers for their hard work, which it was noted had resulted in an increase in the allocation from the York, North Yorkshire and East Riding Local Enterprise Partnership (YNYER ELP) by £320,000 to £5million. This was in relation to the remediation of the Council's Waste Depot on Engine Shed Lane in readiness for the development of business space.

**Recommended –**

- (1) That the proposed scheme of works to improve and manage the conveyance of the watercourses known as Gallow Syke and Ings Beck in Skipton, as outlined in Section 4 of the report, be endorsed.
- (2) That subject to approval of recommendation (1) above, agrees to set aside an area of Council land, within the boundary of Aireville Park and to the north of Gargrave Road for flood management and habitat creation.
- (3) That subject to approval of recommendation (1) above, that the Director of Services is given delegated authority to seek the required consents from relevant statutory organisations to enable the Council to undertake the proposed scheme of works.
- (4) That subject to approval to recommendation (1) above, that the Director of Services in consultation with the Solicitor to the Council, is given delegated authority to enter into agreements, as required, with the relevant landowners and partner organisations for the delivery of the proposed scheme of works.
- (5) That a supplementary estimate of £400,000 be included in the Council's capital programme for the current financial year (2018/19) to be funded from the Local Growth Deal (Round 3) monies awarded by the York, North Yorkshire and East Riding Local Enterprise Partnership, be approved.

THIS ITEM IS NOT FOR PUBLICATION

POL.937

**Final Outturn Revenue Budget Monitoring Report Quarter 4**  
**2017/18**

The Chief Finance 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 2018.

The general fund reserve balance stood at £995k and this would assist in mitigating against the risk of unplanned movements from budgeted net expenditure levels, as well as the impact of changes in local government funding.

The Council had £6,956k in earmarked reserves as at 1<sup>st</sup> April 2017. Budgeted and in-year contributions of £2,471k less utilisation in 2017/18 of £2,210 and commitment for future years' use of £413k meant a balance of £5,922k. It was proposed that the Chief Finance Officer allocated the final revenue budget surplus to appropriate reserves for the funding of capital or revenue projects going forward.

It was forecast there would be a net underspend of £347k on services and corporate expenditure for the full financial year. The Council's share of additional rates retention income was £789k which included £348k from membership of the North Yorkshire Business Rates Pool to give a net surplus of £1,136k.

- Recommended** – (1) That, the outturn revenue budget monitoring position as at 31<sup>st</sup> March 2018 is noted.
- (2) That, £111,800 of the savings achieved this year and identified as green in Appendix B to the report now submitted is noted and that these savings are transferred to an earmarked reserve for support to the 2018/19 budget and beyond.
- (3) That, a revenue budget carry forward of £20,683 for completion of revenue commitments in 2018/19 as identified in Appendix D to the report submitted is confirmed.
- (4) That, the transfer of the balance of the revenue budget surplus to earmarked reserves is approved and the allocations are delegated to the Chief Finance Officer (S151 Officer).

**Council – 7 August 2018**

## **ANNUAL REVIEW OF THE CONSTITUTION**



Report of the Solicitor to the Council and Monitoring Officer

Lead Member – Internal Services: Councillor Dawson

1. **Purpose of Report** – To formally adopt amendments to the Craven District Council Constitution for the municipal year 2018/2019.
2. **Recommendations** – Members are recommended to:
  - 2.1 Approve the amendments to the Craven District Council Constitution 2018/19 as summarised in the report;
  - 2.2 Approve the introduction of mandatory training for all Members and substitute Members of the Council's Planning and Licensing Committees; and
  - 2.2 Authorise the Monitoring Officer to make the amendments to the Constitution and to publish the Craven District Council Constitution 2018/19.
3. **Report**
  - 3.1 The Council is required by the Local Government Act 2000 to prepare, and keep up to date, a constitution which explains how the Council operates; how decisions are made and the procedures which are to be followed to ensure that decision making is transparent and accountable.
  - 3.2 The terms of reference of Audit and Governance Committee include responsibility for maintaining the Constitution and the terms of reference of Standards Committee include responsibility for regularly reviewing the local codes and protocols contained within the Constitution at Part 5. However, it is the Council Meeting which must adopt and make any fundamental changes to the Constitution.
  - 3.3 One of the responsibilities of the Monitoring Officer is to keep the Constitution up to date and also to ensure that the Constitution is widely available for reference.
  - 3.4 Changes to the Constitution are made throughout the year by the Council and during 2017/18 the following changes were made:
    - I. The Policy and Budget Framework (Article 4) updated;
    - II. Minor amendments and additions made to the Scheme of Delegation to Officers.



- 3.5 The Monitoring Officer has undertaken a 'light touch' review of the Constitution and is proposing a small number of minor changes to ensure that the Constitution is accurate and fit for purpose. Due to the large size of the Constitution, it has not been circulated with the agenda, but is available on the Council website or by contacting Democratic Services.

**Proposal to Introduce Mandatory Training for all Members and Substitute Members of the Council's Planning and Licensing Committees**

- 3.6 Training for Members who sit on regulatory committees is not currently mandatory at a national level but is good practice and in fact, is compulsory in many local authorities, including the Yorkshire Dales National Park Authority. At Craven District Council, training for Members has traditionally been informal and taken the form of briefings, policy updates and organised training sessions on specific topics.
- 3.7 In September 2017, Standards Committee considered a report about appropriate training for Members of Planning Committee. Whilst the Committee accepted that training was not a legal requirement it was however concerned about the number of complaints being made about the conduct of members of Planning Committee and approved a formal training programme. Standards Committee was also keen that the introduction of mandatory training be explored.
- 3.8 Both Planning Committee and the Licensing and Appeals Sub-Committee undertake a *quasi-judicial* role requiring Members to balance relevant evidence with material and policy considerations. Whilst no officer has the authority to prevent a Member who has been duly appointed to a Committee, from sitting as a Member of that Committee, it is correct to say that a Council whose relevant members are untrained, is at risk of its decisions being struck down by the courts on judicial review.
- 3.9 The importance of planning training for Members has been consistently highlighted in national reports and reviews of the planning system.

*"Planning legislation is complex and it is essential that councillors have adequate training to enable them to apply the rules in a proper way to applications .... all members of an authority's planning committee should receive training in the planning system, either before serving on the committee, or as soon as possible after their appointment to the committee."*

**Report of the Nolan Committee on Standards of Conduct in Local Government in England, Scotland and Wales (1997)**

*"The LGA endorses to the good practise of many councils which ensures that their members receive training on the planning process when first serving on the planning committee. It also recommends that members be updated regularly on changes to legislation or procedures. Such training is essential for those members involved in making decisions on planning applications and on local development documents. Authorities should provide training on the planning process for all members."*

**Local Government Association, Probity in Planning (2009, Revised 2013)**

3.10 It is proposed that mandatory training is introduced for all Members and substitute Members of the Council's regulatory committees (Planning and Licensing Committees) and that the Council Procedure Rules are expanded to include the paragraphs on Member training detailed in the attached Appendix.

4. **Implications**

4.1 **Financial and Value for Money (vfm) Implications** – There are no specific financial implications arising from the amendments set out in this report.

4.2 **Legal Implications** – The Local Government Act 2000 requires the Council to have and maintain a written Constitution which includes the Council's procedure rules, codes of conduct and such other information as the Council considers appropriate.

The training and development of all members sitting on the Council's regulatory committees is essential in ensuring that those members are up to date regarding legal and policy considerations relevant to the decisions they are asked to make. It also limits the potential for legal challenge.

4.3 **Contribution to Council Priorities** –

4.4 **Risk Management** – Regularly reviewing and updating the Constitution ensures that the Council is able to operate effectively and efficiently and supports the delivery of the Council Priorities.

4.5 **Equality Analysis** – The Council's Equality Impact Assessment procedure does not apply to this report as there are no changes to any policy.

5. **Consultations with Others** – Corporate Leadership Team, Member Support Manager.

6. **Access to Information : Background Documents** –

7. **Author of the Report** – Annette Moppett, Solicitor to the Council and Monitoring Officer; telephone: 01756 706325; e-mail: amoppett@cravenc.gov.uk

Note : Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

8. **Appendix** – proposed paragraphs on Member Training

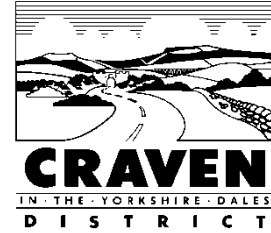
Appendix**Member Training****Planning Committee**

- a) Any new Member (or Substitute Member) appointed to Planning Committee shall, **before their first attendance at the Committee**, attend as a minimum, an in-house Planning Committee training course. Failure to do so will automatically disbar the Member from taking any part in the decision-making process of the Committee until the Member has attended the required training.
- b) Continued membership of the Planning Committee will require refresher training to be undertaken by all members of that Committee **every twelve months**. This refresher training will cover new developments in development control practice, procedure, guidance, case law and conduct. Failure to attend the refresher training will disbar the Member from participating in any debate and/or decisions by the Planning Committee until the refresher training has been undertaken.

**Licensing Committee**

- a) Any new Member (or Substitute Member) appointed to Licensing Committee shall, within **three months** of joining the Committee, attend a Licensing Committee training course. Failure to do so will automatically disbar the Member from taking part in any meeting of the Licensing and Appeals Sub-Committee until the Member has attended the required training.
- b) Continued membership of the Licensing Committee will require refresher training to be undertaken by all members of that Committee every **two years**. This refresher training will cover new developments in licensing practice and conduct. Failure to attend the refresher training will disbar the Member from taking part in any debate and/or decisions by the Licensing and Appeals Sub-Committee until the refresher training has been undertaken.

**Council – 7 August 2018**



## **DELEGATION OF POWERS TO THE STRATEGIC MANAGER FOR PLANNING AND REGENERATION IN RESPECT OF THE LOCAL PLAN**

Report of the Legal Services Manager

Ward(s) affected: All

1. **Purpose of Report** – To consider the delegation of powers to the Strategic Manager for Planning and Regeneration, in connection with the Independent Examination of the Craven Local Plan.
2. **Recommendation** – Members are recommended to:
  - 2.1 Provide delegated authority to the Strategic Manager for Planning and Regeneration to make minor amendments to the Craven Local Plan, Submission Policies Map and any associated and supporting documents.
  - 2.2 Provide delegated authority to the Strategic Manager for Planning and Regeneration to agree major modifications for publication and further consultation as may be necessary through the Independent Examination process.
  - 2.3 To request that the Strategic Manager for Planning and Regeneration provides specific written authorisation to the Inspector on behalf of the Council (in advance of the hearing sessions for the Independent Examination Process) under section 20(7C) of the Planning and Compulsory Purchase Act 2004, so as to enable the Inspector to recommend to the Council such modifications as in his opinion are considered necessary to ensure that the plan is sound and satisfies the requirements of section 20(5)(a) of the Planning and Compulsory Purchase Act 2004.
3. **Background**
  - 3.1 On 19 December 2017, the Council authorised the Strategic Manager for Planning and Regeneration to make amendments to the Craven Publication Plan, Submission Policies Map and supporting documents prior to the submission of the same to the Secretary of Communities and Local Government.
  - 3.2 This report seeks authority to extend this delegation to operate through the Independent Examination process, so that minor amendments may be made as appropriate. It is anticipated that this would facilitate an efficient running of the independent examination process that is due to commence in October 2018.

- 3.3 This report also seeks authority to enable the Strategic Manager for Planning and Regeneration to agree major modifications for consultation, as may be considered necessary during the Independent Examination process.
- 3.4 The Inspector is empowered under section 20(7C) to recommend modifications to the Local Plan, in order to ensure it is sound and complies with regulations, but may only do so if specifically requested by the Local Planning Authority. This report seeks authority to allow the Strategic Manager for Planning and Regeneration to make such a request on behalf of the Council.
- 3.5 The Strategic Manager for Planning and Regeneration shall provide an update report to the Spatial Planning sub-committee at the conclusion of the hearing sessions. Officers shall consult with the Chair of the Spatial Planning sub-committee whenever it is feasible to do so and in any event, shall keep him informed of all key developments in respect of the progress of the examination process.
- 4.1 **Financial Implications** – None
- 4.2 **Legal Implications** – The requirements of the Independent Examination are set out in statute and regulation. The purpose of the recommendation is to ensure that the Council has the flexibility to make minor amendments and agree potential main modifications for publication and consultation, and to enable the Inspector to recommend any main modifications he considers to be necessary for soundness/legal compliance reasons, so as to enable the efficient running of the examination process.
- 4.3 **Contribution to Corporate Priorities** – The adoption of the Craven Local Plan is of considerable importance to the Council as it shall ensure a modern and up to date local planning policy framework, within which individual planning decisions can be taken.
- 4.4 **Risk Management** – None
- 4.5 **Equality Analysis** – Not applicable
- 5 **Consultation with others** – None
- 6 **Access to Information** – None
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