



## ORDINARY MEETING OF THE COUNCIL

Tuesday, 13 October 2020 at 6.30pm

(Online meeting)

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

(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

Please note that due to Covid-19, this meeting will be held remotely and will be livestreamed here: <https://www.youtube.com/channel/UCdfb6ZRbYnZ1-rRiILmjUwg>

1. **Apologies for absence** – To receive any apologies for absence.
2. **Minutes** – To confirm the minutes of the Annual Council and the Ordinary Council meetings held on 5 August 2020.
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. **Recommendations for Confirmation** – Minutes containing recommendations for debate and confirmation by Council arising from meetings of Committees.
6. **Constitution 2020/21** – To receive a report from the Solicitor of the Council and Monitoring Officer presenting amendments to the Craven District Council Constitution.
7. **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.
8. **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.
9. **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 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.)
10. **Any other items** which the Chairman decides are urgent in accordance with Section 100B(4) of the Local Government Act, 1972.

**11. Date of Next Meeting** – Tuesday, 15 December 2020 at 6.30pm

**Agenda Contact Officer:**

Guy Close, Democratic Services Manager

Tel: (01756) 706226

E-mail: [gclose@cravenc.gov.uk](mailto:gclose@cravenc.gov.uk)

## **ANNUAL COUNCIL MEETING**

**5 August 2020**

**Present** – The Chair (Councillor Whitaker) and Councillors Barrett, Brockbank, Brown, Foster, Handley, Harbron, Heseltine, Hull, Ireton, Jaquin, Lis, Madeley, Metcalfe, Moorby, Morrell, Mulligan, Myers, Noland, Place, Pringle, Rose, Shuttleworth, Solloway, Staveley, Sutcliffe, Welch and Wheeler.

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

Start: 6.35pm

Finish: 7.10pm

**Apologies for Absence** – Apologies for absence were submitted by Councillors Mercer and Pighills.

**Declarations of Interest** – There were no declarations of interest.

CL.1164

### **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.1165

### **THANKS TO OUTGOING CHAIRMAN**

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

CL.1166

### **ELECTION OF CHAIRMAN OF THE COUNCIL**

**Resolved** – That Councillor Harbron be elected Chairman of the Council for the 2020-2021 municipal year.

CL.1167

### **DECLARATION OF ACCEPTANCE OF OFFICE BY THE NEW CHAIRMAN**

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

**(Councillor Harbron in the Chair)**

CL.1168

### **ANNOUNCEMENT OF CHAIRMAN'S CONSORT**

Annabel Heseltine was confirmed as the Chairman's Consort for the 2020/21 municipal year.

CL.1169

**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. His chosen charity for the 2020/21 municipal year was Take Heart, the charity of the Yorkshire Heart Centre.

CL.1170 **ELECTION OF VICE-CHAIRMAN FOR THE 2020/21 MUNICIPAL YEAR**

**Resolved** – That Councillor Sutcliffe is elected Deputy Chairman for the 2020/2021 municipal year.

CL.1171 **DECLARATION OF ACCEPTANCE OF OFFICE BY NEW VICE-CHAIRMAN**

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

CL.1172 **RECOMMENDATIONS OF SELECTION COMMITTEE**

Recommendations of Selection Committee held on 30 July 2020 were submitted:

(For each minute, the motion was proposed and seconded "That the recommendations in the Minute are confirmed".)

- a) Minute SEL.102 – Allocation of Committee Places for Committees, Sub-Committees and Panels 2020/21

**Resolved** – That the recommendations at Minute SEL.102 are confirmed.

- b) Minute SEL.103 – Appointment of Office Holders, Lead Members and Member Champions 2020-21

**Resolved** – That the recommendations at Minute SEL.103 are confirmed.

- c) Minute SEL.104 – Appointments to Outside Bodies

**Resolved** – That the recommendations at Minute SEL.104 are confirmed.

Chairman

## **COUNCIL MEETING**

**5 August 2020**

**Present** – The Chair (Councillor Harbron) and Councillors Barrett, Brockbank, Brown, Foster, Handley, Heseltine, Hull, Ireton, Jaquin, Lis, Madeley, Metcalfe, Moorby, Morrell, Mulligan, Myers, Noland, Place, Pringle, Rose, Shuttleworth, Solloway, Staveley, Sutcliffe, Welch, Wheeler 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 and Democratic Services Manager.

Start: 7.10pm

Finish: 9.10pm

**Apologies for Absence** – Apologies for absence were submitted by Councillors Mercer and Pighills.

**Minutes** – The minutes of the Council meeting held on 25 February 2020 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. 1173     **DEVOLUTION FOR NORTH YORKSHIRE AND YORK**

The Chief Executive submitted a report, which sought approval for the submission of the devolution proposal to Government for North Yorkshire and the City of York.

The following information was appended to the report:

- Letter from all York and North Yorkshire Leaders dated 13 February 2020
- Draft timetable
- A Mayoral Devolution Deal for York and North Yorkshire – Summary of proposals (July 2020)
- Mayoral Devolution Deal for York and North Yorkshire – Full devolution proposals (July 2020).

One Member sought clarification about the financial information associated with the proposals. The Chief Executive undertook to contact the Local Enterprise Partnership's (LEP's) Chief Operating Officer, James Farrar, and report back to Members with a response.

### **Resolved –**

- (a) That the contents of the report and appendices are noted.
- (b) That submission of the proposal to government (attached as an appendix to the report) is approved and to delegate to the Chief Executive in consultation with the Leader of the Council, authority to make any minor amendments required following feedback from each constituent authority.

(Councillor Madeley left the meeting at 7.30pm during the consideration of this item.)

CL.1174

### **RECOMMENDATIONS FOR CONFIRMATION**

Recommendations of Standards Committee held on 11 March 2020, Audit and Governance Committee held on 29 June 2020 and Policy Committee held on 28 July 2020 were submitted.

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

- STN.371 – Member and Officer Protocol

**Resolved** – That the recommendations at Minute STN.371 are confirmed.

- AC.380 – Review of Procurement Policies and Procedures

**Resolved** – That the recommendations at Minute AC.380 are confirmed.

- POL.1070 – Welcome to Yorkshire – Request for Emergency Funding

**Resolved** – That the recommendations at Minute POL.1070 are confirmed.

- POL.1071 – Decarbonising Skipton: Green Future for Public Buildings and the Greatwood Estate.

**Resolved** – That the recommendations at Minute POL.1071 are confirmed.

- POL.1072 – Support for Settle Swimming Pool

**Resolved** – That the recommendations at Minute POL.1072 are confirmed.

- POL.1073 – Update on Skipton Town Hall Redevelopment

**Resolved** – That the recommendations at Minute POL.1073 are confirmed.

CL.1175

### **SUMMARY OF DECISIONS TAKEN BY THE CHIEF EXECUTIVE DURING THE COVID-19 OUTBREAK**

The Solicitor to the Council and Monitoring Officer submitted a report, which informed Council of the urgent decisions taken by the Chief Executive during the Covid-19 pandemic.

**Resolved** – That the urgent decisions taken by the Chief Executive (or his authorised deputy) between 26 March 2020 and 1 June 2020, are noted.

CL.1176

### **STATEMENT FROM THE LEADER OF THE COUNCIL**

The Leader of the Council thanked staff for all their hard work in responding to challenges faced by the Covid-19 pandemic.

Members were advised that a considerable amount of time and effort had been spent recently on Local Government Reorganisation. Further information and updates were to be provided in due course.

CL.1177

**STATEMENT FROM LEAD MEMBERS, CHAIRMEN OF  
COMMITTEES AND COUNCIL REPRESENTATIVES  
ON OUTSIDE BODIES**

Councillor Brockbank reported that it was her last meeting as Lead Member for Internal Services before commencing her role as Chair of Planning Committee. It was reported that to date, 19 out of the 30 Councillors had made the transition from i-Pad to laptop. Councillor Brockbank thanked staff in IT for their hard work managing and assisting with the transition.

Councillor Mulligan provided a brief overview on income losses as a result of the Covid-19 pandemic. An update was also provided on government grants available to support local authorities cover additional losses. A further update was to be provided to the September Policy Committee meeting.

Councillor Jaquin submitted a question to Councillor Foster, Leader of the Council and Lead Member for Affordable Housing, as follows:

"Following the 6 July Craven District Council (CDC) press release, headlined 'Bumper Year For New Rural Affordable Homes', I was disappointed that the press release reported that 370 homes, which were completed in the 12 months up to April 2020, only included two shared-ownership homes in Craven, at Laurel Croft, Embsay. Councillor Foster, speaking on behalf of regional housing providers, went on to say that he was 'really encouraged to see such a large number of new rural affordable homes.'

I was disappointed that there were only two affordable homes in Craven, but 345 in Harrogate and smaller numbers in other parts of North Yorkshire. As CDC are the planning authority, strategic housing authority and construction partner, I would like the Lead Member for Affordable Housing to outline any positive action by CDC to solve or at least alleviate the reported lack of affordable housing throughout Craven."

The following response was provided by Councillor Foster:

"47 affordable homes were completed in Craven in 2019/20. The figure would have been slightly higher were it not for Covid-19, which delayed sign off of four homes in Glusburn.

Each local authority was asked to submit a case study highlighting achievements. CDC chose to focus on two new build houses at Embsay, which will be offered for sale on a shared ownership basis. Available from as little as 25% of market value, these homes are great news for local first time buyers, giving them a chance to get on the property ladder in this high demand area.

For a number of years now, national policy has focussed on mixed tenure sites to deliver affordable homes. Sites below 11 dwellings have been exempt from this requirement.

Craven's Local Plan requires 30% of most sites of this size to be affordable (25% on previously developed land). This figure is supported by its evidence base (SHMA 2015) as



addressing 'a considerable proportion of annual affordable need'. Since 2015, sites of 11 dwellings and over have delivered a total of 679 new homes in Craven, 254 of which been affordable. At 37.4%, this is well above the SHMA requirement.

The number of new affordable homes will increase as planning permissions are granted. Following adoption of the Local Plan, a number of allocated sites are now under development. 243 affordable homes are currently on site and are expected to complete over the next two years, with more in the pipeline.

Work also continues to supplement these with 100% affordable housing schemes on small council owned sites (wherever viable), with two applications at Bentham to be considered by Planning Committee on 17 August 2020. In addition, discussions are underway with a number of landowners, agents and Registered Providers over the potential for sites that were not allocated in the Local Plan to be developed as affordable housing. This includes offering financial assistance to community led housing groups."

Councillor Staveley reported that the Select Committee had recently met to consider it's work programme for the forthcoming municipal year. The main areas of focus were likely to be on the impact of Covid-19 on council services and a review of building control. The Select Committee had also approved its Annual Report for 2019-20, which highlighted some of the Committee's key achievements over the course of the municipal year.

(Councillor Noland left the meeting at 8.40pm during the consideration of this item.)

CL.1178

**GENERAL QUESTION / STATEMENT TIME**

The following question was submitted by Councillor Brown to Councillor Foster, Leader of the Council:

"How much has Craven District Council spent on consultants and on legal advice in recent financial years?"

The Leader of the Council advised that a written response was to be provided in due course. (To assist with the response, Councillor Brown had been asked to set some parameters for the question, for example, the number of financial years for specific service areas and whether it included externally funded projects.)

Chairman

## ORDINARY COUNCIL MEETING

13 October 2020

## Recommendations for Confirmation



### Report of the Democratic Services 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 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:

**11 August 2020**

POL.1074	Final Outturn Revenue Budget Monitoring Report – Quarter 4 – 2019/20
POL.1075	Capital Programme Outturn Report – 2019/20

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

5. **Background documents** – None

6. **Appendices**

Appendix A	POL.1074	Final Outturn Revenue Budget Monitoring Report – Quarter 4 – 2019/20
Appendix B	POL.1075	Capital Programme Outturn Report – 2019/20

POL.1074

**FINAL OUTTURN REVENUE BUDGET MONITORING**  
**REPORT – Q4 – 2019/2020**

The Leader of the Council introduced the report which advised Members of the revenue budget position of the Council, based on the Quarter 4 review of income and expenditure to the end of March 2020.

Members noted the forecast budget underspend of £342k for the full financial year based on the March budget monitoring exercise. £83k of the underspend was within the Net Cost of Services and £259k within the corporate costs (within which there was also a significant underspend of £192k due to revised MRP policy).

Members raised various questions in relation to additional costs regarding Enterprising Craven, staffing pressures and agency staff members, the Planning process, the possible re-appraisal of income savings (with Covid-19 in mind), the £180,000 earmarked reserves and shared ownership housing which were addressed by the Chief Finance Officer, Director of Services and Chief Executive.

**RECOMMENDED –**

- (1) That, the outturn revenue budget monitoring position as at 31 March 2020 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 are to be transferred to an earmarked reserve for support to the 2020/21 budget and beyond.
- (3) That, a revenue budget carry forward of £28,790 for completion of revenue commitments in 2020/21 as identified in Appendix F to the report now submitted is approved.
- (4) That, the transfer of the balance of the revenue budget surplus to earmarked reserves is approved and that the allocations are to be delegated to the Chief Finance Officer (S.151 Officer).

POL.1075

**CAPITAL PROGRAMME OUTTURN REPORT – 2019/2020**

The Chief Finance Officer presented a report which informed Members of the outturn position of the Council's Capital Programme for 2019/20 and the sources of finance.

Members noted the £5,036k slippage which was to be carried forward into the 2020/21 programme for the continuation of 2019/20 projects. Managers of projects on which expenditure totalling £2,809,256 had been committed but not fully defrayed or commenced, had submitted requests for this to be carried forward to 2020/21 (included the total slippage - £8,692k).

Members discussed the report and posed several questions (including the progress of the programme review in relation to slippage) which were addressed by the Chief Finance Officer and the Director of Services.

**RECOMMENDED –**

- (1) That, the outturn position of the 2019/2020 capital programme and how the programme has been financed is noted.
- (2) That, the carry forward of £5,035,086 for the continuation of 2019/2020 projects in 2020/2021 is approved.

**Council – 13 October 2020**

**CONSTITUTION 2020/2021**



Report of the Solicitor to the Council (Monitoring Officer)

Lead Member for Internal Services – Councillor Metcalfe

1. **Purpose of Report** – To formally adopt the Craven District Council Constitution for the municipal year 2020/2021.
2. **Recommendations** – Members are recommended to:
  - 2.1 Note the amendments made to the Constitution during the 2019/2020 municipal year; and
  - 2.2 Formally adopt the Constitution for 2020/2021 and authorise publication.
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 2019/2020 the following changes were made:
    - I. The addition of Supplemental Council Procedure Rule 28 to enable remote meetings (minute CL.1175);
    - II. Climate Emergency Strategic Plan adopted and added to the Policy and Budget Framework (minutes POL.1052 & CL.1171);
    - III. The Policy and Budget Framework (Article 4) updated;
    - IV. The Council's Procurement Policies and Procedures were reviewed and updated (minutes AC.380 & CL.1174);

- V. The terms of reference of the Craven Spatial Planning Sub-Committee updated;
- VI. The Member and Officer Protocol was reviewed and updated (minutes STN.371 & CL.1174).

3.5 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.

#### 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.

4.3 **Contribution to Council Priorities** – Accountable and transparent decision making contributes to the delivery of the Council's 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, Democratic Services Manager.

6. **Access to Information: Background Documents** – None.

7. **Author of the Report** – Annette Moppett, Solicitor to the Council and Monitoring Officer; Telephone: (01756) 706325; e-mail: [amoppett@cravenc.gov.uk](mailto: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** – None.