

**MINUTES OF THE COUNCIL OF THE BOROUGH OF HARROGATE
HELD AT STUDIO 1, HCC, HARROGATE
ON 7 JULY 2021
(FROM 5.00 PM TO 7.29 PM)**

PRESENT: Councillor Trevor Chapman in the Chair. Councillors Chris Aldred, Philip Broadbank, Nick Brown, Rebecca Burnett, Mike Chambers, Jim Clark, Richard Cooper, John Ennis, Michael Harrison, Paul Haslam, Sid Hawke, Phil Ireland, Steven Jackson, Sue Lumby, Stanley Lumley, John Mann, Pat Marsh, Stuart Martin, Pauline McHardy, Nigel Middlemass, Ann Myatt, Tim Myatt, Victoria Oldham, Andrew Paraskos, Alex Raubitschek, Matt Scott, Nigel Simms, Graham Swift, Norman Waller, Tom Watson, Matthew Webber and Christine Willoughby.

Late Arrivals: Councillor Nick Brown at 5.33 pm

Early Departures: Councillor Michael Harrison at 7.10 pm
Councillor Stuart Martin at 7.15 pm
Councillor Nick Brown at 7.19 pm
Councillor Nigel Simms at 7.19 pm
Councillor Sid Hawke at 7.20 pm
Councillor Pauline McHardy at 7.20 pm
Councillor Rebecca Burnett at 7.21 pm
Councillor Jim Clark at 7.24 pm

08/21 - **APOLOGIES FOR ABSENCE:** Apologies for absence had been received from Councillors Margaret Atkinson, Bernard Bateman, Ed Darling, Sam Gibbs, Zoe Metcalfe, Norman Waller and Robert Windass.

09/21 – **URGENT BUSINESS:** There was no urgent business.

10/21 - **DECLARATIONS OF INTEREST:** Councillor Chris Aldred declared an interest in respect of Minute 20/21(3) as he was a member of Unison. Councillor Trevor Chapman advised that he had declared an interest at Licensing Committee in respect of Minute 20/21(2). Both the Councillors remained in the meeting room and took part in the vote on the items.

11/21 – **EXEMPT INFORMATION:** There was no exempt information.

12/21 – **MINUTES:**

Moved by Councillor Richard Cooper

Seconded by Councillor Graham Swift

and **RESOLVED:**

That the Minutes of the meeting of Council held on 21 April 2021 be approved as a correct record.

Moved by Councillor Richard Cooper

Seconded by Councillor Graham Swift

and **RESOLVED:**

That the Minutes of the Annual meeting of Council held on 28 April 2021 be approved as a correct record.

13/21 – COMMUNICATIONS:

01. **Members' Long Service Awards:** The Mayor advised that Councillors John Ennis, Pauline McHardy and Tom Watson had completed ten years' service to the Council and the community in their wards in 2020 and Councillors Mike Chambers, Phil Ireland and Steven Jackson had completed ten years' service this year. The Councillors then stepped forward to receive their long service certificates and Council showed its appreciation for the Councillors.
02. **Staff Awards Event:** The Mayor reported that he had attended the Council's combined Staff Awards event which celebrated long serving staff and those shortlisted under the new STARS scheme. The Mayor congratulated those staff involved.

The winners for each category of the STARS scheme were:

Employee of the Year: Matt Stirk, Senior Technical Officer

Young Person of the Year: Anna Greenshaw, Technical Officer

Manager of the Year: Ann Byrne, Partnerships and Engagement Manager

Team of the Year: Bereavement Services

People's Choice: Jamie Sheffield, Operations Manager, Housing and Construction

03. **Harrogate Town Football Club:** The Mayor congratulated Harrogate Town on winning the FA Trophy at Wembley on 3 May, when they beat Concord Rangers 1-0 and wished them every success for the coming season.

14/21 – PUBLIC ARRANGEMENTS – PETITIONS: No petitions had been received.

15/21 – PUBLIC ARRANGEMENTS – QUESTIONS: The Mayor advised that he had received notification of three written questions under Standing Order 27. He first called upon Samantha French to ask her question of the Cabinet Member for Culture, Tourism and Sport.

(1) Question to the Cabinet Member for Culture, Tourism and Sport from Samantha French

The tourist information centre that was located at the Library in Knaresborough and those across the District do a very important and valuable job in promoting attractions to both residents and visitors.

Can the cabinet member for Culture Tourism and Sport please explain why Knaresborough Tourist Information Centre has not been able to open this summer, surely the UK staycation market will be considerably larger due to COVID foreign travel restrictions?

Response:

I'd like to thank Samantha French for her question.

The information service we provide for visitors and residents is wide ranging, from the directly managed Tourist Information Centres in Harrogate, Ripon and Knaresborough to the support we provide to community information points in Pateley Bridge, Masham and Boroughbridge. We also built and maintain the excellent Visit Harrogate website which welcomed over 180,000 visitors in June alone, where three of the top 10 searches were around Knaresborough.

Knaresborough Tourist Information Centre last opened at the library on Friday 20th March 2020 as we then closed all our venues to the public just prior to the first COVID lockdown. We had already committed to moving the Tourist Information Centre to the Courthouse Museum at Knaresborough Castle and due to the confined historic nature of the museum building it has been impractical to open safely under the prevailing covid restrictions.

We are planning to re-open the TIC and castle on Monday 19 July, subject to the confirmation of relaxing of covid restrictions.

We are still supplying the library with maps so they're able to provide for any visitors making enquiries for them.

2. Question to the Cabinet Member for Culture, Tourism and Sport from Christopher Watt

Given that most other Council swimming facilities have re-opened after COVID related closures, including Ripon, which is in a similarly old building, and that the Council has committed significant resources to enabling Knaresborough Pool to re-open, and considering that he told Councillors in April 2021 that he planned to re-open Starbeck Baths the following month, for what specific reasons Starbeck Baths still remains closed and when he expects them to re-open?"

Response:

Thank you Mr Watt for your question. Due to the unique layout of Starbeck Baths and the Government's social distancing measures we have been unable to open the baths like we have for some of our other facilities. We are hopeful that the announcement by the Prime Minister on Monday means that these restrictions will be lifted from the 19th of July and we can reopen Starbeck Baths from this date. The opening hours will be announced in the coming days and will be different due to a number of vacant positions we are working hard to fill. Sadly like many other job roles there has been a shortage of lifeguards nationally and we have been working hard to fill these roles so that all our pools can open safely. This is also coupled with the fact that if any of the staff get notification from the NHS test and trace app to self-isolate then they must do so. For many of us that doesn't represent a problem as we can work from home but for our leisure centre staff this isn't possible and it has an unavoidable impact on the services we provide. Rest assured we are doing everything we can to ensure our services can safely return to normal as soon as possible.

3. Question to the Leader from Peter Lilley

Cllr Cooper, as Leader, you are ultimately responsible for ensuring this Council fully upholds the principles of openness, transparency & full accountability.

Perhaps you can explain then why these principles don't appear to have been adhered to in relation to HBC's decision in November last year to award a £165,000 contract for a new Visit Harrogate website?

The decision was made behind closed doors by Cabinet member Cllr Stanley Lumley and bypassed the Council's normal tendering process. Also, despite its constant advice to residents that we should all shop locally, HBC did no such thing itself. It failed to undertake any serious market research, ignored all local and regional companies; and instead, appointed a Suffolk-based website design firm to handle the project.

The Council's excuse that the decision had to be rushed through "because of Covid" would appear to be completely spurious. HBC would have been well aware that Visit Harrogate's contract with its existing website provider expired on March 31, 2021 and therefore should have been making plans for a new website long before Covid reared its head.

As for the Council seeking to give the impression it wasn't really involved in Visit Harrogate's affairs until the tourism operation was moved back under HBC control in April 2020, this is disingenuous. Cllr Lumley sat on the Visit Harrogate board while HBC Chief Executive Wallace Sampson attended VH board meetings as advisor (although he now denies this title) so the two of them should have been fully aware of all strategic decisions being planned.

There are several still unanswered questions in relation to this matter – which raises another question. If there's nothing to hide, why have three senior officers (Mr Sampson, Ms Joyce and Ms Norton) been quite so obstructive and unhelpful in providing full and credible answers? Will you now commit to the Council answering all outstanding questions on this matter? If not, why not?

Response:

Mr Lilley has I think three questions in his statement. In the circumstances he outlines in paragraph two I think the Nolan principles have been adhered to. In paragraph six he asked me why officers have been obstructive and unhelpful; I don't think they have been obstructive and unhelpful. Finally in paragraph six he asked if I will commit to providing full and credible answers. Full and credible answers have already been provided to him by officers. None of the correspondence is confidential and so if Mr Lilley wants to put it all in the public domain, in addition to his summary which reflects only his view of the matter, people who are interested in his correspondence can form their own view.

16/21 – **ACCOUNTABILITY OF THE EXECUTIVE AND COMMITTEE CHAIRS:**
The Mayor advised that in accordance with Standing Order 12(9) three written

questions had been received and which would, in accordance with the Standing Order, be dealt with as the first questions under this item. He would then invite verbal questions of the Executive Members and Committee Chairs from other Members of the Council.

As required under Standing Order 12, the Leader and Cabinet Members submitted details of their primary portfolio objectives for 2021/22 as referred to at Minute 22/21 and the Mayor also invited questions in respect of the objectives.

1. Question to the Cabinet Member for Housing and Property from Councillor Matthew Webber

How many empty properties in the District are the officers within his department monitoring, and how many empty properties have been brought back into use as homes in the last 2 years.

Response:

The Empty Homes Officer post became full time, having previously been a part time role, in March 2019. At that time, there were 911 empty properties in the district in the total, 686 of which had been empty for six months plus. These comprised:
461 empty for six months - two years
130 empty for two years - five years
37 empty for five years - ten years
32 empty for ten years plus

The Empty Homes Officer monitors all homes empty for six months plus and prioritises these homes for action. The majority of empty homes will come and go with the ebb and flow of the housing market, certainly those empty for up to six months (transactional voids). Many of the homes empty for six months to two years too will be undergoing refurbishment or conversion.

Homes empty for two years or more are defined as the 'problematic empties', i.e. those that typically have more complex reasons for being empty. A council tax premium is applied at two years plus, to help encourage return to use. At the same time, the focus of the council's Empty Homes Strategy is to target those homes that have been empty the longest, are in the greatest disrepair and/or generate the most complaint. They have the greatest impact on our communities and are often hotspots for anti-social behaviour. There is no quick fix to resolving these long term empties – but we work constantly to ensure that those that we can are brought back into use and for instance I know that we've bought two, one of which wasn't too badly dilapidated was brought up and sold off, and one of which we have bought and are taking on board in the HRA to be refurbished and let again as social rented housing.

As at 6 July 2021, the number of homes empty for 5 years or more had fallen by 27% from 95 in March 2019 to 69, including a fall of six in those empty for ten years or more, from 38 to 32. This achievement should not be underestimated and has followed direct and sustained intervention by the Empty Homes Officer. I think it emphasizes that our strategy is working and that people who are leaving homes in such a state or choose to leave homes in such a state are getting the message that

we do monitor and that we are prepared to take enforcement action where necessary. I'm also aware that these figures will have changed particularly over the last few months and I will ask the Empty Homes Officer to give you an update and provide you with the updated figures.

2. Question to the Cabinet Member for the Environment, Waste Reduction and Recycling from Councillor Chris Aldred

As Council has not met since April, would the Cabinet Member take this Opportunity to fully brief Councillors on the decision making process surrounding the installation - and subsequent removal - in May, of Plastic Grass in various locations across Harrogate Town Centre, which attracted both negative Media attention for the Town & Council, as well as substantial public protest and petitions? In his opinion, what are the lessons to be learned from this sorry saga?

Response:

The raised planters in the centre of Harrogate had been the subject of numerous complaints over the years and the surfacing was a way of making them look tidy and controlling weeds whilst ensuring the trees planted in them continued to thrive. As the press release issued at the time stated, we got things wrong and quickly removed the artificial grass when we realised the public didn't support this approach.

The situation showed the passion local people have for the Harrogate town centre as well as concerns for the environment and biodiversity. Moving forward we will ensure we consider this in changes to these areas and also look for new and innovative ways to include more environmental measures and biodiversity support within our town centres.

As a supplementary question Councillor Aldred asked the Cabinet Member to comment on the Council's understanding of horticulture, consultation or partnership. The Cabinet Member responded that the surface was designed to keep weeds under control, but was moved quickly in response to the public reaction. They were keen to try new ideas and move forward.

3. Question to the Cabinet Member for Culture, Tourism and Sport from Councillor Philip Broadbank

Could you please provide the Council with an update on the position of Starbeck Baths and give a firm date for its re-opening to the public.

In asking the question Councillor Broadbank noted that a response had largely been provided earlier in the meeting under public questions, but he was particularly interested in the condition of the building.

Response:

Thank you for the question Councillor Broadbank. It repeats a previous question but there is a slight difference. You will have received a press release today outlining our position and I'm pleased to announce Knaresborough swimming pool will be

open from next Monday the 12th of July and that Starbeck baths will open from the 19th of July, the following Monday if social distancing restrictions are lifted. I've explained in my previous response to Mr Watts about recruitment and I would like to reassure you that we're doing everything we can to fill those roles. We also plan on creating a balanced timetable between all our facilities so that we can operate safely and offer everyone across the Harrogate district the opportunity to go and swim. These temporary timetables will be publicized and updated as the situation changes and resources allow to give our customers the best opportunity to plan their visits. With regard to the building, yes the building has been maintained and looked after during this closed period. It is ready to open as soon as government restrictions allow.

In response to a supplementary question from Councillor Broadbank, the Cabinet Member advised that Councillors were informed of the reopening dates by way of the press release that afternoon.

In response to a question from Councillor Tom Watson on replacement of lighting columns in Summerbridge the Cabinet Member for Housing and Property agreed to take the matter up and ensure action was taken.

In response to questions from Councillor Pat Marsh, the Leader confirmed that press releases are sent to Councillors at the same time as they are sent to the press. The Leader agreed to follow up on provision to Councillors of information on senior managers who had recently left the Council and contact details for their replacements.

The Leader asked the Chair of the Overview and Scrutiny Commission if he knew how an account of an item at the informal Commission meeting to consider the work programme had been made available on Twitter. The Chair of the Commission advised that the Vice-Chair had confirmed that the source was not one of the Conservative Commission members and he agreed to speak to the Liberal Democrat members of the Commission on this matter.

In response to a question from Councillor Pauline McHardy, the Cabinet Member for the Environment, Waste Reduction and Recycling confirmed that he would be happy meet the Councillor at Ripon Cemetery for an on-site discussion about maintenance at the cemetery.

17/21 – MEMORANDA OF REPORT FROM OVERVIEW AND SCRUTINY COMMISSION: There were no such reports.

18/21 – FINANCIAL UPDATE: The Head of Finance presented a financial update, the main focus of this update was to provide an overview of the year-end financial position and introduce key strategic issues.

2020/21 Outturn

- Detailed year-end report will be considered by Cabinet on 21 July.
- Outturn on budget.
- Net cost of circa £10m facing the Council as a result of the pandemic.

- Government support of £7.8m, of which £5.8m received and £2.0m expected at the end of July.
- £1.9m of government grant to support additional costs and £5.9m of compensation for the loss of income.
- Significant cost of £2m+ remaining with the Council.
- Financial Recovery Plan – the plan was produced 12 months ago and has successfully addressed the financial deficit.

2021/22 Monitoring

- Quarter 1 monitoring is on-going with report to Cabinet in August.
- Income recovery is key: £6.5m budgeted income loss as a result of covid.
- Government income support continued for first quarter.
- Budget Transition Fund: key to balancing budget with £2.5m from this reserve supporting the 2021/22 budget.

19/21 – **REPORT BACK ON PREVIOUS NOTICES OF MOTION:** There were no reports to be considered.

20/21 – **MINUTES OF COMMITTEES AND CABINET:** The Council resolved upon the various non-delegated Minutes of the Committees and Cabinet as follows:

20/21(01) – **CABINET – 23 JUNE 2021:**

Moved by Councillor Richard Cooper

Seconded by Councillor Graham Swift

and **RESOLVED:**

That the Minutes of the meeting of the Cabinet held on 23 June 2021 be approved and adopted.

20/21(02) – **LICENSING COMMITTEE – 9 JUNE 2021:**

Moved by Councillor Victoria Oldham

Seconded by Councillor Andy Paraskos

and **RESOLVED:**

That the Minutes of the meeting of the Licensing Committee held on 9 June 2021 be approved and adopted.

20/21(03) – **HUMAN RESOURCES COMMITTEE – 16 JUNE 2021:**

Moved by Councillor Graham Swift

Seconded by Councillor Christine Willoughby

and **RESOLVED:**

That the Minutes of the meeting of the Human Resources Committee held on 16 June 2021 be approved and adopted.

20/21(02) – **GENERAL PURPOSES COMMITTEE – 17 JUNE 2021:**

Moved by Councillor Matt Scott

Seconded by Councillor Paul Haslam

and **RESOLVED:**

That the Minutes of the meeting of the General Purposes Committee held on 17 June 2021 be approved and adopted.

21/21 – **NOTICES OF MOTION RECEIVED:** The Mayor advised that there was one notice of motion before the Council. The motion, which was in the names of Councillors Matthew Webber and Pat Marsh would be debated by the Council, in accordance with Standing Order 10(6)(f).

"That this Council strongly recommends to any successor Unitary Authority in North Yorkshire that a Community Governance Review for the town of Harrogate is initiated and the creation of a Parish for the town is considered."

Moved by Councillor Matthew Webber

Seconded by Councillor Pat Marsh

The motion was then debated by the Council.

Upon a vote being taken on the notice of motion, the Mayor declared the motion unanimously carried.

22/21 – **PORTFOLIO OBJECTIVES 2021/22:** The Leader of the Council and Cabinet Members submitted details of the primary portfolio objectives for 2021/22. The Mayor invited questions in respect of the objectives in accordance with Standing Order 12.

23/21 – **COMMON SEAL:**

Moved by Councillor Richard Cooper

Seconded by Councillor Graham Swift

and **RESOLVED:**

That (1) the Common Seal of the Council be affixed to the Deeds and Documents necessary to carry out the resolutions confirmed and passed this day; and

(2) no deed shall be treated as being conditional upon Council proceeding until completion of a transaction relevant to any deeds.