COUNCIL MEETING

DATE: Wednesday, 5 December 2018
TIME: 5.30 pm
VENUE: Council Chamber - Civic Centre, St Luke’s Avenue, Harrogate, HG1 2AE

Councillors are hereby summoned to attend a Meeting of the Council of the Borough of Harrogate, for the purposes following.

AGENDA

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9. **ACCOUNTABILITY OF THE EXECUTIVE AND COMMITTEE CHAIRS:**
   To receive any written or verbal questions from Members under Standing Order 12.

10. **MEMORANDA OF THE REPORT FROM THE OVERVIEW AND SCRUTINY COMMISSION:**

11. **FINANCIAL UPDATE:**
   The Head of Finance to give a brief verbal presentation for the information of Members.

12. **REPORT BACK ON PREVIOUS NOTICES OF MOTION:**

   1. **The Harrogate Supplement:**
      The response of the Human Resources Committee is contained in Human Resources Committee Minute 34/18 of 24 October 2018. Debate on the item will be undertaken in conjunction with the Minutes of the Human Resources Committee under agenda item 13 below.

13. **MINUTES OF COMMITTEES AND CABINET:**

   2. **Cabinet:**
      17 October 2018

   3. **Cabinet:**
      14 November 2018. (Copy of Minutes of associated District Development Committee of 18 October 2018 also attached for information.)

   4. **Human Resources Committee:**
      24 October 2018

   5. **Licensing Committee:**
      8 November 2018

   6. **General Purposes Committee:**
      15 November 2018

14. **NOTICES OF MOTION RECEIVED:**
   In accordance with Standing Order 10, the Head of Legal and Governance to submit Notices of Motion received.

15. **HARROGATE CONVENTION CENTRE - BUSINESS STRATEGY AND PERFORMANCE:**
   In accordance with the requirements of Council, the Director, Harrogate Convention Centre to submit a written report in connection with the above. (Copy attached. The Independent Members of the HCC Board have also been invited to attend Council for this item.)
16. **COMMON SEAL:**
To authorise the affixing of the Common Seal to the necessary documents for the purposes of carrying out the resolutions contained in the Minutes.

MEMBERS ARE REMINDED TO UPDATE THE REGISTER OF INTERESTS AFTER ANY CHANGE IN CIRCUMSTANCES WHICH MAY AFFECT CURRENT ENTRIES

Members of the public are entitled to attend this meeting as observers for all those items taken in open session.

The agenda papers may be examined at the Civic Centre, Harrogate and a copy may be purchased for £6.00.

Please contact Elizabeth Jackson, Democratic Services Manager, at the Civic Centre, if you have any queries or need further information on this agenda - telephone or email Tel: 01423 500600 Email: democraticservices@harrogate.gov.uk.

**EMERGENCY PROCEDURES FOR MEETINGS – FIRE:** On hearing the fire evacuation alarm, you should leave the building by the nearest safe fire exit. Once outside the building, please assemble in the corner of the visitor car park at the front of the building opposite the main entrance. Persons should not re-enter the building until authorised to do so by the Fire and Rescue Service or the Emergency Co-ordinator.
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PRESENT: Councillor Bernard Bateman in the Chair. Councillors Chris Aldred, Margaret Atkinson, Philip Broadbank, Rebecca Burnett, Mike Chambers, Trevor Chapman, Jim Clark, Richard Cooper, Ed Darling, John Ennis, Sam Gibbs, Michael Harrison, Paul Haslam, Sid Hawke, Phil Ireland, Steven Jackson, Sue Lumby, Stanley Lumley, Pat Marsh, Samantha Mearns, Zoe Metcalfe, Nigel Middlemass, Ann Myatt, Tim Myatt, Victoria Oldham, Andrew Paraskos, Alex Raubitschek, Nigel Simms, Graham Swift, Norman Waller, Tom Watson, Matthew Webber, Christine Willoughby and Robert Windass.

Late Arrivals: None

Early Departures: None

33/18 - APOLOGIES FOR ABSENCE: Apologies for absence had been received from Councillors Nick Brown, John Mann, Stuart Martin, Pauline McHardy and Matt Scott.

34/18 – URGENT BUSINESS: There was no urgent business.

35/18 - DECLARATIONS OF INTEREST: Councillor Chris Aldred declared an interest in respect of Minute 46/18 on the basis that he was a member of the Harrogate Unison Local Government branch. He remained in the meeting and voted on the item.

Councillors Philip Broadbank and Rebecca Burnett declared pecuniary interests in respect of Minute 48/18 and left the meeting room during the consideration and vote on the item.

36/18 – EXEMPT INFORMATION: There was no exempt information.

37/18 – MINUTES:

Moved by Councillor Richard Cooper Seconded by Councillor Graham Swift

and RESOLVED:

That the Minutes of the Extraordinary meeting of the Council held on 18 July 2018 be approved as a correct record and signed by the Chair.

The Minutes of the scheduled meeting of the Council held on 18 July 2018 were submitted. In respect of Minute 28/18(01) Councillor Tom Watson advised that under the recorded vote on the amendment his name should be corrected to read “Tom” not “Trevor”.

Moved by Councillor Richard Cooper Seconded by Councillor Graham Swift
and RESOLVED:

That the Minutes of the scheduled meeting of the Council held on 18 July 2018 be approved as a correct record and signed by the Chair.

38/18 – COMMUNICATIONS:

01. Councillor Nick Brown: The Mayor advised Members that Councillor Nick Brown had suffered a minor stroke earlier in the week and so would not be attending Council that evening. The Mayor expressed his good wishes for a speedy recovery.

02. Civic Service: The Mayor thanked all those who were able to attend the Civic Service at Ripon Cathedral on Sunday 23 September. The Mayor also thanked his Chaplain, Padre Richard Hall, for his excellent sermon.

03. Remembrance Sunday: The Mayor advised that the Council would, as usual, be participating in the Remembrance Sunday commemorations which this year would take place on Sunday 11 November. Details of the event would be circulated by the Mayor’s secretary shortly.

04. Head of Finance: The Mayor congratulated Paul Foster on his recent appointment to the post of Head of Finance.

05. Luchon: The Mayor reported that he had visited Luchon, Harrogate’s twin town in France, during the summer and displayed at the meeting was a banner which had been presented to the town of Harrogate during his visit.

06. City of Abbotsford: The Mayor advised he had received a delegation from the City of Abbotsford in British Columbia, who had brought a letter of greeting from the Mayor of Abbotsford. The delegation consisted of members of the Fraser Valley Stage production Society who were here to perform at the Gilbert and Sullivan Festival.

07. Charity Fundraising: The Deputy Mayor thanked all those who had sponsored her granddaughter on her recent skydive, over £1000 had been raised for charity.

08. Council Papers: The Mayor advised that all the papers for the Council meeting had been placed in an electronic folder which Members could access via their Surface-pro tablets.

39/18 – PUBLIC ARRANGEMENTS – PETITIONS: No petitions had been received.

40/18 – PUBLIC ARRANGEMENTS – QUESTIONS: The Mayor advised that he had received notification of one public question under Standing Order 27 and he invited the questioner to step forward and ask his question.
Question to the Leader from Peter Lilley

It’s now 18 months since Harrogate Council exchanged contracts with ATP (Cr
teesent Gardens) Limited in respect of Mr Adam Thorpe’s purchase of the old
council offices in Crescent Gardens; and yet the Council still refuses to confirm the
final sale price.

At the same time the Council continues to refuse to provide a final figure as to the
cost of these new offices; which appears to have rocketed from the £8m which was
originally quoted to what’s now estimated to be around £12m.

Despite several Freedom of Information requests, on each occasion the Council’s
legal and governance department has trotted out the well-worn excuses of
“commercial sensitivity” and “confidentiality” as the reasons why it refuses to provide
the information requested. Yet Mr Thorpe doesn’t appear to be bound by these same
rules as he’s been allowed to aggressively promote his plans to transform Crescent
Gardens into a super-luxury apartment complex. And we’re led to believe he’s even
sold some of the apartments. The Thorpe Group also currently operates from within
the Crescent Gardens building. All this and yet the purchase has not yet been
completed. It’s outrageous; as is the continued refusal by the Council to provide the
full facts.

Since this Council claims to be “totally committed” to the principles of openness,
transparency and full accountability; will you now provide ALL information concerning
the ongoing sale of the Crescent Gardens building; and a final figure for the cost of
these new offices? Or name a date by which you absolutely guarantee to provide
full answers to all questions relating to these matters.

Response:

Mr Lilley has already had an answer to this question in respect of a Freedom of
Information request. That answer was:

“We are unable to state the actual total cost of the construction works of the new
civic centre at this point due to the final account still being under negotiation with the
contractor, those negotiations being subject to commercial sensitivity and
confidentiality at this stage. Disclosure into the public domain of any details affecting
that negotiation would be likely to prejudice the commercial interests of the Council,
and therefore any information relating to that is considered to be exempt under
section 43 of the FOI Act. The public interest is best served in engaging this
exemption to ensure commercial sensitivity is maintained during the negotiations.
For information the estimated value of these works is £11m (as stated on the
published contract register).”

As he was told at that time, if he is unhappy with the answer, and the subsequent
internal review, as he has stated, then he can raise the matter with the information
Commissioners office.
ACCOUNTABILITY OF THE EXECUTIVE AND COMMITTEE CHAIRS:
The Mayor advised that in accordance with Standing Order 12(9) one written question had been received which would, in accordance with the Standing Order, be dealt with as the first question under this item. He would then invite verbal questions of the Executive Members and Committee Chairs from other Members of the Council.

Question to the Cabinet Member for Housing and Safer Communities from Councillor Chris Aldred

The Cabinet Member will recall that at the last Full Council back in July I raised two issues with him –

1. Poor Television Reception being experienced by Council Tenants in Fairfax following a supposed “Upgrade” of the Communal Aerial this time last year, which has actually made TV Reception much worse.

2. Residents whose Roofs were fitted with Solar Panels during 2015/16, who are not able to access the reduced tariffs available due to a dispute between the Council & Northern PowerGrid.

Could the Cabinet Member let me know what, if any, progress has been made on these issues?

Response:

Thank you for your question. You have received several emails updating you on this and I reiterate my apology to those affected. Officers are working to resolve the situation and have sought advice from Sky and other industry experts. In the matter of the TV aerial problems, we are still awaiting technical advice from within the industry, which will help us determine the best course of action in getting the problems rectified, including whether we may have a case against the installer we appointed to carry out upgrading work, which appears to be the cause of the problems now being experienced.

As soon as we have this advice we will be able to put together a plan with timescales, which we will communicate with Members and the affected tenants on Fairfax Avenue and at other locations. If the advice is not forthcoming, action would be taken to test the markets to identify a suitable independent organisation who can report on the installation and whether the Council has a case in law against the original installers.

The Service does understand the concern that tenants are paying for this service as a component of their rent and not receiving the full benefit of it due to the problems and therefore, your suggestion that compensation might be considered. This was not the case as no component in the rent, nor any additional service charge made for any property taking a service from our communal aerials; since no payment was made above and beyond the normal rent for these flats, with or without a TV aerial service, you will appreciate a financial compensation would not be appropriate.
In respect of the solar panels, it has proved very difficult to find an appropriate contact with Northern PowerGrid, to give us any update on the position and any likely timescales with these service upgrades. Officers would continue to try discovering and reaching the team responsible for the work and would provide Members and tenants with an update when some progress had been made. This work could only be undertaken by the monopoly private sector provider and there appeared to be no mechanism to require them to provide information or undertake the necessary actions.

Cabinet Members and the Chair of the Overview and Scrutiny Commission then responded verbally to questions from Members of the Council. In response to a question from Councillor Tom Watson asking how many of the eleven parish meetings within the district set a parish precept, the Cabinet Member for Resources, Enterprise and Economic Development agreed to provide a written response.

42/18 – **MEMORANDA OF REPORT FROM OVERVIEW AND SCRUTINY COMMISSION:** There were no such reports.

43/18 – **FINANCIAL UPDATE:** The Head of Finance presented a financial update, which provided a general overview of the council’s finances and business rates pilots.

**Statement of Accounts**
- Audited version signed off by Audit and Governance Committee on 30 July, in line with accelerated timetable.
- Positive audit report and Value for Money conclusion and Unqualified Audit Opinion.

**2018/19 Position**
- First quarter report shows a projected overspend of £236k on the general fund.
- Internal monitoring showing improvements to a modest overspend of £6k, to be reflected in the next Cabinet report in November.
- Despite overall position effectively at budget, concern that a few services are projecting significant overspends against their budgets.

**Budget, Medium Term Financial Strategy**
- Services busy working on refining their 2019/20 budget proposals.
- MTFS is here for approval tonight following scrutiny process.

**Business Rates Pilots**
- 2018/19 LCR Pilot for 100% business rate retention progressing well.
- Harrogate signed up to joint submission for West Yorkshire/North Yorkshire pilot in 2019/20 for 75% business rate retention. Government to announce successful submissions alongside finance settlement in mid to late December.

44/18 – **REPORT BACK ON PREVIOUS NOTICES OF MOTION:** The Mayor advised that, in accordance with Standing Order 10(6)(a), there was one report to be considered at the meeting.
44/18(01) – HOUSING FIRST: The Mayor invited the Cabinet Member for Housing and Safer Communities, Councillor Mike Chambers, to introduce his written report on the notice of motion in the names of Councillors Philip Broadbank and Trevor Chapman requesting that the Council explore ‘Housing First’ as a default option for long term rough sleepers.

A meeting had taken place between the Cabinet Member and Councillors Broadbank and Watson where the Housing First model was considered in detail and it was noted that the model was aimed at people with complex needs, particularly single homeless people with a history of rough sleeping. The figures for the Harrogate district demonstrated that the demand for temporary accommodation was not from such people and therefore did not support the development of a Housing First approach although it was acknowledged that the overall provision of temporary accommodation was currently inadequate. In 2017 the Council had commissioned SAFE (Services for Adults Facing Exclusion) which sought to support individual entrenched rough sleepers with severe and multiple needs. This approach attempted to manage a set of inter-connected support needs through intensive work with external agencies and embraced much of the learning from the Housing First Model.

Following consideration of the concerns raised it was agreed that:

1. the service provision within the district for ‘entrenched’ rough sleepers is proportionate to the identified need. That the changes to Homeless legislation (Homelessness Reduction Act 2017) has encouraged the Housing Options team to develop a holistic approach to the delivery of services for single homeless households with the aim of positively developing services to ensure engagement;

2. it was noted that Harrogate Borough Council have committed to providing funding to the SAFE project for a five year period until 2022;

3. there would be benefit to considering the best practice identified by the Housing First Pilots in the UK, to further enhance the services provided by Harrogate Borough Council or in partnership with external organisations for both identified entrenched rough sleepers and single person households; and

4. the SAFE model be applauded and it was suggested that the model, a hybrid of the Housing First approach might be more fitting for smaller organisations. It was suggested that the approach be discussed with Harrogate Borough Council’s neighbouring authorities, as a possible approach to managing issues with rough sleepers within their localities

Councillor Philip Broadbank thanked the Cabinet Member for meeting to discuss the subject.

Moved by Councillor Mike Chambers Seconded by Councillor Richard Cooper

and RESOLVED:
That the report of the Cabinet Member for Housing and Safer Communities be accepted.

45/18 – MINUTES OF COMMITTEES AND CABINET: The Council resolved upon the various non-delegated Minutes of the Committees and Cabinet as follows:

45/18(01) – CABINET – 25 JULY 2018:
Moved by Councillor Richard Cooper Seconded by Councillor Graham Swift
and RESOLVED:
That the Minutes of the meeting of the Cabinet held on 25 July 2018 be approved and adopted.

45/18(02) – CABINET – 19 SEPTEMBER 2018:
Moved by Councillor Richard Cooper Seconded by Councillor Graham Swift
and RESOLVED:
That the Minutes of the meeting of the Cabinet held on 19 September 2018 be approved and adopted.

45/18(03) – AUDIT AND GOVERNANCE COMMITTEE – 23 JULY 2018:
Moved by Councillor Victoria Oldham Seconded by Councillor Robert Windass
and RESOLVED:
That the Minutes of the meeting of the Audit and Governance Committee held on 23 July 2018 be approved and adopted.

45/18(04) – GENERAL PURPOSES COMMITTEE – 13 SEPTEMBER 2018:
Moved by Councillor Steven Jackson Seconded by Councillor Samantha Mearns
and RESOLVED:
That the Minutes of the meeting of the General Purposes Committee held on 13 September 2018 be approved and adopted.

46/18 – NOTICES OF MOTION RECEIVED: The Mayor advised that there were two Notices of Motion before the Council. The first in the names of Councillors Graham Swift and Richard Cooper would be debated by the Council, in accordance with Standing Order 10(6)(f). The remaining motion in the names of Councillors Chris Aldred and Pat Marsh would, once moved and seconded, stand referred for consideration by the Human Resources Committee.
(1) This Council supports the administration’s policy, expressed in its election manifesto, to lobby the government to charge council tax on unimplemented housing permissions. Further, the Council will contact other Councils to ask them to sign a letter of support for that policy which will be submitted to the Secretary of State for Communities and Local Government.

Moved by Councillor Graham Swift Seconded by Councillor Richard Cooper

In accordance with Standing Order 10(6)(f) this motion was debated by the Council.

As an amendment it was

Moved by Councillor Pat Marsh Seconded by Councillor Philip Broadbank

That the Notice of Motion be amended to read:

(1) That This Council supports the administration’s policy, expressed in its election manifesto, to lobby the government to charge council tax on unimplemented housing permissions. Further, the Council will contact other Councils to ask them to sign a letter of support for that policy which will be submitted to the Secretary of State for Communities and Local Government.

Upon a vote being taken, the Mayor declared the amendment lost.

Upon a vote being taken on the original Notice of Motion, Mayor declared the motion unanimously* carried.

*as amended by Council on the 05 December 2018

(2) That this Council reverses the decision not to give, the Harrogate Supplement, for one year only, to the 80 qualifying low paid HBC employees, at a cost of £13k. By reinstating the Harrogate Supplement this Council would show these Members of Staff that they are valued as important members of the team.

Moved by Councillor Chris Aldred Seconded by Councillor Pat Marsh

In accordance with Standing Order 10(6)(a) the motion stood referred to the Human Resources Committee.

47/18 – AUDIT AND GOVERNANCE COMMITTEE ANNUAL REPORT 2017/18:
The Chair of the Audit and Governance Committee submitted a written report setting out the Committee’s work and performance for the year ending 30 April 2018, which was considered good practice.

Moved by Councillor Victoria Oldham Seconded by Councillor Robert Windass

and RESOLVED:

That Council receive the report.

48/18 – HARROGATE BUSINESS IMPROVEMENT DISTRICT: The Head of Culture, Tourism and Sport submitted a written report providing an update on
development of Harrogate Business Improvement District, outlining the ballot process for the Council, and seeking the Council’s mandate for a vote in support of the proposal.

Moved by Councillor Graham Swift            Seconded by Councillor Richard Cooper

and RESOLVED:

That (1) Council agree that the content of the BID Proposals do not conflict with any existing council policy, nor propose a disproportionate burden on particular businesses;

(2) Council agree that the submitted BID Proposals meet the regulations;

(3) Council note the potential financial implications of a positive BID Ballot;

(4) Council agree that the Harrogate BID proposal is supported;

(5) Council instruct the Returning Officer to hold a ballot, with the final day of the ballot being 8 November 2018; and

(6) Council authorise the Director of Community to complete the Harrogate BID ballot papers by voting for the formation of a Business Improvement District for Harrogate on behalf of the Council.

49/18 - 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.
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PRESENT: Councillor Richard Cooper in the Chair. Councillors Mike Chambers, Phil Ireland, Stan Lumley and Graham Swift.

Late Arrivals: None

Early Departures: None

49/18 – APOLOGIES FOR ABSENCE: Apologies for absence had been received from Councillors Rebecca Burnett and Andy Paraskos. (5.34 pm)

50/18 – DECLARATIONS OF INTEREST: Councillor Phil Ireland declared an interest in respect of Minute 55/18 on the basis that he had been invited to join Knaresborough Community Land Trust. Councillor Ireland left the meeting room for the debate and vote on the item.

Councillors Mike Chambers, Richard Cooper and Stan Lumley declared an interest in respect of Minute 57/18 on the basis that they were Members of North Yorkshire County Council. The Monitoring Officer had granted these Members a dispensation under Section 33 of the Localism Act 2011 as without the dispensation the number of persons prohibited by section 31(4) from participating in any particular business would be so great a proportion of the Cabinet as to impede the transaction of the business. The dispensation enabled them to remain in the meeting room, participate in the debate and vote on the item. (5.35 pm)

51/18 – MINUTES: The Minutes of the meeting of Cabinet held on 19 September 2018 were approved unanimously as a correct record and signed by the Chair. (5.36 pm)

52/18 – EXEMPT INFORMATION:

RESOLVED (UNANIMOUSLY):

That, in accordance with Section 100A(4) of the Local Government Act 1972, in view of the nature of the business to be transacted, the meeting be not open to the public during the discussion of Minute 57/18 below as there will be a disclosure of exempt information as defined in Section 100I of the Act.

The exempt information in question relates to the financial or business affairs of any particular person, including the authority holding that information, as defined in paragraph 3 of Schedule 12(A) to the Act, as amended.

The Appendix to Minute 56/18 was also deemed to be exempt, discussion on the item however took place in open session. (5.51 pm)
CABINET

MATTER REFERRED TO COUNCIL FOR CONSIDERATION

53/18 – COMMUNITY INFRASTRUCTURE LEVY: DRAFT CHARGING SCHEDULE: The Executive Officer Policy and Place submitted a written report on the Community Infrastructure Levy (CIL) Draft Charging Schedule, which was attached at Appendix 1. The Planning Act 2008 contained powers for the introduction of a CIL which would enable Councils to secure funding to deal with the cumulative impact of development on infrastructure needs. The Community Infrastructure Levy Regulations empowered Local Planning Authorities to set a charge per square metre for new development and for the proceeds to be spent on local and sub-regional infrastructure to support the new development.

The report detailed the process for preparation of a CIL, and in particular the Economic Viability Assessment, which would ensure that the proposed levy rates would not threaten the ability to viably develop sites. A Preliminary Draft Charging Schedule (Appendix 2) had been prepared based on this assessment, and consultation on the preliminary draft had not provided any evidence to justify that the charging rates proposed were inappropriate. Different charging rates were proposed for different zones within the district and types of development, as set out at paragraph 5.13 of the report.

The District Development Committee would be considering the Draft Charging Schedule at its meeting to be held on 18 October 2018, and its comments would be brought back to Cabinet on 14 November 2018. The recommendations from that Cabinet meeting would be submitted to Council on 5 December 2018.

The Principal Planner advised that no charge would be made for developments in urban areas, based on the viability assessments and as they were largely brownfield sites, and there would also be no charge for residential development at the strategic sites. The viability assessment had also demonstrated that an exception should be made for development of the greenfield allocations adjacent to Ripon, where there would be no charge made for residential development.

RECOMMENDED (UNANIMOUSLY):

That the District Development Committee be requested to provide the Cabinet with its comments and recommendations on the proposed content of the CIL Draft Charging Schedule (Appendix 1).

(5.37 pm – 5.40 pm)
CABINET
HELD ON 14 NOVEMBER 2018
(FROM 5.30 PM TO 6.05 PM)

PRESENT: Councillor Richard Cooper in the Chair. Councillors Rebecca Burnett, Mike Chambers, Phil Ireland, Stan Lumley, Andy Paraskos and Graham Swift.

Late Arrivals: None

Early Departures: None

58/18 – APOLOGIES FOR ABSENCE: There were no apologies for absence.

(5.31 pm)

59/18 – DECLARATIONS OF INTEREST: Councillor Rebecca Burnett declared an interest in relation to Minute 68/17 on the basis that she was employed by Transdev, the bus operator. The Councillor remained in the meeting room during the debate, however she did not vote on the item.

(5.31 pm)

60/18 – MINUTES: The Minutes of the meeting of Cabinet held on 17 October 2018 were approved unanimously as a correct record and signed by the Chair.

(5.31 pm)

61/18 – EXEMPT INFORMATION: The reports considered under Minutes 64/18 and 75/18 were considered to be exempt under paragraph 3 of Schedule 12a to the Local Government Act. In addition the appendices to the reports considered under Minutes 71/18, 73/18 and 74/18 were also deemed to be exempt. Discussion on all these items took place in open session.

(5.32 pm)

MATTERS REFERRED TO COUNCIL FOR CONSIDERATION

62/18 – COMMUNITY INFRASTRUCTURE LEVY: DRAFT CHARGING SCHEDULE: Further to Cabinet Minute 53/18, the Executive Officer Policy and Place submitted the written report on the Community infrastructure Levy (CIL) Draft Charging Schedule which had previously been considered by Cabinet at its meeting held on 17 October 2018. The report outlined the process for preparation of a CIL, gave details of proposed charging rates and explained how any money raised could be spent. Appendix 1 contained the Draft Charging Schedule. An amended version was tabled at the meeting following legal advice to update regulation numbers and include charging zone maps.

At its meeting on 17 October 2018 the Cabinet had requested District Development Committee provide its comments and recommendations on the proposed content of the CIL Draft Charging Schedule. The District Development Committee had met on
18 October 2018 and considered the Schedule and the comments and questions of the Committee had been noted and were now included in the Minutes of that meeting, which were now before the Cabinet for consideration. In addition it had been agreed that the CIL implementation plan would be taken to the District Development Committee for comment and that the Regulation 123 statement would be brought to the District Development Committee every year before being confirmed by Council.

The Cabinet Member for Planning thanked the District Development Committee for its comments and advised that a further round of consultation on the Draft Charging Schedule would take place in January, prior to its submission for examination in the Summer of 2019.

RECOMMENDED (UNANIMOUSLY):

That

1. Appendix 1 to the report is approved as the CIL Draft Charging Schedule;
2. the Executive Officer Policy and Place, in consultation with the Cabinet Member for Planning, be authorised to make minor amendments and graphical improvements to the CIL Draft Charging Schedule;
3. the Council:
   1. undertake a six week formal consultation on the CIL Draft Charging Schedule in January 2019;
   2. subsequently submit to the Secretary of State all relevant documentation for examination; and
4. in event of modifications being required to the Draft Charging Schedule prior to its submission, the Head of Place-Shaping and Economic Growth in consultation with the Cabinet Member for Planning be authorised to make these changes and undertake any necessary pre-submission consultation.

(5.32 pm – 5.33 pm)

63/18 – SPORTS AND LEISURE STRATEGY 2018-23: The Head of Culture, Tourism and Sport submitted a written report which sought approval of the draft Sport and Leisure Strategy, which was attached as Appendix 1. The Strategy set out a high level strategic vision which was for the district to have “A healthier more active population living longer, more independent and happier lives” and underpinning this were strategic priorities and principles of delivery. An Action Plan would be developed to implement the strategy which would guide the future of the Council’s Sport and Leisure Services for the next five years.

The strategy had been developed following workshops with officers and Members. Public consultation on the draft strategy had taken place over the summer and had included the Council’s partner organisations and groups and clubs which used the Council’s leisure facilities. The results of the consultation were attached at Appendix B.

RECOMMENDED (UNANIMOUSLY):
That the Sport and Leisure Strategy (attached as Appendix A) be approved.

(5.33 pm – 5.36 pm)

64/18 – CAPITAL AND INVESTMENT PROGRAMME 2018/19 QUARTER 2: The Head of Finance submitted a written report and sought approval for the amended Capital Programme for 2018/19 and indicative Programme from 2019/20 to 2022/23. The Council had made good progress in taking a more proactive approach to its asset management and ensuring that the return from investment was maximised. Positive developments included: Planned Asset Maintenance, the move to new office accommodation, introduction of the Capital and Investment Strategy and the establishment of a Council Investment Reserve. A number of significant reviews would impact on the Capital and Investment Strategy in the future and these included the Leisure Provision review, HCC Future Strategy, the ICT Plan and the Economic Growth Strategy.

The amended Capital Programme for 2018/19 to 2022/23 was outlined in Table 1 at paragraph 7.1 of the report, and further detail was given at Appendix 1. Paragraph 7.2 detailed works which had resulted in an increase from the original approved programme. This included the increased cost of replacement cremators, an increase of £635k as agreed by Cabinet in October, and which was to be funded by delaying the provision of new burial plots from 2025/26 to 2026/27. The amended Revenue Investment Programme for 2018/19 to 2022/23 was shown in Table 2 at paragraph 7.3, and further detail was given at Appendix 2, this was less than the agreed programme as a result of works detailed at paragraph 7.4. Overall, capital and revenue expenditure of £38,446k was forecast in the amended five year rolling programme to 2023, which was £732k more than the previously approved programmes; £635k of this related to the replacement cremators.

RECOMMENDED (UNANIMOUSLY):

The amended Programme for 2018/19 and Indicative Programmes from 2019/20 to 2022/23 are approved, noting that future developments around leisure provision, ICT, Harrogate Convention Centre (HCC) and Economic Growth will have an impact on the figures in the report.

(5.36 pm – 5.37 pm)

65/18 – DELEGATED POWERS FOR THE EXAMINATION OF THE HARROGATE DISTRICT LOCAL PLAN: The Executive Officer Policy and Place submitted a written report which sought agreement on the process of decision making during the Examination of the Harrogate District Local Plan. Following submission of the Local Plan to the Secretary of State on 31 August 2018 the Examination phase was due to take place during January 2019. During the course of the examination it was expected that the Inspector would request further information and opinions on amendments from the Council. Prompt responses would be required to ensure that the Examination could progress efficiently and delegated authority would assist in keeping to the timetable established by the
CABINET

Inspector. Cabinet noted that ultimately any resultant modifications to the Local Plan would be brought back to Council for agreement prior to the Plan being adopted.

RECOMMENDED (UNANIMOUSLY):

That Cabinet delegates authority to the Executive Officer Policy and Place for the duration of the Examination, in consultation with the Cabinet Member for Planning to:

a. provide formal responses to questions from the Inspector alongside other supporting statements and documentation as requested by the Inspector; AND

b. to agree to modifications to the plan through the examination period in order to make the plan sound.

(5.48 pm to 5.50 pm)
PRESENT: Councillor Jim Clark in the Chair. Councillors Ed Darling, Paul Haslam, Pat Marsh, Samantha Mearns, Tim Myatt, Victoria Oldham, Nigel Simms, Norman Waller and Matthew Webber.

Late Arrivals: Councillor Paul Haslam at 5.32 pm

Early Departures: None

01/18 – APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES: An apology for absence had been received from Councillor Sue Lumby.

(5.30 pm)

02/18 – DECLARATIONS OF INTEREST: No declarations of interest were made at the meeting.

(5.30 pm)

03/18 – MINUTES: The Minutes of the meeting of the Committee held on 16 November 2017 were approved as a correct record and signed by the Chair.

(Six Members voted for the motion and there were three abstentions)

(5.31 pm)

04/18 – EXEMPT INFORMATION: There were no exempt information items.

(5.32 pm)

05/18 – PUBLIC ARRANGEMENTS – QUESTIONS: No public questions were received under Standing Order 27.

(5.32 pm)

MATTER REFERRED TO CABINET FOR CONSIDERATION

06/18 – COMMUNITY INFRASTRUCTURE LEVY: DRAFT CHARGING SCHEDULE: The Executive Officer Policy and Place submitted a written report on the Community Infrastructure Levy (CIL) Draft Charging Schedule, which was attached at Appendix 1. Appendix 2 outlined the key issues in relation to the charging schedule. The report had been considered by Cabinet who had requested that the District Development Committee provide comments. A recommendation to Council would be made by Cabinet on 14 November 2018 with the final decision being taken by Council on 5 December 2018.
The Principal Planner introduced the report and the background to the CIL. The Planning Act 2008 contained powers for the introduction of a Community Infrastructure Levy that was intended to be a more simple method of securing funding to deal with the cumulative impact of development on infrastructure needs. The CIL would not replace Section 106 agreements but would be used as a ‘top-up’. The key differences between the CIL and Section 106 agreements were outlined in paragraph 5.3 of the report. The Principal Planner informed the Committee that it was estimated that introducing the CIL in the Harrogate District could generate £8.5 million.

Harrogate Borough Council would be the charging authority for the CIL but local councils and community groups would also be entitled to a percentage of the receipts generated by developments within their area – local councils with an adopted neighbourhood plan would receive 25% and areas without an adopted neighbourhood plan would receive 15%. In areas without a parish or town council the charging authority would retain the community’s allocation but be required to spend it in accordance with the wishes of the community. All allocations have to be spent on local infrastructure and an annual report must be produced by the local councils/community groups detailing what the allocations had been spent on. The allocations must be spent within five years or they would be returned to the charging authority.

The Principal Planner explained that the draft charging schedule had been through a preliminary consultation but no changes had been made as a result. Following approval by Council, the CIL would go forward for a full public consultation before being submitted to the inspector.

Following questions from Members as detailed in the addendum to the Minutes, the Principal Planner explained the process behind the charging schedule. The rates and zones had been recommended following the CIL Economic Viability Assessment which was explained in paragraphs 5.10 to 5.15 of the report. The assessment took into account a wide range of factors including site values, construction costs and the likely impact of planning obligations arising from existing planning policy and regulatory requirements (e.g. affordable housing, environmental design and open space provision.) The CIL would not be required for residential developments in zones 2 and 3 as it would not be viable alongside affordable housing and open space contributions and contributions to infrastructure impacted by the individual developments.

The Principal Planner informed the Committee that the Council would be required to publish a Regulation 123 Statement once it had adopted a CIL Charging Schedule. A Regulation 123 Statement was a list of infrastructure priorities upon which the charging authority, in this case HBC, intended to spend CIL revenues.

It was agreed that the CIL Implementation Plan, including details on how other authorities dealt with non-parished areas, would be brought to the District Development Committee for comment. It was also agreed that the Regulation 123 Statement would be brought to the District Development Committee every year before being decided by Council.
DISTRICT DEVELOPMENT COMMITTEE

The various questions and issues raised by Members formed the addendum to the Minutes.

RECOMMENDED (UNANIMOUSLY):

That the comments of the District Development Committee be considered by Cabinet at its meeting on 14 November 2018.

(5.33 pm – 6.29 pm)
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<table>
<thead>
<tr>
<th>Comments</th>
<th>Officer Response</th>
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<tbody>
<tr>
<td>Should we be looking to charge the premium charge and the top of the range?</td>
<td>National guidance advises charging authorities to avoid setting rates up to the margin of viability for the bulk of sites. Departing from the rates recommended by the consultant could open the Council up to increased scrutiny at examination. Officers consider that the rates being proposed are reasonable and these are recommended to form the basis of the Draft Charging Schedule. Officers consider it sensible to take a relatively conservative approach when setting the CIL rates in the Council’s first charging schedule, and to assess the impact these have on development and the delivery of affordable housing before considering revising the rates in future charging schedules.</td>
</tr>
<tr>
<td>Is there a different method for calculating CIL rates in Unitary Authorities?</td>
<td>No, every charging authority has to test the economic viability of development to justify the introduction of CIL. All authorities must ensure that the proposed levy rates will not threaten the ability to viably develop the sites and therefore must produce viability assessment in line with Government guidance as part of the evidence base.</td>
</tr>
<tr>
<td>Is payment on granting of planning permission?</td>
<td>No, the first payment is made on commencement of the development.</td>
</tr>
<tr>
<td>Can the charge be changed to apply at granting of permission?</td>
<td>No, the Regulations state that it has to be at the commencement of the development.</td>
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<td>Question</td>
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<td>Can a developer decide to pay CIL rather than S106 contribution?</td>
<td>No, because they are two different payments. S106 payments are to provide infrastructure related directly to the development whereas the CIL is a tariff based charge.</td>
</tr>
<tr>
<td>Can proceeds from CIL from large site development be ring-fenced to be spent near the site?</td>
<td>No, all proceeds from CIL go into a district wide spending pot however site specific infrastructure needs affecting the local area will continue to be provided for through S106 contributions. It is important to note that the Strategic Sites (as listed in the Draft Charging Schedule) come under Zone 3 and therefore do not generate CIL payments from residential development.</td>
</tr>
<tr>
<td>Does the contribution required from Shops relate to change of use or the physical construction of new ones? If it relates to the construction of new ones then the opportunities within Harrogate town centre are limited.</td>
<td>CIL would apply in both situations however CIL would only be charged for change of use proposals that resulted in an increase in floorspace. Whilst opportunities for new retail development may be limited in the town centre, the viability evidence suggests that the viability of such development would not be undermined by being charged CIL, so it is appropriate to include it within the Draft Charging Schedule.</td>
</tr>
<tr>
<td>What does the Sheltered Housing category cover?</td>
<td>Developments within the Use Class C2 where they would not be expected to provide affordable housing.</td>
</tr>
<tr>
<td>Would Community Land Trust development have to pay CIL?</td>
<td>No, they would be exempt from paying CIL.</td>
</tr>
<tr>
<td>Who makes the decisions about spending the CIL money?</td>
<td>All CIL revenue will need to be spent on infrastructure included in the Regulation 123 list which will be agreed by Council annually. The process for spending the money will form part of the CIL Implementation Plan which will be developed in due</td>
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<td>Question</td>
<td>Answer</td>
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<tr>
<td>Is the money given to Parish Councils time limited?</td>
<td>Yes, if the money is not spent within 5 years, it has to be given back to the charging authority (HBC).</td>
</tr>
</tbody>
</table>
| Do the Parish Council get the money to spend straight away and what are they allowed to spend it on? | Once the money has been paid to the charging authority, it is then transferred as soon as possible to the Parish Council for them to spend. Parish councils are not restricted to spend the money on the infrastructure projects identified on the Regulation 123 list or are required to produce a list of their own. However, neighbourhood funds must be spent on:  
1. The provision, improvement, replacement, operation or maintenance of infrastructure (e.g. roads, schools, open space, village halls)  
2. Anything else that is concerned with addressing the demands that development places on an area. Following the adoption of the CIL the Council intends to produce guidance for town/parish councils on all aspects of the CIL process, including what information will need to be reported annually on the use of neighbourhood funds. |
<p>| How do we seek community views for the spending of money in non-parished areas? | This needs to be explored as part of looking at the implementation of CIL. The CIL Implementation Plan along with examples of how it is done elsewhere will be brought back to DDC in due course. |
| How can it be that main urban areas are excluded but CIL is still anticipated to raise £8 million? | The majority of the Local Plan allocated dwellings are actually located outside the main urban areas (identified as Zone 2 in the Draft Charging Schedule). Whilst many of these will be located |</p>
<table>
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<th>Question</th>
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<tr>
<td>on Strategic Sites (Zone 3) which has a 'nil' charge, there are estimated to be approximately 1765 dwellings that would qualify for the Zone 1 £50 per sq m charge, hence the £8.8m estimate of CIL revenue.</td>
<td></td>
</tr>
<tr>
<td>Does CIL apply to extensions?</td>
<td>CIL would not apply to extensions under 100 sqm of gross internal floor space.</td>
</tr>
<tr>
<td>Why is Ripon being dealt with differently?</td>
<td>The viability assessment has concluded that unlike Harrogate, Knaresborough, Boroughbridge, Masham and Pateley Bridge, the greenfield sites adjacent to the Ripon urban area do not have capacity to bear CIL when subject to a 40% affordable housing target. Ripon suffers from lower market values which when taken on top of the affordable housing requirements results in the viability margins for most sites within the city being lower than the rest of the district hence the ‘nil’ CIL rate.</td>
</tr>
<tr>
<td>Can the 15% Neighbourhood Fund be pooled together between Parish Councils to pay for joint local infrastructure?</td>
<td>Yes it is possible but will have to be done through the charging authority.</td>
</tr>
<tr>
<td>The £98 million funding gap is misleading</td>
<td>In order to introduce the CIL, HBC must demonstrate that there is a shortfall in funding between the expected total cost of infrastructure needed to support development in the District over the plan period and the level of funding likely to be forthcoming from other sources of funding. Whilst £8.3 million is estimated to be provided through CIL funding, it is expected that other funding sources will be used including S106 requirements when planning applications are submitted.</td>
</tr>
<tr>
<td>Why has S106 not be used for health in the past?</td>
<td>Up until recently, the Clinical Commissioning Group and Harrogate Hospital have not identified particular issues that could be dealt with via S106. We are now in discussion with them to identify the infrastructure needs from the Local Plan growth including looking at the different ways the new and improved health facilities could be funded.</td>
</tr>
<tr>
<td>Can CIL be used in urban areas for community halls?</td>
<td>Yes</td>
</tr>
<tr>
<td>Will the Local Plan Inspector be aware of the CIL proposals?</td>
<td>Yes</td>
</tr>
<tr>
<td>Do we have any comparative figures for other authorities?</td>
<td>Yes, our viability assessment includes reference to the rates being applied in adjacent authorities.</td>
</tr>
<tr>
<td>Will there be a rush from developers to get their applications in before CIL is introduced?</td>
<td>We do not anticipate that there will be a rush to get applications in as CIL is not new to developers who operate in many local authorities. S106 will still be required on all the sites so there will not be an opportunity to avoid this.</td>
</tr>
<tr>
<td>Has CIL been implemented in many of the authorities around us and is it working?</td>
<td>CIL has been implemented by many of our surrounding authorities including Leeds, Bradford, Hambleton and Selby. These authorities are collecting money for infrastructure schemes however we are not aware as to whether it is at the levels they would require.</td>
</tr>
<tr>
<td>Will we be reviewing CIL every 5 years?</td>
<td>The Regulation 123 list will be reviewed annually and it is anticipated that we will look to review CIL as part of the review of the Local Plan.</td>
</tr>
<tr>
<td>What happens if a builder goes bust and is unable to pay the required CIL?</td>
<td>We don’t anticipate this being a problem but the liability would rest with the landowner to pay the remaining CIL.</td>
</tr>
</tbody>
</table>
PRESENT: Councillor Tim Myatt in the Chair. Councillors Chris Aldred, Richard Cooper, Zoe Metcalfe and Graham Swift.

Late Arrivals: None.

Early Departures: None.

29/18 – APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES:
Notification had been received that Councillor Richard Cooper was to act as substitute for Councillor Sue Lumby.

(5.31 pm)

30/18 – DECLARATIONS OF INTEREST: Councillor Chris Aldred declared an interest in Minutes 34/18, 35/18, 36/18 and 38/18 due to his membership of the trade union Unison who had made representations on the living wage, safer communities review, financial services review and performance related pay. Councillor Aldred also declared an interest in Minutes 37/18 and 38/18 as he was employed as an agency worker at Harrogate Convention Centre. As these were not pecuniary interests Councillor Aldred remained in the meeting room and took part in the discussion and vote on the items.

Councillor Richard Cooper declared an interest in regard to Minutes 37/18 and 38/18 due to his membership on the HCC Board. As this was not a pecuniary interest he remained in the meeting room and took part in the discussion and vote on the items.

(5.33 pm)

31/18 (01) – MINUTES: The Minutes of the meeting of the Committee held on 6 September 2018 were approved as a correct record and signed by the Chair.

(Four Members voted for the motion and there was one abstention) (5.33 pm)

31/18 (02) – MINUTES: The Minutes of the meeting of the Committee held on 11 September 2018 were approved as a correct record and signed by the Chair.

(Four Members voted for the motion and there was one abstention) (5.34 pm)

32/18 – EXEMPT INFORMATION:

RESOLVED (UNANIMOUSLY):

That, in accordance with Section 100A(4) of the Local Government Act 1972, in view of the nature of the business to be transacted, the meeting be not open to the public
during the discussion of Minutes 35/18, 36/18, 37/18 and 38/18 as there will be a disclosure of exempt information as defined in Section 100I of the Act.

In relation to Minutes 35/18, 36/18 and 37/18 the exempt information in question relates to individuals as defined in Paragraph 1 of Schedule 12A to the Local Government Act 1972, as amended. In relation to Minute 38/18 the exempt information in question relates to individual as defined in Paragraph 1, the business affairs of the authority as defined in Paragraph 3 and labour relations matters as defined in Paragraph 4 of Schedule 12A of the act.

(5.34 pm)

33/18 – PUBLIC ARRANGEMENTS – QUESTIONS: There were no questions to consider under Standing Order 27.

(5.34 pm)

MATTER REFERRED TO COUNCIL FOR CONSIDERATION

34/18 – NOTICE OF MOTION: The Chair referred to the Notice of Motion that had been referred by Council on 3 October 2018 in the names of Councillors Chris Aldred and Pat Marsh that ‘this Council reverses the decision not to give the Harrogate Supplement, for one year only, to the 80 qualifying low paid HBC employees, at a cost of £13k. By reinstating the Harrogate Supplement this Council would show these Members of Staff that they are valued as important members of the team.’

The Head of Organisational Development and Improvement (ODI) submitted a written report which provided an overview of the Harrogate Supplement and outlined the key issues and potential costs. The Harrogate Supplement was originally known as the Living Wage Supplement. The Living Wage Supplement was introduced in October 2014 and changed its name to the Harrogate Supplement in October 2016. The Supplement was a locally determined hourly rate paid to the lowest paid Council employees to bring their hourly rate of pay in line with that recommended by the Living Wage Foundation. Committing to the Harrogate Supplement rather than the Living Wage Foundation Rate enabled the Council to retain full control of its wages.

During the meeting a further document was circulated that outlined Harrogate Borough Council’s lowest hourly pay rate, the national minimum wage rate, the national pay spine rate and the living wage foundation rate for every year from April 2015 to April 2019. From April 2018 Harrogate Borough Council paid its lowest paid employees a rate of £8.50 per hour. The national minimum wage for 2018 was £7.83 per hour, the National Pay Spine was £8.50 per hour and the Living Wage Foundation was £8.75 per hour.

The Chair invited Councillors Chris Aldred and Pat Marsh to speak to the motion and they requested that the Committee support the proposal to commit to paying the Harrogate Supplement to increase the wages off the lowest paid to the Living Wage Foundation recommended rate of pay.

In response to questions from the Members, the Head of ODI confirmed that Harrogate Borough Council did not have a policy to adhere to the Living Wage Foundation rate of pay. Instead it had agreed to pay the Harrogate Supplement in
HUMAN RESOURCES COMMITTEE

2016 and 2017. Following a national agreement, the National Joint Council for Local Government services confirmed a new pay agreement that set the rates from 1 April 2018 and 1 April 2019. The agreement also included the introduction of a new national pay spine on 1 April 2019. As a consequence the decision was taken by the Human Resources Committee in June 2018 to not pay the Harrogate Supplement for that year.

RECOMMENDED:

That the Council does not reverse the decision not to pay the Harrogate Supplement in 2018/19.

(Four Members voted for the motion and one against)

(Councillor Chris Aldred requested that is be recorded that he voted against the motion)

(5.35 pm – 6.10 pm)
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LICENSING COMMITTEE
HELD ON 8 NOVEMBER 2018
(FROM 5.30 PM TO 5.54 PM)

PRESENT: Councillor John Ennis in the Chair. Councillors Trevor Chapman, Ed Darling, Sue Lumby, John Mann, Victoria Oldham, Andrew Paraskos, Nigel Simms, Norman Waller and Robert Windass.

Late Arrivals: Councillor Sue Lumby at 5.38 pm

Early Departures: Councillor Robert Windass at 5.46 pm

09/18 – APOLOGIES FOR ABSENCE: Apologies for absence had been received from Councillors Stuart Martin and Pauline McHardy.

(5.30 pm)

10/18 – DECLARATIONS OF INTEREST: No declarations of interest were made at the meeting.

(5.30 pm)

11/18 – MINUTES: The Minutes of the meeting of the Committee held on 5 September 2018 were approved as a correct record and signed by the Chair.

(Seven Members voted for the motion and there were two abstentions)

(5.31 pm)

12/18 – EXEMPT INFORMATION: There were no exempt information items.

(5.31 pm)

13/18 – PUBLIC ARRANGEMENTS – QUESTIONS: There were no questions to consider under Standing Order 27.

(5.31 pm)

MATTERS REFERRED TO COUNCIL FOR CONSIDERATION


The FLOSM explained that Harrogate Borough Council introduced the Statement in 2007 and was required by law to review it every three years. The review in 2015 had
resulted in several changes to the Statement and as such only minor amendments had been suggested for the 2019-2021 version. A public consultation had taken place based on the proposed updates and amendments had been made as a result.

In response to questions from Members the FLOSM explained that the legislation regarding fixed odds betting terminals was controlled by the government and that any changes made by the government would automatically come into effect without the need for action from the licensing authority. Members were also informed that amusement arcades were generally good at self-regulation and that the licensing team had no concerns regarding that area of gambling.

RECOMMENDED:


(Nine Members voted for the motion and there was one abstention)

(5.32 pm – 5.38 pm)

15/18 – REVIEW OF CHARGES FOR SAFER COMMUNITIES LICENCES, PERMITS AND REGISTRATIONS 2019/20 INCLUDING THE HIGH HEDGE COMPLAINTS FEE: The Food, Licensing and Occupational Safety Manager (FLOSM) submitted a written report for Safer Communities discretionary charges for 2019/20 and the fee for dealing with the high hedge complaints that fell under the Terms of Reference of the Licensing Committee. The proposed fees and charges detailed in Appendix A included an increase of no less than 2.5% in line with the Medium Term Financial Strategy that was approved by Cabinet in July 2018. The proposed fees and charges for High Hedge complaints also included an increase of 2.5%. The Licensing Committee had the authority to set the high hedge complaints fee but the administrative function sat with the place shaping service as opposed to the licensing service. Appendix B contained the new licence fees relating to the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 that were to be implemented on 1 January 2019. It was noted that the fees in connection with scrap metal dealers would be approved by the Cabinet Member for Housing and Safer Communities and were before the Licensing Committee for comment.

The FLOSM informed the Committee that a separate report on caravan sites would be brought to the January Licensing Committee meeting. This was due to on-going work that aimed to implement similar procedures as those used for animal welfare on caravan sites.

RECOMMENDED (UNANIMOUSLY):

That  (1) the revised licence fees for 2019/20 as detailed in Appendix A be approved;

(2) the new licence fees relating to the Animal Welfare (Licensing of Activities Involving Animals)(England) Regulations in Appendix B be implemented on 1 January 2019;
(3) the Licensing Committee recommend to the Cabinet Member for Housing and Safer Communities that the proposed fees in relation to scrap metal licences be approved; and

(4) the fee for high hedge complaints be increased to £385.

(5.38 pm – 5.45 pm)
PRESENT: Councillors Steven Jackson in the Chair. Councillors Nick Brown, Richard Cooper, Pauline McHardy, Samantha Mearns, Alex Raubitschek, Matt Scott, and Christine Willoughby.

Late Arrivals: None.

Early Departures: None.

25/18 – APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES: An apology for absence had been received from Councillor Norman Waller. Notification had been received that Councillor Richard Cooper was to act as substitute for Councillor Margaret Atkinson.

(5.32 pm)

26/18 – DECLARATIONS OF INTEREST: There were no declarations of interest at the meeting.

(5.32 pm)

27/18 – MINUTES: The Minutes of the meeting of the Committee held on 13 September 2018 were presented to the Committee for approval.

Councillor McHardy raised an amendment to include her apologies for the meeting held on 13 September and the following text was subsequently added to the Minutes:

An apology for absence had been received from Councillor Pauline McHardy.

The Minutes as amended were approved as a correct record and signed by the Chair.

(Seven Members voted for the motion and there was one abstention)

(5.33 pm)

28/18 – EXEMPT INFORMATION: There was no exempt information.

(5.33 pm)

29/18 – PUBLIC QUESTIONS: The following question was read out by Mr Peter Lilley in accordance with Standing Order 27:

Members of the public are required to submit Public Questions at least 48 hours in advance of a meeting. There must be a reason for this. Therefore, can Councillor
Jackson please explain what he understands to be the purpose of Public Questions; and exactly how the procedure works; from the moment a resident submits their question to the answer being read out by the cabinet member or committee chairman?

The Chair of the Committee, Councillor Steven Jackson, responded as follows:

My thanks for the question, which I will answer in two parts:

Firstly, my understanding of the purpose of public questions is based on the Principles of Public Life, as stated in our Council’s constitution and in particular, the principle of openness. Openness, in this context, is defined as “Members should be as open as possible about their actions and those of their authority and should be prepared to give reasons for those actions.” However, this principle does also state that information can be restricted when the wider public interest demands, which to me means that should a question relate to legally or commercially sensitive information then answers to Public Questions cannot risk compromising this material.

To answer the second portion of your question, regarding the way the public questions procedure works, I would refer you to the Constitution, in particular Part 4, Standing Order 27 entitled ‘Public Arrangements – Questions’, which lays out the procedure step by step.

Finally, in the interest of openness, and given your interest in the matter, I can confirm that I did write this response myself and I do stand by the contents of it.

My thanks for the question.

(5.33 pm – 5.35 pm)

MATTER REFERRED TO COUNCIL FOR CONSIDERATION

30/18 – SCHEDULE OF COUNCIL AND COMMITTEE MEETINGS 2019/20: The Head of Legal and Governance submitted a written report, attached to which at Appendix A was the draft schedule of meetings from May 2019 to May 2020. As usual and wherever possible, meetings of the North Yorkshire County Council were taken into account to avoid clashes, as were other significant events such as party political conferences and, locally, the Great Yorkshire Show and the UCI Road World Championships. Group Leaders and Chief Officers had been consulted on the draft schedule.

RECOMMENDED (UNANIMOUSLY):

That the draft schedule of meetings 2019/20, as detailed in Appendix A, be approved.

(5.35 pm – 5.36 pm)
INTRODUCTION

The purpose of the Convention Centre is to attract events to Harrogate which in turn deliver an economic benefit of around £55m to £60m to the District through visitor spend and create and sustain local jobs, as well as being a catalyst for wider economic growth.

Our ambition is to increase the number of Convention Centre visitors, grow economic impact significantly and ensure we continue to sustain jobs in the District through:

- Effective Marketing and Sales
- Working with local businesses to promote the District
- Recruiting and developing the best possible Convention Centre team
- Investing in Convention Centre facilities and local infrastructure

BUSINESS PERFORMANCE

Our annual repeat events are worth 72% of all lettings income this year compared to 81% last year and our new business will contribute 28% versus 19% in the previous accounting year.

The current financial year has been extremely challenging. We set a very ambitious target for new business in 18/19 and whilst we will record an increase of at least 30% in new lettings over 17/18, this substantial growth has been offset by a fall of 20% in repeat lettings as a consequence of contracted cancellations and some key annual events downsizing.

The Convention Centre attracts business in several areas, the four main sectors being:
EXHIBITIONS

This is our largest sector by revenue (52%) and we are fortunate to have a legacy of large exhibitions which have been coming to Harrogate for many years. However, in the past four years total revenue from exhibition lettings has reduced by 14%.

ASSOCIATION CONFERENCES

This sector comprises national conventions for professional associations, which this year included UK Kidney Week, Wounds UK and The British Association of Sports and Exercise Scientists Conference.

2018/19 has been our best year in the past four years for this sector with an increase of 7% compared to 17/18 and up 13% since 15/16. Bringing in overnight visitors, it is an attractive sector for the town and Convention Centre as these events book from 2 – 6 years in advance, securing the future.

In the longer term there is potential for more growth in this sector if we can develop additional meeting and breakout spaces to meet the demands of many association organisers.

CORPORATE EVENTS

Sales rallies, team building, product launches and staff conferences for private sector companies.

Our corporate sector is the most volatile in that it is from 4 – 12 months short lead, sensitive to economic market conditions such as Brexit uncertainty and difficult to forecast. Forecast lettings revenue is down 8% this year when compared with 2015/16.

ENTERTAINMENT

It has been our policy to rely on Harrogate Theatre and Harrogate International Festivals to book entertainment events however we have ample capacity in the Auditorium to promote more entertainment events and are in the process of establishing contact with promoters and agents to grow this sector over the next three years.
The Convention Centre's top ten repeat annual events are worth 47% of the overall Lettings' income and have sustained the Convention Centre business through the 2008 financial crisis and subsequent recession, by signing multi-year contracts and in most cases, achieving a 3% year on year growth in Lettings' fees.

Eight of the top ten events are trade exhibitions and uncertainty following Brexit is putting these events under additional pressure as exhibitors cut back on their discretionary spend, reducing the size of their exhibition stands or choosing not to attend. This has resulted in pressure from exhibition organisers to maintain the current Lettings' rates or even re-negotiate contracts based on a reduction in Lettings' space no longer required.

In addition, the increased threat from terrorism has resulted in a need for more security measures and staffing, creating cost pressures which have been alleviated in the short term through salary savings from vacant posts.

Whilst trade exhibitions and corporate events are more susceptible to the prevailing economy, association conferences are less reliant on market conditions.

To mitigate these economic pressures and ensure the future success of the venue, it is essential we develop a longer term view, investing in the venue and the sales and marketing strategy, keeping focused on bidding for and winning, association conference business.
SALES & MARKETING

Over the last year we have:

Exhibited at major events industry trade shows including International Confex and The Meetings Show both at Olympia, London as well as IMEX Frankfurt and from 27-29 November we will be represented on the Visit England stand at IBTM World in Barcelona.

To generate enquiries for national and regional events the team has taken stands at The PA Hub, The PA Club, The Independent Venues Roadshow, Ask Abbie, The IVR and DMC Showcase.

At International Confex in February 2019 we have booked a larger exhibition stand than in recent years. Our key messages will be built around a Visit Britain Survey in which Harrogate came top for visitor return visits and ‘Harrogate Welcomes the World’ (UCI World Cycling Championships). To increase our appeal to the association sector we will promote our burgeoning ‘Convention Quarter’ with the Convention Centre at the centre of a district bordered by the recently refurbished hotels, The Crowne Plaza, The Majestic Hotel, Hotel St. George by Country Living and the Premier Inn.

We are members of the International Congress and Convention Association (ICCA) and in March next year we host the UK and Ireland Chapter Debate which took place in Belfast last year. The event is attended by around 80 delegates including association event organisers and their agents as well as venues and convention bureaux. The debate will give us the opportunity to promote the Convention Centre and the social programme will afford delegates an opportunity to experience Harrogate.

New events to look forward to next year include Visit Britain’s ‘Explore GB’ in May 2019 when 200 international travel buyers will descend on Harrogate and use the Convention Centre as their base for learning about the leisure attractions of Yorkshire and northern England.

In September we host the UCI World Cycling Championships where the Convention Centre will be the Organiser’s HQ, accreditation centre and Media Hub. The Convention Centre will be promoting a ‘Harrogate Welcomes the World’ gala dinner in the Royal Hall which will premiere ‘The Story of Harrogate’ on the eve of cycle racing.
Our credentials as an events’ destination took a boost earlier this year when the UK’s tourist board Visit Britain published their Business Events Survey 2018. Interviewing delegates and visitors at events all around the country, 96% of interviewees would recommend Harrogate for events. When asked if they would choose to return to their event ‘city’ in their own leisure time, Harrogate scored 88% to become No.1 in the UK, 11% ahead of our nearest competitor.

Since publication in March these statistics have been the foundation of our digital and print marketing.

**ECONOMIC BENEFITS**

The current estimated economic benefit resulting from the Convention Centre, excluding the Royal Hall, in the first six months of 2018/19 is £26m with 31 events taking place attended by 86,000 visitors.

**BUILDING PROJECTS & INVESTMENT**

A number of major projects have been completed this year with a total value of around £0.9m. These include:

- Conference Centre Toilet Refurbishments
- Royal Hall Roof Repairs
- Installation of Royal Hall seating lift
- Installation of Royal Hall blackout blinds to Clerestory windows
- Replacement of Royal Hall motorised lighting bar
- Substation Transformer replacement
- Rolling programme of replacing internal fire doors
- Technical and IT Equipment
- Furniture Replacements
- Hall D Motorised Blinds
- Convention Centre Car Park Signage in Town Centre
- Rolling programme of internal re-decoration and re-carpeting

Further projects are currently being planned to take place over the next 12 months with an estimated value of £1.45m. These include:

- Hall D Re-decoration
- Re-surfacing of Royal Hall, Hall A and Mall M entrance
- Conference Centre Forecourt waterproofing and landscaping
- Entrance 1 PAS vehicle barrier
- Hall Q Toilet Refurbishment
- Sun Pavilion Dome and Roof Repairs
- Catering Outlets and Bars Refurbishment
- Hall Q Heating and Ventilation Refurbishment
- Hall Q Lighting and Fire Alarm Refurbishment
- Hall D Passenger Lift Replacement

**CONVENTION CENTRE SITE DEVELOPMENT PLAN**

Last year The Right Solution, a company specialising in the planning and development of Conference and Exhibition Venues worldwide, carried out a review of the Convention Centre business to help inform the future development of the business for the Council.

The conclusions and recommendations were:

- To reconfigure the site to develop a 6,000m² multi-purpose hall to enable higher value conferences and exhibitions to be attracted and increase the operating efficiency of the site.
- Develop an increased entertainment programme for the Auditorium by working more closely with entertainment specialists.
- That a more “Arms-Length” operating model would be the most cost effective solution for the future.
- That increased support from the town, such as establishing a convention and visitor bureau, is essential.
- That a reconfigured site could generate “private sector” investment that would help support the conference and exhibition business.

Following this work, the Council’s Economic Development Team appointed Cushman and Wakefield, specialist consultants, in order to understand the viability and commercial attractiveness of various models of mixed use development on the site and ensure that we achieve best value.

The consultants presented the re-development business case to the HCC Board in July for an optimum mixed use scheme on the site, including a re-configured Convention Centre as well as commercial office and residential space.

Further work has now been commissioned, and will be completed by March 2019, to consider how the optimum development solution could be delivered in a number of discrete, operationally self-contained phases, whereby each phase
contributes incrementally to the overall development objectives, minimises the impact on existing annual events and limits the council's financial risk.

The comprehensive re-development of the Harrogate Convention Centre site offers the potential to deliver an exciting and major transformation for Harrogate town centre. It presents a unique opportunity for the council to use its land assets to support a high quality convention centre, promote a strong local economy, and create a long-term revenue income for the council to help achieve its objectives of self-sufficiency.

**CUSTOMER FEEDBACK**

Fundamental to the Convention Centre business strategy is seeking and responding to Customer feedback.

We actively encourage visitors and delegates to submit their comments and complaints by phone, email and online.

We carry out face to face interviews during a number of events and our Event Managers submit a detailed report after each event, identifying good service and areas for improvement.

Last year, we appointed PR and Communications consultants Clark Associates to carry out more detailed research with our business event organisers post event. As part of this research, organisers are asked to score every element of our service delivery and this feedback is used as part of our staff development planning and appraisals, and discussed at our quarterly full staff meetings.

*(See Appendix for September Client Feedback Summary)*

**CATERING**

Our new catering service launches on 1 January 2019 following the appointment of CH & Co. as our new catering partner for the next five years.

The mobilisation of the contract has started with the key priorities being the TUPE transfer arrangements, the marketing strategy, operational handover arrangements and the prioritisation and planning of the onsite investment in the catering areas.

There is no doubt that the new contract will be a key element in winning new business and increasing revenue on existing events as well as building
confidence within our Sales and Planning team when they are negotiating with event organisers.
## DEPARTMENTAL OVERVIEW

<table>
<thead>
<tr>
<th>Department</th>
<th>2017/18 average</th>
<th>Jun 2018</th>
<th>Jul 2018</th>
<th>Sept 2018</th>
<th>Sept 2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sales</td>
<td>8.6</td>
<td>9.3</td>
<td>9.3</td>
<td>8.6</td>
<td>8.8</td>
</tr>
<tr>
<td>Event Management</td>
<td>8.7</td>
<td>9.3</td>
<td>9.0</td>
<td>8.7</td>
<td>8.5</td>
</tr>
<tr>
<td>Technical Planning</td>
<td>9.1</td>
<td>9.0</td>
<td>10.0</td>
<td>8.3</td>
<td>8.8</td>
</tr>
<tr>
<td>Catering Planner</td>
<td>8.2</td>
<td>8.5</td>
<td>7.7</td>
<td>8.0</td>
<td>7.5</td>
</tr>
<tr>
<td>Hospitality/Catering Service</td>
<td>7.8</td>
<td>8.5</td>
<td>7.7</td>
<td>6.3</td>
<td>6.8</td>
</tr>
<tr>
<td>In House Technicians</td>
<td>9.1</td>
<td>9.0</td>
<td>10.0</td>
<td>8.9</td>
<td>9.3</td>
</tr>
<tr>
<td>Venue Stewarding Team</td>
<td>8.8</td>
<td>8.3</td>
<td>8.3</td>
<td>8.4</td>
<td>8.1</td>
</tr>
<tr>
<td>Commercial Team</td>
<td>8.5</td>
<td>8.8</td>
<td>8.0</td>
<td>8.3</td>
<td>8.5</td>
</tr>
<tr>
<td>Reception/Switchboard</td>
<td>9.1</td>
<td>No scores</td>
<td>9.0</td>
<td>8.5</td>
<td>8.3</td>
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## ADDITIONAL SERVICES OVERVIEW

<table>
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</tr>
</thead>
<tbody>
<tr>
<td>Security Team</td>
<td>8.3</td>
<td>8.5</td>
<td>9.5</td>
<td>8.0</td>
<td>7.2</td>
</tr>
<tr>
<td>In House IT Team</td>
<td>9.1</td>
<td>10.0</td>
<td>9.0</td>
<td>8.0</td>
<td>9.2</td>
</tr>
<tr>
<td>Front of House Porters (and furniture team)</td>
<td>9.2</td>
<td>9.7</td>
<td>10.0</td>
<td>8.7</td>
<td>9.2</td>
</tr>
<tr>
<td>Cleaning Team</td>
<td>8.9</td>
<td>9.0</td>
<td>8.7</td>
<td>7.5</td>
<td>8.8</td>
</tr>
</tbody>
</table>

Feedback based on 7 out of a potential 8 events

## RETURN VISIT

<table>
<thead>
<tr>
<th>% YES</th>
<th>2017/18 average</th>
<th>Jun 2018</th>
<th>Jul 2018</th>
<th>Sept 2018</th>
<th>Sept 2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Would you bring another event to the venue?</td>
<td>84%</td>
<td>100%</td>
<td>100%</td>
<td>86%</td>
<td>75%</td>
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</table>

## NET PROMOTER SCORE

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>How likely are you to recommend the venue to others?</td>
<td>46.16</td>
<td>25</td>
<td>100</td>
<td>71.4</td>
<td>62.5</td>
</tr>
</tbody>
</table>

## IMPORTANT FACTORS WHEN CHOOSING A VENUE

<table>
<thead>
<tr>
<th>Number of scores per category</th>
<th>Ease of access and travel/location within UK/accessible parking</th>
<th>Budget/cost</th>
<th>Available space</th>
<th>Available space</th>
<th>Quality of service</th>
<th>Facilities on site</th>
<th>Natural daylight</th>
<th>Venue capacity</th>
<th>Accessible venue in the North of England</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>3</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
</tbody>
</table>

## HOW WOULD YOU DESCRIBE THE VENUE IN ONE WORD?

- Excellent
- Flexible
- Near Perfect
- Warming
- Variable
- Vast

## RATING AGAINST EXPECTATIONS

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>How did the venue rate against your expectations?</td>
<td>8.6</td>
<td>8.8</td>
<td>9.3</td>
<td>8.9</td>
<td>8.3</td>
</tr>
</tbody>
</table>