

**MINUTES OF THE COUNCIL OF THE BOROUGH OF HARROGATE
HELD REMOTELY ON MICROSOFT TEAMS
ON WEDNESDAY 10 FEBRUARY 2021
(FROM 5.30 PM – 7.26 PM)**

PRESENT: The Mayor, Councillor Stuart Martin in the Chair. Councillors Chris Aldred, Margaret Atkinson, Philip Broadbank, Nick Brown, 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, John Mann, Pat Marsh, Pauline McHardy, Samantha Mearns, Zoe Metcalfe, Nigel Middlemass, Ann Myatt, Tim Myatt, Victoria Oldham, Andrew Paraskos, Alex Raubitschek, Matt Scott, Nigel Simms, Graham Swift, Norman Waller, Tom Watson, Matthew Webber, Christine Willoughby and Robert Windass.

Late Arrivals: Councillor Philip Broadbank at 6.15 pm

Early Departures: Councillor Nigel Middlemass at 6.20 pm
Councillor Ann Myatt at 6.30 pm
Councillor John Mann at 6.45 pm

The Mayor's Chaplain, Canon Michael Gisbourne, led Members in prayer prior to the commencement of the meeting.

66/20 – **APOLOGIES FOR ABSENCE:** Apologies for absence had been received from Councillor Bernard Bateman.

67/20 – **URGENT BUSINESS:** There was no urgent business.

68/20 – **DECLARATIONS OF INTEREST:** There were no declarations of interest.

69/20 – **EXEMPT INFORMATION:** There was no exempt information.

70/20 – **MINUTES:** The Minutes of the meeting of the Council held on 9 December 2020 were submitted.

Moved by Councillor Richard Cooper Seconded by Councillor Graham Swift

and **RESOLVED:**

That the Minutes of the meeting of the Council held on 9 December 2020 be approved as a correct record and signed by the Chair.

71/20 – **COMMUNICATIONS:**

01. **Former Councillor Claire Kelley:** The Mayor referred to the recent death of Former Councillor Claire Kelley, who passed away from cancer on 18 January 2021. Former Councillor Kelley served on the Borough Council from 1992 until 2002 and also served on North Yorkshire County Council. In 2010 she stood

as the Liberal Democrat parliamentary candidate and until last year was Chair of Governors at St Aidan's High School. A Minute's silence was then observed in memory of the former councillor.

02. **Thanks:** On behalf of the Council the Mayor thanked all the staff and volunteers working at the COVID vaccine centres and Harrogate District Hospital during the current lockdown. The Mayor also thanked all the key workers throughout the District for their contribution.

72/20 – **PUBLIC ARRANGEMENTS – PETITIONS:** The Mayor advised that a petition had been received under Standing Order 26. The Mayor invited the petitioner to speak to his petition, which would be handed to the Cabinet Member for Culture, Tourism and Sport.

1. **Petition from Matt Walker of Harrogate and Knaresborough Liberal Democrats**

“Hands off Conyngham Hall Grounds
I the undersigned call on Harrogate Borough Council not to build the new leisure centre at Conyngham Hall, protecting our access to green space and nature.”

The Mayor then exercised his discretion and invited the Cabinet Member to respond to Mr Walker. The Cabinet Member reported that following consideration of each of the potential sites in Knaresborough a decision had been taken that the existing site was the preferred location for the new leisure centre.

(The Mayor left the meeting at this point due to technical issues.)

THE DEPUTY MAYOR, COUNCILLOR ZOE METCALFE, IN THE CHAIR

73/20 – **PUBLIC ARRANGEMENTS – QUESTIONS:** The Deputy Mayor advised that she had received notification of one public question under Standing Order 27 and she invited the questioner, Rebecca Maunder, to ask her question.

1. **Question to the Cabinet Member for Planning from Rebecca Maunder**

There are many local concerns regarding the very large numbers of houses proposed in the 'Western Arc' of Harrogate. Many concerns relate to a lack of plans and provision to show how these new conurbations will join with existing without a negative impact upon the current infrastructure in terms of roads and services. I am aware that a Parameters Plan is being developed to address some of these concerns and hope that this plan will look to provide exemplary bus services and pedestrian and cycling access and safe and easy routes to ensure there is no increase in local traffic, congestion and air pollution. I also hope that the provision of services is appropriately met and again that the long term quality of life is the key focus and uses levies from the developers to ensure the provision is full and future proofs the community's needs to enable them to access local services and workspace without the need for car use. Sustainable design is crucial for healthy and

affordable living reducing pollution and meeting our carbon reduction targets as well as appreciating that the expansion into the surrounding countryside is far from ideal and requires significant planning for wildlife and biodiversity. My question to you is, with such a large undertaking that has far reaching impacts upon the existing local community, and the whole of Harrogate, can this Parameters Plan be open to full public consultation as soon as possible; to fully understand concerns and use local knowledge and ideas to reach sustainable solutions?

Response:

Thank you for the question. The principle of development across the west of Harrogate has been established through the newly adopted Local Plan. Residents and Stakeholders participated in several formal consultations during the formation of the plan, as well as the examination process.

The issue of infrastructure to support the development on the west side of Harrogate was a discussion area during the Local Plan examination, which resulted in a modification to the Local Plan to include a requirement for a West Harrogate Parameters Plan to ensure effective co-ordination of matters such as access, provision of community facilities including education, school provision, green infrastructure, public transport provision, cycling and pedestrian links between sites.

A finalised parameters plan will not be a policy document but will serve as guidance to support the assessment of planning applications.

That guidance is being informed by an assessment of the infrastructure requirements, as well as detailed work on the highways implications of the number of homes proposed.

The completed Parameters plan will set out the total infrastructure required to support the development of the sites, including phasing plans setting out build rates and triggers for infrastructure to show how each phase of development is sustainable and deliverable.

As the document is a guidance document for the assessment of applications rather than official policy, the document is not subject to the statutory consultation processes that would otherwise apply. There are therefore no formal requirements to hold a public consultation event.

However, the council is aware of the significant public interest in this process, and feel it would be wrong for a parameters plan to be drawn up without community involvement. Therefore, to ensure that the community are engaged in the process targeted engagement has been, and will continue to be, undertaken.

In September an initial round of engagement sessions was held with the following resident's groups/Parish Councils:

- Harlow and Pannal Ash Residents Association (HAPARA)
- Pannal and Burn Bridge Parish Council
- Haverah Park with Beckwithshaw Parish Council

Separate meetings relating specifically to highways have also been undertaken with these groups.

The council team values the input of the local community to this process and have found the discussions constructive and helpful. The key points raised in these preliminary meetings, and separate meetings in relation to the draft document and transport focussed discussions, have been considered and also summarised to inform an assessment by an independent design review panel.

Councillors have also been engaged in the development of the parameters plan, with a September meeting of the Council's District Development Committee including a presentation and discussion of the emerging parameters plan.

Shortly after taking up my post as Cabinet Member for Planning I was joined by an Officer from Planning team when I met representatives of the Western Arc Co-ordination Group who – at that time – represented the following groups:

- Haverah Park with Beckwithshaw Parish Council
- Duchy Residents' Association
- Hampsthwaite Action Group
- Harlow & Pannal Ash Residents' Association
- Harrogate District Cycle Action
- North Rigton Parish Council
- Pannal & Burn Bridge Parish Council
- Zero Carbon Harrogate

Once the parameters plan draft is complete, a further round of engagement sessions will be undertaken with all of the above groups. This will include a presentation of the key features of the Parameters Plan document, followed by a Question & Answer session with Council officers and the site promoters.

The queries and comments received through that engagement will be recorded and a response to each point will be provided. This information will be made publicly available alongside the completed parameters plan when it is finalised and published on the Councils website.

As previously mentioned, the parameters plan is a guidance document for use when assessing planning applications. It should be noted that each application in the west of Harrogate will be the subject of an individual planning application, and that members of the public will have the opportunity to comment on the planning applications when they are made. Dependent on the actions of developers, the public may also have an opportunity to speak to site promoters before this when the promoters undertake pre-application consultation.

Should Ms Maunder be aware of any resident groups who I have not mentioned today but who she feels would make a positive contribution to our future targeted engagement, then I am happy to explore whether it is possible to include that group in the next stage of discussion.

THE MAYOR, COUNCILLOR STUART MARTIN, IN THE CHAIR

2. Question to the Cabinet Member for Resources, Enterprise and Economic Development from Neil Hind

The council are hopefully aware of the recent decision to reject a variation for a larger extension of Harrogate Spring Water and the substantial public support to conserve Rotary Wood that application generated. Following that and the negative press generated, can Harrogate Council now confirm all of Rotary Wood will remain as publicly owned & accessible green space and no plan to lease or sell will be considered.

Response:

Thank you for the question.

As Cabinet Member for Economic Development, I always welcome the opportunity to talk about businesses like Harrogate Spring Water who have been a significant district employer and promoter of Harrogate as a healthy, spa based tourism town, open to the world. This business has invested heavily in Harrogate and I gather that the Harlow Moor based site showcases the highest bottling standards in the industry - environmentally efficient, recognised green building standards, and zero waste management practices. HSW was North Yorkshire's first certified "B-Corp" business delivering the highest standard of verified social, environmental and governance standards aimed to deliver a more inclusive and sustainable economy. Most residents are proud of the work HSW has done for this town, bottling water at source.

As Cabinet Member for Economic Development I welcome and encourage more businesses such as these into Harrogate and literally living as its closest west side neighbour for over ten years, I can tell the council that they have worked hard to meet neighbour considerations and listen carefully to genuine concerns as they have developed their business and worked hard to improve the water basin of our shared product. Whilst no business is perfect in this regard, I would choose them as a neighbour exemplar and encourage residents to work with them as they work with us.

I am very aware of the recent decision taken at planning committee. Professional planning officers worked through all sides of the case and came to a clear, balanced recommendation. My own reading of the application is that it was a modest variation in scale, increased employment by 87 people and provided major improvements in ESG (environmental and social governance) performance.

However as Mr Hind points out in his question there has been some noise generated around this application, with approximately 300 objections from our 169 000 residents. Unfortunately much of the noise associated with these concerns failed to recognise that the same committee have already approved an outline planning application on this site back in 2017 and this amendment or variation was largely aimed at improving the environmental credentials of the plan. This original approval

was a unanimous decision by planning committee, and I was therefore personally surprised to see an improved variation in my eyes to be turned down on this occasion.

Specifically addressing Mr Hind's question, a key component of the Council making any decision about a potential disposal of land is to ensure that we have access to the full facts, so that all relevant considerations can be taken in to account. The planning status of a site is one of these key considerations, therefore as the Reserved Matters application is still to be determined by Planning Committee it would be premature at this stage to comment on a potential future disposal. Equally it would be wrong of me to interfere with planning matters or attempt to override planning decisions by causing obstruction to their decisions. Our committee have already taken the decision to approve one application from a significant local business and although reserved matters are still to be dealt with, I for one am not prepared to interfere with the planning process or attempt to limit it in its powers.

It is important to note, however, that if HBC do eventually choose to lease or sell this site we will – as always – abide by proper procedures relating to the site including considering ACV status, and also ensure that council achieves and demonstrates best consideration for our asset – a critical hurdle for all public bodies such as Harrogate Borough Council.

74/20 – 2021/22 DRAFT BUDGET AND 2022/23 INDICATIVE BUDGET: At the invitation of the Mayor the Chief Executive outlined the procedure under which the Draft Revenue Budget for 2021/22 and the Indicative Budget for 2022/23 would be considered by the Council. In order to commence debate on the matter the Cabinet Member for Resources, Enterprise and Economic Development would be called upon to move Cabinet Minutes 104/20, 105/20, 117/20 and 119/20, which would then collectively become the Cabinet's proposed Budget for the forthcoming year.

For the information of Members, the Minutes of the Overview and Scrutiny Commission held on 18 January 2021 to consider the draft budget had also been circulated with the agenda, but would not require formal receipt by the Council, in accordance with the established procedures.

Following the Cabinet Member's address on the budget, Leaders of the opposition groups would then be invited, should they so wish, to address the Council in respect of the budget for the forthcoming year and, in accordance with Standing Order 13(5), the Leaders of the political groups would, if required, be permitted to exceed the normal time limit for their speech. All other Members of the Council would then have the opportunity to speak on the proposed budget.

In accordance with the Regulations issued in 2014 and the consequent amendment to the Council's Standing Orders, it would be necessary for a recorded vote to be taken at the meeting on the adoption of the budget for 2021/22 and also any amendments proposed to it.

In the event of a budget being unable to be agreed it would be necessary for the Leader to consider the views of Council, and for a further meeting of the Council to take place on 22 February 2021 to reconsider the budget.

CABINET – 6 JANUARY AND 3 FEBRUARY 2021:

Moved by Councillor Graham Swift Seconded by Councillor Richard Cooper

that:

Cabinet Minutes 104/20 and 105/20 of 6 January 2021; and 117/20 and 119/20 of 3 February 2021 be approved and adopted.

In moving the motion the Cabinet Member for Resources, Enterprise and Economic Development referred to the significant impact that COVID-19 had had on the budget setting process. The loss of business and commercial activities which raised income for the Council was expected to lead to a shortfall of £5.9 million, a proportion of which had been compensated by the Government. The Budget Transition Fund would be used to make up the balance of the shortfall. In line with the established protocol, the Group Leaders were then offered the opportunity to speak to the budget.

The motion was then debated by the Council.

As an amendment it was

Moved by Councillor Chris Aldred Seconded by Councillor Pat Marsh

That Cabinet Minute 117/20 be amended to

Insert additional Recommendation (4)

In recognition of the outstanding work of our frontline service staff currently on our lowest, Grade A, paygrade, council raise the budgeted target wage of Grade A staff from the budgeted level of £9.48 to £9.50 from April 2021. This additional funding is affordable as it is an additional budgeted cost of just £1200 which can be absorbed by movement in the Budget Transition Fund.

In addition, the Human Resources Committee, through its forthcoming work on the Peoples Strategy, review the situation found by the lowest paid employees of the Council and considers recommendations to bring these members of staff to pay levels in line with the Living Wage Foundation rate.

Amend existing Recommendation (1) viii)

The Budget Transition figure of £2,498k is therefore amended to £2,499k to take account of the new recommendation.

The amendment to the motion was then debated by Council.

An amendment to the amendment was

Moved by Councillor Graham Swift Seconded by Councillor Richard Cooper

Insert additional Recommendation (4)

~~In recognition of the outstanding work of our frontline service staff currently on our lowest, Grade A, paygrade, council raise the budgeted target wage of Grade A staff from the budgeted level of £9.48 to £9.50 from April 2021. This additional funding is affordable as it is an additional budgeted cost of just £1200 which can be absorbed by movement in the Budget Transition Fund.~~

~~In addition, the Human Resources Committee, through its forthcoming work on the Peoples Strategy, review the situation found by the lowest paid employees of the Council and considers recommendations to bring these members of staff to pay levels in line with the Living Wage Foundation rate.~~

This council notes that the cost of increasing the salaries of our lowest paid workers to a new increased budgeted level of £9.5/hour is a further £1200 to council's budget. Therefore this council will proceed to include above planned increases to this level, and adjust the budget transition fund accordingly for the General Fund cost of £1,000. The £200 cost to the Housing Revenue Account will be met from existing HRA budgets.

Amend existing Recommendation (1) viii)

The Budget Transition figure of £2,498k is therefore amended to £2,499k to take account of the new recommendation.

On a vote being taken on the amendment to the amendment 36 Members voted for the motion and the amendment to the amendment was therefore carried.

On a vote being taken on the amendment, as amended, 34 Members voted for the motion and there was one abstention and the amendment was therefore carried.

The Mayor then moved to the recorded vote on the adoption of Cabinet Minutes 104/20, 105/20, 117/20 and 119/20:

FOR: Councillors Chris Aldred, Margaret Atkinson, Philip Broadbank, Nick Brown, 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, Stuart Martin, Pauline McHardy, Samantha Mearns, Zoe Metcalfe, Tim Myatt, Victoria Oldham, Andrew Paraskos, Alex Raubitschek, Matt Scott, Nigel Simms, Graham Swift, Norman Waller, Tom Watson, Matthew Webber, Christine Willoughby and Robert Windass.

Total: 36

AGAINST: None

Total: 0

ABSTENTIONS: None

Total: 0

The Mayor declared the Motion carried with the consequence that the possible meetings of the Cabinet and Council scheduled for 15 and 22 February respectively would not now take place.

75/20 – EXCEPTION TO CALL-IN PROCEDURE: In accordance with Overview and Scrutiny Procedure Rule 16(b) the Leader notified the Council of two exceptions to the five day call-in procedure. The decisions related to the adoption of grant schemes to support local businesses severely impacted by COVID-19 during times of national lockdowns or Level 3 local restrictions. The Chair of the Overview and Scrutiny Commission had agreed an exemption from the call-in procedure in accordance with Overview and Scrutiny Procedure Rule 16(b) to facilitate payment of grants as quickly as possible.

Moved by Councillor Richard Cooper

Seconded by Councillor Graham Swift

and **RESOLVED:**

That Council note the action agreed in allowing an exemption from the five day call in procedure for the adoption of business support grant schemes for businesses impacted by COVID-19.

76/20 – APPOINTMENT OF NEW MEMBER OF CABINET: In accordance with Article 7.1 the Mayor reported that Councillor Tim Myatt had been appointed as Cabinet Member for Planning, following the resignation of Councillor Rebecca Burnet as portfolio holder.

77/20 – 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.