

North Yorkshire Council

Harrogate and Knaresborough Area Constituency Committee

Minutes of the meeting held at Harrogate Civic Centre on Thursday 8 June 2023 commencing at 10.00am.

Councillors Present: Councillors Chris Aldred, Philip Broadbank, Sam Gibbs, Hannah Gostlow, Michael Harrison, Paul Haslam, John Mann, Pat Marsh, Mike Schofield, Monika Slater, Matt Walker and Robert Windass

In Attendance: Councillors George Jabbour and Carl Les

Officers present: Mark Codman (Democratic Services Officer), Charles Casey (Democratic Services Officer), Daniel Harry (Democratic Services and Scrutiny Manager), Allan McVeigh (Head of Network Strategy, Highways and Transportation) Richard Binks (Head of Major Projects and Infrastructure)

Apologies: Councillor Peter Lacey

Copies of all documents considered are in the Minute Book

01 Election of Chair

Mark Codman, Democratic Services for North Yorkshire Council, welcomed everyone to the meeting.

Mark Codman stated that as this was the first meeting of the committee following the Annual Meeting of 2023, the first item of business would be the election of a Chair.

There were two nominations for the position of Chair of the committee:

Councillor Pat Marsh

Proposed by Cllr Philip Broadbank Seconded by Cllr Matt Walker

Cllr Paul Haslam

Proposed by Cllr Robert Windass Seconded by Cllr Michael Harrison

There was a proposal to have a shared Chairmanship between the two candidates:

Proposed by Cllr Sam Gibbs Seconded by Cllr John Mann

A vote was then taken, there were 5 votes for the proposal and 7 against with no abstentions and the proposal was therefore defeated.

A vote was then taken for the two nominations for Chair:

Councillor Paul Haslam

There were 5 votes for 6 against and 1 abstention

Councillor Pat Marsh

There were 7 votes for 0 against and 5 abstentions

Councillor Pat Marsh was therefore elected as Chair of the committee.

Resolved –

That Councillor Pat Marsh be elected Chair, to serve until the first meeting of the Committee following the Annual Meeting of the Council in 2024.

Councillor Pat Marsh in the Chair

02 Minutes of the meeting held on 16 March 2023

Mark Codman explained that an updated version of the minutes was circulated at the meeting reflecting comments from Councillor Chris Aldred. An amended copy was circulated to members of the committee at the meeting and Cllr Aldred confirmed that they reflected his comments.

Resolved –

That the minutes of the meeting held on 16 March 2023, as amended, be taken as read and confirmed and signed by the Chair as a correct record.

Minutes of the Special Meeting held on 5 May 2023

Mark Codman explained that the minutes would be amended to include those In Attendance and the names of the organisations for the three representatives that spoke at the meeting.

Resolved –

That the minutes of the special meeting held on 5 May 2023, as amended, be confirmed and signed by the Chair as a correct record.

03 Election of Vice-Chair

Councillor Pat Marsh invited nominations for the Vice-Chair of the Committee, to serve until the first meeting of the Committee following the Annual Meeting of the Council in 2024.

There were two nominations for the position of Vice-Chair of the committee:

Councillor Monika Slater

Proposed by Cllr Philip Broadbank Seconded by Cllr Matt Walker

Cllr Paul Haslam

Proposed by Cllr Robert Windass Seconded by Cllr John Mann

A vote was then taken for the two nominations for Vice-Chair:

Councillor Paul Haslam

There were 5 votes for 6 against and 1 abstention

Councillor Monika Slater

There were 7 votes for and 5 abstentions

Councillor Monika Slater was therefore elected as Vice-Chair of the committee.

Resolved –

That Councillor Monika Slater be elected Vice-Chair, to serve until the first meeting of the Committee following the Annual Meeting of the Council in 2024.

04 Apologies for absence

Councillor Peter Lacey's apologies were noted.

05 Declarations of interest

No declarations of interest were made at the meeting.

06 Public Questions and Statements

The Chairman advised that four notices had been received from members of the public who wished to make statements or ask questions at this meeting.

The following public statement was read out by Rene Dziabas- On behalf of the Western Arc Coordination Group (WACG) consisting of:

- North Rigton PC
- Pannal & Burn Bridge PC
- Beckwithshaw PC
- Harlow & Pannal Ash Residents Association
- Duchy Residents Association
- Hampsthwaite Action Group

This statement is being made on behalf of the Western Arc Coordination Group (WACG), and its purpose is to register our complete dissatisfaction concerning the lack of progress with the production of a West Harrogate Infrastructure Strategy (WHIS) and associated Infrastructure Delivery Schedule (IDS).

For many years now we have expressed our concern that the equivalent of a small town, approximately 4000 dwellings, is being proposed for the western arc of Harrogate without an improved infrastructure able to support such a massive development. By infrastructure we are not just referring to roads, but to schools, medical facilities, bus services, etc. It also needs to be noted that all of this ultimately tracks back to a Local Plan process that started more than a decade ago, and in many respects is now out of date.

The time allotted today is not sufficient to go over the background to this work, but nearly a year ago HBC and NYCC presented us with a draft `Mitigation Summary Pack`, solely concentrating on highways. At the time we expressed the view that much of this work came over as incoherent and lacking any real structure but we were assured that a complete WHIS and associated IDS would be made available in October of last year. Council representatives assured us that these documents

would include clear objectives, clear deliverables, timings, supporting data and financial costings. This was a Council commitment, not one invented by us as stakeholders. Yet here we are in mid-2023 and the latest position is that consultants are still looking at the viability of what previous consultants have proposed.

So far, we have seen no hard detail whatsoever in relation to the WHIS and IDS, and no offer of meaningful engagement with the community. Recent correspondence would seem to indicate further delays. Therefore, our overall concern is that this work, when it eventually emerges, will deliver an ineffective and inadequate package.

As a group we have always expressed our willingness to be involved in discussions relating to issues of concern to our community, and to play a positive role, but the reality is that we are now some years on and we have seen nothing that convinces us that there is any sort of a plan in place that will really help to mitigate the strains on the infrastructure to the west of Harrogate. And, before somebody raises the matter, the Parameters Plan as it stands will not achieve this.

We therefore respectfully ask for meaningful consultations to take place with community representatives before the above key documents are finalised, and that our concerns are made known to the Executive Committee.

Mark Codman (Democratic Services) read out the following statement on behalf of the Council's Planning and Transport officers:

The current, adopted Harrogate District Local Plan, adopted Supplemental Planning Documents and site specific documents such as the West Harrogate Parameters Plan (WHPP) create a clear framework to achieve a co-ordinated strategic development at West Harrogate. These have wide ranging infrastructure delivery at their heart and strive to provide high quality place-making which supports sustainable growth. Planning applications for development in the West Harrogate area will be considered against this existing policy framework. Appropriate trigger mechanisms will be included in s106 agreements to ensure that infrastructure directly related to the developments is delivered in a timely way over the life of the development. Opportunity for input by the local community into policy documents has been carried out through statutory periods of consultation. Additional engagement and information updates for key stakeholders have been provided on a number of occasions over the last couple of years.

The current infrastructure work being carried out by officers and appointed consultants will add detail to the important framework provided by the adopted Harrogate District Local Plan and West Harrogate Parameters Plan (WHPP). The Infrastructure Delivery Schedule (IDS) is an appendix to the WHPP and will remain so, with updates only where there were gaps in detail at the time of the WHIDS sign off in February 2022. The West Harrogate Infrastructure Document (WHIDS) takes the details of the Plan WHPP and the Schedule IDS, setting out the mechanism of how the infrastructure across a number of adjacent sites will be co-ordinated. The Schedule WHIDS is intended as a tool for the implementation stage of these schemes, not a policy document.

To support the Highways Authority in assessing the transport mitigation strategy for West Harrogate, HBC and NYCC (now NYC) jointly commissioned consultants to carry out a buildability review and costings exercise. This will provide clarification and certainty for future application determinations, accompanying s106 agreement and assist delivery of the transport works. Whilst the majority of this commission was carried out in Autumn 2022, the complex, technical nature of the work means it

is not yet complete. Officers are prioritising this work; however the nature of strategic projects does sometime involve unforeseen delays. We anticipate being in a position to hold further stakeholder engagement sessions in the next couple of months, prior to finalising documents. In addition, the Current planning applications for West Harrogate remain live and further re-consultation for consultees and the public will be carried out following any resubmission package from the applicants and prior to formal determination of the planning applications.

Thanks”

Councillor Chris Aldred expressed his support for the Member of the public’s statement agreeing that there had been no substantial progress over the course of the last year. Members of the public were keen to know what the plan was for the West of Harrogate infrastructure and he hoped that now that the North Yorkshire Local Government Reorganisation was well underway that progress could be made on developing the detailed plan.

The following public statement was read out by Alison Haywood regarding the Planning Committee meeting held on Wednesday 31 May 2023:

Consideration of planning application 20/01333FULMAJ, application to build 53 houses on land off Knox Lane, Harrogate.

This statement is given on behalf of the residents in the Knox and Bilton communities who have expressed their opposition to the proposed development in this application, very many of whom are extremely disappointed and outraged at the process followed during the meeting mentioned above. We believe that it was unconstitutional and contrary to the principles of fair representation of the community.

Although we are disappointed in the result, this statement is relating to the process of the meeting rather than the ensuing result.

We ask this Constituency meeting to reflect on the failures in the conduct of the planning meeting and consider how to correct the injustice to local community democracy.

The major – but not exclusive – considerations are as follows

1. Once again, for the second time, the meeting to discuss this application was held during half-term holiday. There has been a very strenuous case and well-documented problems raised by local residents about the hazards associated with this development. Why has it been scheduled again for a time when it is likely to be less convenient for local residents to attend? Especially when there happens to be no live streaming which is invaluable to people who cannot attend in person?
2. The proceedings were not available for public viewing on live streaming due to unexplained “technical issues”. This is in contravention of good practice established by HBC and many other local authorities over the past several years.
3. The effect is that there is no record of the meeting available to the public; this is contrary to the right to public scrutiny and record.
4. From the evidence of the minutes published it also led to an inability to write an adequate record of the discussion and decisions taken.
5. No warning was given of these difficulties before the meeting, and when the Chair announced that there would be no live stream, she should - at the same time - have told the attendees that there would be no recording either and they were at liberty to make their own notes and record the meeting themselves. This did not occur and so the public was disadvantaged, and open government principles were compromised.

6. Is it really the case that a Committee member must provide – on the spot, during a committee meeting and without reference to independent expertise - the fully referenced technical details, with complete explanations of the contravention of planning law and NYC rules - in order to successfully counter any legal arguments which may be put forward if there were to be an appeal submitted by the applicant? Does not the Committee provide the recommendation and the Legal Department provide the minutiae of the legal defence?
7. It also highlighted that the elected representatives of the public interest had not received adequate training in the rules which have been changed since the HBC was subsumed within the NYC. This made it impossible for them to do their job and serve their community effectively.
8. There is a case to answer that this has allowed a miscarriage of the intent of the committee and we would be grateful for your full consideration of these issues.

The following public question was read out by Adele Laurie-Wilson regarding the Planning Committee meeting held on Wednesday 31 May 2023:

Statement/question

I wish to bring to the attention of the Committee the failings that I perceive occurred at the Harrogate and Knaresborough Area Constituency Planning Committee on Wednesday, 31st May, 2023, 2.00 pm. This is in connection with planning application 20/01333/FULMAJ for 53 domestic dwellings off Knox Lane Harrogate.

Background

The application is a long running and contentious application that has received many objections on the planning portal. The application has had many alterations and amendments and has been brought to the planning committee on three occasions. I have been to these planning meetings and am concerned with the processes that do not appear to have been followed by the council, in effect rendering the Planning Committee powerless.

Failure to comply with reasons for deferral

On 14 February 2023, the noted planning application was deferred for two reasons. One to undertake further sample testing on the old railway lines for possible contaminants. It was requested this testing strategy be agreed with the planning committee before it is undertaken, also to gain further information from Northern Powergrid re risks from power cables.

The application was brought back to the Committee on 31 May 2023, with neither of the two deferral points being completed.

The planning officer put this application forward with the recommendation to “Approve in principle”, why, when the requested information remained unavailable. I also note the huge number of conditions that have been attached to this application.

Livestream and recording

Despite the agenda for 31 May 2023, noting:

This meeting is being held as an in-person meeting that is being broadcasted and recorded and will be available to view via the following link

www.northyorks.gov.uk/livemeetings

It was announced at the start of the meeting that the livestream was not happening due to technical issues.

Given the huge level of local opposition and interest, many interested parties planned to watch this or the subsequent recording to avoid taking time away from

other commitments, such as work. However, I would have anticipated it would have still been recorded and uploaded later as there are many easy ways of recording a meeting. It transpires no recording took place.

Motion not allowed to be voted on and stance of council employees

The application did not get any Committee member seconding the published motion as the majority of the Committee were clearly unhappy with the application. One Committee member listed six different reasons why he opposed the application and proposed that the application be refused, this was seconded by a second committee member. I was appalled at the conduct of the Council's solicitor and the two council planning officers, who to all intents and purpose made it clear that they did not want the Committee to reject this application and cited possible legal costs of an appeal from the developer. The motion was not allowed to be voted on, this surely is in contravention of the democratic process. The application was again deferred on the very same grounds as the meeting on 14 February 2023.

Lack of ability to ask question of speakers or correct factually incorrect statements

I am concerned at the process whereby the Committee cannot ask questions of the speakers. I was also concerned that the speakers and objectors cannot note to the meeting where the replies that are given are factually incorrect. I raised an issue about the land being in a special landscape area, the planning officer incorrectly informed the Committee that only part of the area is in the SLA and not the development site. This is incorrect, the whole site is in the SLA. The solicitor noted that that the railway embankment would be removed offsite for testing, the toxicology specialist speaker wished to note that the testing must be done on site, he was not allowed to do this.

Minutes omitting key parts of the meeting

The published draft minutes exclude large parts of the meeting, ie any content of the speakers and objectors delivery in the meeting, the details of the Committees debate, the frustration of the Committee that they were not allowed to ask questions of the applicant's representative or any of the speakers, the Committee members desire to reject the application and the motion that was not allowed to be voted on. This is especially poor given the lack of any recording or livestreaming.

Question

Given the above failings, i.e. why was the application allowed to be put before the Committee again and why is the Committee not allowed to ask questions or vote on a motion that has been proposed and seconded? I would ask this Committee to consider if the current planning committee is being given the powers to truly consider and question planning applications or are they redundant and planning applications are now decided by the planning officers and the solicitor?

Mark Codman (Democratic Services) read out the following statement on behalf of the Council's Legal, Planning and Democratic Services :

The Council apologises for the lack of a live-stream, the issue was only discovered on the morning of the meeting and could not be resolved. It has never been the practice at Harrogate to record meetings, live streaming was introduced to enable the public to watch meetings safely during covid and recordings were only ever incidental to this. As the audio visual system was not working it would not have been possible to record the meeting. There is no requirement under law for public meetings to also be live streamed or recorded, and there is no 'public right' that recordings of meetings be available in addition to the minutes.

It is not the Council's practice that verbatim minutes be produced on planning committee meetings, the minutes accurately reflect the decision taken and reflect good practice.

Speakers are entitled to address the committee under the Council's "Public Speaking at Planning Committee" scheme, which has been agreed by councillors as part of the Council's Constitution, and this scheme does not permit questions to be asked of speakers

During the course of the debate it became apparent that Cllr Aldred, and other members of the committee, were minded to vote against the officer recommendation in the report to approve the application and grant planning permission, indeed, Cllr Aldred proposed an amendment to this effect. The Council's solicitor and the Planning Manager both made interventions to remind members of the need to identify clear, material planning reasons for refusing the application. Such advice was consistent with the Local Government Association Probity in Planning Guidance 2019 which provides:

"Councillors should be prepared to explain in full their planning reasons for not agreeing with the officer's recommendation, which should be set in the context of the development plan or the NPPF. The officer should also be given an opportunity to explain the implications of the contrary decision, including an assessment of a likely appeal outcome based on policies set out in the development plan and the NPPF, and chances of a successful award of costs against the local authority, should one be made."

Additionally, the Council's own Constitution, specifically the Code of Practice for Councillors and Officers dealing with Planning Matters, contains guidance on best practice in the event that members are minded to vote contrary to officer recommendation; the advice offered to members by officers during the course of the meeting was consistent with the Code.

It was made clear to members of the Committee that they were free to vote in whichever way they wanted, but were advised of the implications of their choosing to do so on the basis of inadequate material, planning reasons. In the event members did not vote in favour of the recommendation, but opted to defer the application on the basis that the applicant had failed to provide information relating to potential land contamination which had previously been requested notwithstanding the fact that officers had queried the necessity of obtaining that particular information in the light of responses from relevant consultees to this aspect of the development.

All members of the newly established North Yorkshire Council have received training on the constitutional structure of the authority and, moreover, additional training relating to the planning role of the Council. The completion of such training is a prerequisite to participation at Planning Committee

The procedure adopted was consistent with the Council's Constitution"

Councillor Chris Aldred expressed broad support for the issues raised in the public statements however he stated he would like to defend accusations regarding the live streaming, he was present in the time immediately before the planning meeting in question and witnessed the extensive discussions between the Democratic Services and IT officers in trying to resolve the technological issue so that the meeting could be streamed.

The following public statement was read out by Jenny Marks, on behalf of Stephanie Talbot:

I am reading this statement on behalf of the Stephanie Talbot, the mother of one of the children seriously injured on the pavement outside Ashville whilst walking to school in February.

My world was turned upside down on Thursday 2nd February 2023. My eldest son Reuben and his friend were hit by a truck whilst walking to school. They were on the pavement. My daughter was also involved in the collision, as her car was hit by the same truck. My youngest son was right behind his brother on the pavement, so witnessed the whole incident.

My husband and I were there within a few minutes of the accident happening. Reuben's body had landed in positions it should never be in. Pieces of wall had to be removed from his body and he had 8 broken bones (arms, leg and back), fluid on his lungs, a de-gloved foot (not all the injuries). I was later told that when the paramedics arrived his stats showed he could have easily died whilst on the ground there. I will never get over what I saw and heard that day. I'm crying whilst I write this.

Something like this should not happen to any child whilst walking to school. My children, in particular my eldest daughter, has never felt safe walking to school because of inconsiderate drivers/speeding motorists around Ashville College and Rossett High. She had said to me many times 'it's not if it happens mum it's when'. She and a friend had been hit by a vehicle leaving the Sports Centre in September 2022 whilst walking on the path, which I reported to the police.

I want children to feel safe walking to school and feel that having a 20mph network around schools in Harrogate will encourage more walking, cycling and generally make children and their parents feel safer about travelling to school. Putting action in place should not be done as a consequence to a child's injury or even death but this accident should be a wake up call to all parents, grandparents and the community to know that we need to make a change in our beautiful but busy town to enable our children to feel safe.

17 weeks on and many aspects of our lives are still on hold because of these injuries. I cannot even explain the pain and trauma that we have all gone through and will live with for the rest of our lives.

Please be the people that make a difference.
Thank you for listening

07 Petition referred to the committee for consideration - Submission of petition for a maximum speed of 20mph on roads in south & west Harrogate

Considered – Mark Codman, Democratic Services, introduced the petition stating that it had been referred to the Committee under the Council's Petitions Scheme due to the number of signatories being above 500. He outlined the options that the committee had under the Petitions Scheme, including the following:

- (a) to take the action requested by the petition;
- (b) not to take the action requested for reasons put forward in the debate;
- (c) to commission further investigation into the matter, for example by a relevant committee; or

(d) where the issue is one on which the council executive are required to make the final decision, the council will decide whether to make recommendations to inform that decision.

Allan McVeigh (Head of Network Strategy, Highways and Transportation) provided an update to the technical information in the report and stated that the outputs from 20 mph review were now due to be reported to the Executive in July and not June.

The Chair invited Hazel Peacock to introduce the petition.

Hazel Peacock thanked the chair and the committee and introduced Dr Vicki Evans. She explained that they were petitioners for the agenda item from the Oatlands Road Safety and Active Travel Campaign and were attending to hear the discussion about the petition which was signed by 924 people.

The proposal calls for a maximum speed of 20 miles an hour in roads in South and West Harrogate across Oatlands, parts of Pannal, the Stray, Hookstone and St George's. This is urgently needed for the safety health and well-being of children and the wider community. Over 4 000 children walk, Cycle, travel by car and bus to schools in the area and a further five thousand attend the schools in the Pannal Ash area.

The proposal complements and is dovetailed with the initiative by Pannal Ash Streets with the aim to deliver better road safety and facilitate active travel for a total of 9 000 children and the community. The Committee have just heard of the devastating effects of the Collision on the pavement on Yew Tree Lane in February and been made aware of the Collision outside Oatland's Junior School also on the pavement in January.

These awful events coupled with overwhelming evidence of the benefits of 20 mile an hour limits demonstrate why change is urgently needed, the higher the speed a vehicle travels the greater likelihood of a serious injury or death if there is a crash. A crash at 30 miles per hour involves a lot more energy and destructive potential than a crash at 20 miles per hour. This is further evidenced by transport for London data showing that people hit by a vehicle at 20 miles an hour are around five times less likely to be killed than at 30 miles an hour. The changes to maximum speed limits of 20 miles per hour in other rural and urban areas of Yorkshire and the UK show positive effects; for example in Edinburgh road traffic casualties were reduced by 40 percent. We would also like to add that the Royal College of Paediatrician's policy of 2020 advocates that local authorities should commit to an expansion of 20 mile per hour zones within built up and urban areas. More recently the Parliamentary Advisory Council for Transport Safety stated in May that 20 miles per hour is now generally accepted as the safe speed for streets used by people walking, cycling or wheeling?

In October last year the Area Constituency Committee resolved for the Executive at North Yorkshire to be advised of a wish for a 20 mile per hour speed limit to be piloted throughout towns and villages in the constituency area where a need has been identified. We believe that considered together all the evidence, recent collisions and the support for our petition, that of Pannal Ash and Stray streets and the support locally from the road and safety School Group which we established shows a need for this to be implemented with urgent effect. We appreciate all the support we have had from stakeholders including Councillors Marsh, Mann and Schofield and the continued engagement with the officers two of which are here today Melissa Burnham and Allen McVeigh. We urge you to make a positive recommendation to the Executive so they may make a favourable decision at the meeting on the 20th of June which I understood is when Councillor Keane Duncan will report on the review of 20 miles per hour retrictions. This will help save lives, reduce collisions and bring about lasting

improvements to Road Safety, the environment, active travel and public health for our communities, thank you.

Councillor John Mann commented that it was very important that we reduce collisions, improve safety and reduce air pollution in South and West Harrogate including the Oatlands Neighbourhood where there were three schools. It was important to protect children and young people who were on their way to school and other activities. Earlier this year Councillor Mann had requested that North Yorkshire Councils Highways team and the Executive Member for Highways use the Council's policy and existing funds to introduce 20mph restrictions on Hoxton Road, Green Lane, Yewtree Lane and Beachwood Grove, all of which have schools on them. Councillor Mann stated that he was aware that the Executive Member Keane Duncan was preparing a report on this to be considered by the Executive on the 4 July. Councillor Paul Haslam stated that he supported the statement and had frequently campaigned for better and safer active travel options. Councillor Sam Gibbs expressed support for the statement but was concerned that a blanket approach to a 20mph zone was not right as it would not be appropriate to create day long 20mph zones on main roads such as Otley Road and Leeds Road. Councillor Michael Harrison expressed concern that if the Committee was to make a recommendation in regard of a 20mph zone for the West of Harrogate the recommendation needed to be specific about what was being asked for.

Councillor Hannah Gostlow proposed that the Committee endorse the petition as it stood.

Councillor John Mann subsequently proposed the following: the Committee notes the petition and recognizes that the requested actions from the petition are currently being considered as part of the ongoing review by the council of its current 20 mile per hour speed limit and zone policy. The committee now awaits the publication of Councillor Duncan's report on the review.

Following Councillor Mann's proposal Councillor Matt Walker seconded Councillor Gostlow's original proposal.

During the debate Councillor Monika Slater proposed that the Committee endorse the summary wording for the petition in paragraph 2.4 of the report which stated that the "The petition calls for North Yorkshire Council to deliver a maximum speed of 20mph across south and west Harrogate - covering Oatlands and parts of Pannal, Stray, Hookstone and St Georges areas in Harrogate (as outlined in red on the petition)"

Councillor Hannah Gostlow and Councillor Matt Walker accepted Councillor Monika's summary/amendment to be the substantive motion.

A vote was taken on the substantive motion and seven members voted for the motion, four voted against and there was one abstention.

Resolved –

That the Committee endorses the petition as stated in paragraph 2.4 of the report: "The petition calls for North Yorkshire Council to deliver a maximum speed of 20mph across south and west Harrogate - covering Oatlands and parts of Pannal, Stray, Hookstone and St Georges areas in Harrogate (as outlined in red on the petition)"

Petition referred to the committee for consideration - Harrogate Station Gateway Opposition

Considered – Mark Codman, Democratic Services, introduced the petition stating that the petition has been referred to the Committee under the Council’s Petitions Scheme due to the number of signatories being above 500. He outlined the options that the committee had under the Petitions Scheme, as follows:

- (a) to take the action requested by the petition;
- (b) not to take the action requested for reasons put forward in the debate;
- (c) to commission further investigation into the matter, for example by a relevant committee; or
- (d) where the issue is one on which the council executive are required to make the final decision, the council will decide whether to make recommendations to inform that decision.

Mark Codman asked Richard Binks (Head of Major Projects and Infrastructure) if there was anything he would like to add or update from the information contained in the covering report.

Richard Binks covered the following:

- He apologised if residents felt they had not been listened to, he understood this project generated a lot of passion and divided opinion
- He was happy to have a 1-2-1 meeting with the member of the public who had submitted the petition
- Officers had met with the Department for Transport’s representatives in Harrogate to have a walk-around and they praised the scheme
- Discussion regarding the schemes risks and funding profile were moving forward
- Harrogate was a fantastic place to live and visit and officers were keen to uphold/improve the gateway aspect of the town
- Officers had up until this point held more consultation on this project than similar size projects but they remained happy to sit down and discuss the scheme with any group or individual
- The scheme had receive unanimous support from the Executive and work would commence for delivery, it was critically important now to demonstrate a positive face to the outside world – grant funding bodies needed to see the Council was united in delivering a successful scheme.

The Chair invited Rachael Inchboard to introduce the petition on behalf of Granville Road Area Residents Group:

Rachael Inchboard clarified that it was not just a meeting with herself but with several groups that was required. She represented Granville Road Area Residents Group and presented a petition set up against the Gateway project which was also on behalf of several groups and several hundred people currently signed by over 2 000 people. The petition was set up to oppose the Gateway scheme as town centre residents feel they have been totally ignored with regards to concerns about the negative impacts from the proposed Harrogate Gateway scheme.

The Committee has talked about air pollution and how important it is, however there has never been any support on this around the area. Town Centre residents feel that

there has been a lack of any in-person consultation for residents and it is of a key significance. They have been offered a quick Zoom session online at short notice to tick boxes and residents feel this was a complete insult. It is felt that there has been massaging and presentation of data at the last meeting that has caused considerable outrage and anger, more specifically I was shocked at the completely disgraceful behaviour towards the petition at the Executive meeting on the 30th of May. It was laughed at and dismissed which surely contravenes any Democratic process. A debate was refused despite having over 2 000 signatures which is well over the 500 required for a debate. She confirmed that she had made a formal complaint specifically about this to the highways executive Keane Duncan and was still waiting for a reply.

Rachael Inchboard stated that the Council Officer who “mocked” the petition announced that he had rigorously checked it and that it proved absolutely nothing which is a complete insult to a lot of people who have signed it. More people signed this petition than took part in the online surveys with North Yorkshire Council. I believe there still are many people and businesses that are unaware of the Gateway scheme hence the relatively low response to all of our petitions and online surveys at the last public meeting in Harrogate on the 5th of May. There was very confusing information regarding the plans, had the original plans being changed? If so why hasn't there been a public consultation on these plans as they are not the same plans that were passed? There has still not been a meeting between the residents and the council in person even though this had been promised which is totally unacceptable in a democratic system. Together with this petition and all the groups involved which are Harrogate Residents Association, Granville Road Area Residents Group, the BID, the Chamber of Commerce, the Stray Defence group and Harrogate Independence, we have no confidence in the highways executive of North Yorkshire Council and their officers who are leading this project, thank you.

Following the statement Councillor Chris Aldred made the following proposal:

“ACC Members wish to take the opportunity presented by this Petition to express grave disappointment that, to date, there has been no engagement with individuals & groups who expressed concerns regarding the proposed Gateway Scheme at our Meeting on 5th May. This is despite the ACC passing a motion at that meeting asking for this to happen and receiving reassurances from the Executive Member for Highways & Transportation that it would happen.

This Committee therefore requests that a full schedule of engagement meetings is circulated to members, no later than Friday 30th June & that members of this Committee are also invited to these meetings.

In addition, the ACC further requests that, within the same timescale, Officers to set up a politically proportionate ACC Working Group (5 members) which will be charged with working with Officers and the Executive Member for Highways & Transportation, to produce a Report, to be considered by this Committee at its meeting on 14th September, which addresses the concerns raised by Residents & Organisations, as well as detailing the rigorous monitoring systems referred to in the motion passed on 5th May. (Expected impact on traffic flows, the environment, active travel take up and business in the area).”

Councillor Aldred expressed dissatisfaction that the Committee Members had not been involved so far in discussions on the station gateway, he stated that there was a meeting of officers prior to the meeting of the Committee and Members were not invited. Councillor Broadbank said that it was important that the Council looked to the future and worked towards a version of Harrogate that was future proof and worked for all. Here was an opportunity to use government money to improve the town but it

was important that the Council worked alongside residents and community groups. It was therefore important that the Committee had a meaningful role in the implementation of the scheme.

Councillor Monika Slater Seconded Councillor Aldred's proposal

Councillor Paul Haslam expressed doubts about the proposal saying that he wished to avoid duplication of the works of others. Extensive surveying and planning had been done in preparation for this scheme with a Master Plan produced in 2015/16, he was therefore unable to accept the proposal as it currently stood. Councillor Michael Harrison said he was concerned that the proposal was aimed at stopping the Gateway scheme.

Councillor Aldred said that his proposal was not designed at stopping the Gateway Scheme but just a continuation of what had been agreed by the Committee in May. He was proposing that the Working Group carry out the majority of the work assessing the implementation he did not intend to cause any extra burden on officers. Councillor Slater stated that the proposal was intended at looking at specific concerns of residents and she hoped that by doing so it would increase public support for the scheme.

On a vote on the proposal eight Members voted for and four against.

Resolved –

That the Committee agree the following to be put forward to the executive:

“ACC Members wish to take the opportunity presented by this Petition to express grave disappointment that, to date, there has been no engagement with individuals & groups who expressed concerns regarding the proposed Gateway Scheme at our Meeting on 5th May. This is despite the ACC passing a motion at that meeting asking for this to happen and receiving reassurances from the Executive Member for Highways & Transportation that it would happen.

This Committee therefore requests that a full schedule of engagement meetings is circulated to members, no later than Friday 30th June & that members of this Committee are also invited to these meetings.

In addition, the ACC further requests that, within the same timescale, Officers to set up a politically proportionate ACC Working Group (5 members) which will be charged with working with Officers and the Executive Member for Highways & Transportation, to produce a Report, to be considered by this Committee at its meeting on 14th September, which addresses the concerns raised by Residents & Organisations, as well as detailing the rigorous monitoring systems referred to in the motion passed on 5th May. (Expected impact on traffic flows, the environment, active travel take up and business in the area).”

09 Area Constituency Committees - Ways of Working

Considered – Daniel Harry (Democratic Services and Scrutiny Manager) provided a summary of the report on the Area Constituency Committees - Ways of Working. He covered the following areas:

- The introduction of mid-cycle briefings – to include the Chair, Vice-Chair and group representatives from other parties

- There was Corporate Director support for ACC meetings that was there if support was needed e.g. to 'unblock' things and as a route of escalation
- Parish and Town Councils would be able to engage with their respective ACC to raise any relevant issue and the ACCs were there to engage directly with the local community through the public participation scheme or directly through the Chair, Members or the Democratic Service Officers
- The ACC's were there to conduct local scrutiny but officers would work to ensure there was no conflict or duplication with efforts of the six Overview and Scrutiny Committees
- Just because reports were down 'to note' doesn't mean that the Committee can't decide on what action it wants to take in response to an item
- There is a £50k seed fund that would need careful management and close scrutiny – the fund would need a robust system in place for the allocation of the moneys and for which we can be held accountable by members of the public
- The Committee managed a work programme and aside from the areas already being looked at it was suggested that the Committee look at areas such as economic development, community safety and highways related matters

Members discussed the following:

- Allotting some of the seed fund moneys to the Nidd Action Group – DH responded that if Members urgently need funding they could use their locality budgets
- In response to a question DH explained that allocation of the seed funding would likely involve collaboration with the Corporate Director and the s.151 officer but the exact process was to be determined
- Councillor Warneken was keen to have environmental issues/climate change added to the list of priorities detailed at section 12 of the report – DH explained that this was not an exhaustive list
- In response to another question DH stated that there would be report reviewing how the ACCs had got on after about 12 months or the four meetings that were planned throughout the 2023-24 year.

Resolved –

That the report be noted.

10

Appointments to Outside Bodies

Considered – The report of the Assistant Chief Executive (Legal and Democratic Services) which invited the Area Constituency Committee to appoint the Council's representatives on the outside bodies listed in the report. The report explained that the Outside Bodies were separated into two lists, appendix 1 contained the Category 2 Outside Bodies and appendix 2 contained the Category 3 Outside Bodies.

Resolved –

(a) That the under-mentioned Councillors be appointed to the following Category 2 outside bodies:-

- Bond End Air Quality Steering Group (NYCC) – Councillor Matt Walker
- Fairfax Community Centre – Councillor Phillip Broadbank
- Harrogate District Community Safety Local Delivery Team – **No longer functioning**

- Harrogate International Festival Board of Governors – Councillor Chris Aldred
- Harrogate White Rose Theatre Trust – Board – Councillors Mike Schofield and Robert Windass
- Jennyfield Styan Community Centre Joint Management Committee – **No longer functioning**
- Knaresborough Community Centre Committee – No Change (Councillor Gostlow)
- Nidd Gorge Advisory Partnership – Councillors Arnold Warneken, Philip Broadbank, Paul Haslam, Matt Walker, Hannah Gostlow and Mike Schofield
- Nidderdale Strategic Partnership – **(Skipton and Ripon Area)**
- Pateley Bridge Quarry, Greenhow - Board of Trustees - **(Skipton and Ripon Area)**
- Renaissance Knaresborough Management Committee – No Change (Cllr Gostlow)
- Starbeck Community Fund – **there was only one spot to fill** – Councillor Pat Marsh
- The Local Fund – no change (Cllr Sam Gibbs)

(b) That the under-mentioned Councillors be appointed to the following Category 3 outside bodies:-

- King James’s Foundation at Knaresborough H&K 1 – Councillor Matt Walker
- Prince Henry's Grammar School, Otley - no appointment made. The catchment covers part of the NYC area
- Richard Taylor’s Educational Foundation Trust H&K 1 - Councillor Paul Haslam

11 Update from the Climate Sub Group

Considered – Councillor Paul Haslam (Chair of the Climate Sub Group) updated the Committee on the work of the Sub Group, he informed the Committee that he had chaired one meeting so far and he had held a lengthy discussion with Councillor Pat Marsh on the top of climate change. Looking forward Councillor Haslam made the following points:

- The committee would soon be considering the Local Transport Plan consultation and should consider the environmental aspects of the plan – the Council needed to consider whether the current roads were suitable for active travel needs
- If Members were to pool their locality funds they could use those funds to make small changes that could add up to a larger effect
- Cycleway improvement was much needed
- There needed to be greater coordination and collaboration between the VCS and other organisations across NY
- Councillor Haslam was planning to push the idea of a ‘Climate Champion’ as soon as he had determined the mechanism for operating such a scheme
- He was also looking at creating an award for the best climate change or environmental initiative

Resolved –

That the update be noted.

12 Committee Work Programme

Considered: (i) The report invited Members to consider, amend and add to the Committee's Work Programme.

During discussion about possible issues for the Work Programme, the following topics were suggested:

- Councillor Gostlow informed the Committee that The Committees Bathing Water Working Group had met the previous night and had asked that the Environment Agency and the National Farmers Union be invited before the ACC to discuss the ongoing water issues – Mark Codman confirmed they would look at inviting representatives for the aforementioned bodies – Yorkshire Water had also stated that they would update the Members within six months on progress to their improvement works – MC would look at which meeting this would go to
- Councillor Gostlow informed the Committee that Councillor Mike Schofield was to join the Bathing Water Sub Group
- Further information from the Harrogate District Cycle Action Group had been circulated to Members prior to the meeting
- Following up from the last meeting of the Committee was the proposal from Councillor Peter Lacey on a working group to look at any gaps in the Community support network in the absence of a Harrogate Council – as Councillor Lacey could not be present Councillor Aldred submitted the proposal on his behalf – the proposal was to creating a working group consisting of five Members that would meet around twice a year.
- Councillor Schofield asked that the Committee look at the Playing Pitch Strategy as many playing pitches were tired and worse for wear – MC suggested that any particular queries be submitted directly to him and he would follow them up and report back to the committee.
- In advance of the September meeting of the Committee Councillor Gostlow asked that we request the Youth Council give their views on sustainable transport and active travel issues.
- The informal session on Teams for the Local Transport Plan on 29 June at 10:30 was noted. This would be confirmed and also if it could be recorded for those Councillors that were unable to attend.
- The Committee resolved to request the MP to attend a meeting once a year with updates as required.

Resolved –

That the work programme be approved.

The meeting concluded at 12:50 pm.