

North Yorkshire County Council

Planning and Regulatory Functions Committee

Minutes of the meeting held remotely via Microsoft Teams on 13 January 2021 at 4.00 pm.

This is the reconvened Meeting of the Planning and Regulatory Functions Committee held on the 12th January 2021. The reasons for reconvening the Meeting are outlined in the minutes from 12th January 2021 and in the minutes below.

Present:-

County Councillors Peter Sowray (Chairman), David Blades, Caroline Goodrick, Robert Heseltine, Mike Jordan, John McCartney, Zoe Metcalfe, Chris Pearson and Clive Pearson

Apologies were submitted by County Councillors Eric Broadbent and David Hugill.

The meeting was available to watch live via the County Council's website and a recording of the meeting is now available on the website via the following link www.northyorks.gov.uk/livemeetings

Copies of all documents considered are in the Minute Book

174 Welcome and Introductions

The Chairman welcomed everyone to the meeting and those present introduced themselves.

The Chairman explained the reasons for reconvening the meeting which are set out in Minute no. 176, below.

175. Declarations of Interest

There were no declarations of interest.

176. Reconvened meeting to enable a vote to be taken in public on the planning application for the purpose of the construction of a 3.9 km long two-way, single lane (with overtaking lanes) carriageway realignment on the A59 between the west of North Moor Road and Blubberhouses

The Democratic Services and Scrutiny Manager explained why the meeting of the Planning and Regulatory Functions Committee that was held on 12 January 2021 had been reconvened to enable a vote to take place in public on the planning application for the purpose of the construction of a 3.9 km long two-way, single lane (with overtaking lanes) carriageway realignment on the A59 between the west of North Moor Road and Blubberhouses.

He stated that, unbeknown to those involved at the time, the Live Broadcast facility of the 12th January 2021 meeting had ended prior to the vote on the application having been

taken. The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 states in section 5 (2 to 4) that members of the committee must be able to be heard and, where practicable, seen by members of the public. As a result, the vote on the application was not taken in public and, therefore, was not legally binding.

The Meeting was, therefore, reconvened on 13th January 2021, to ensure that the vote on the application was undertaken whilst being broadcast live to the public, in line with the regulations, to ensure that this was legally binding.

Resolved –

That the report be noted and the arrangements that have been put in place to reconvene the Meeting of 12th January 2021, for the reasons state, be approved.

- 177. Planning application for the purpose of the construction of a 3.9 km long two-way, single lane (with overtaking lanes) carriageway realignment on the A59 between the west of North Moor Road and Blubberhouses. The realignment lies north of the existing A59 and incorporates modifications to the junctions at North Moor Road, Hall Lane and Church Hill. The existing road from Blubberhouses to Botham's Farm and Paradise is proposed to be downgraded, reduced in width and, in turn, would function as a private access and public right of way for part of its length. The existing road from Paradise to where public footpath (ref. no. 15.14/4/1) joins the existing A59 is proposed to be removed and returned to moorland habitat as part of the areas of land designated as Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) (under the EU Birds Directive). Associated works include the diversion of Hall Beck watercourse, landscaping, environmental mitigation, new culverts, 100 metre long retaining wall, SUDS drainage including two attenuation basins, replacement signage, construction of two underpasses, diversions to, and increase of 1,526 metres of bridleways and public rights of way on land at the A59 at Kex Gill from the west of the junction with North Moor Road and Blubberhouses**

A representative of the Assistant Chief Executive (Legal and Democratic Services) provided a brief summary of the application and discussion that had been comprehensively considered at the Meeting of the Committee held on 12th January 2021, and had been reconvened in line with the issues set out in Minute no. 176, above. Full details of the consideration of the application were available on the County Council's website, through the link highlighted, above, in these Minutes.

Resolved –

That the application be approved subject to the following:-

- (i) The Secretary of State determining whether to call-in the application for consideration;
- (ii) The successful completion of a legal agreement under Section 111 Local Government Act 1972, as detailed in the report; and
- (iii) Compliance with the conditions as detailed in the report.

The reconvened meeting concluded at 16.15pm.

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