**PARISH CONSULTATION MEETING – MONDAY 24 OCTOBER 2016**

**RESPONSES TO QUESTIONS**

|  |  |
| --- | --- |
| **1.** | **Item requested by Roecliffe and Westwick Parish Council:****Roecliffe & Westwick would like to raise the issue of the non-payment of a parish precept by Harrogate residents. The revenue base for Harrogate Borough Council would be increased by levying Harrogate town residents with the equivalent of a parish precept to pay for facilities and amenities particularly enjoyed by the townspeople. This would then reduce the requirement to increase charges for services to all Harrogate Borough Council taxpayers.** |
|  | *There has been a question about the non-payment of a parish precept by Harrogate town residents. It has been suggested that the revenue base for Harrogate Borough Council would be increased by levying Harrogate town residents with the equivalent of a parish precept to pay for facilities and amenities particularly enjoyed by the people living in the town thereby reducing the requirement to increase charges for services to all Harrogate Borough Council taxpayers.**Pre-cepting authorities are parish, town or community councils or charter trustees. Harrogate town (other than Pannal & Burnbridge) does not have such pre-cepting authorities & their creation would require a community governance review. This is unlikely to be a priority for the Council but if anyone wants to know if they can require a community governance review of the urban areas of Harrogate then I would refer them to the guidance which sets out the requirements of a petition.* |
| **2.** | **Item requested by Kirby Hill and District Parish Council:****Please could officers explain how the views submitted by parish councils on planning applications are factored into the final planning decision. In a score of 1-10, where 1 is where the views are almost completely ignored, what weight is actually given to the views of the representatives of the local community, and can you provide examples of instances in the Kirby Hill area where a parish council submission has made a difference to the planning officer’s decision?** |
|  | *All responses made by Parish Councils are taken into account as part of the consideration and determination of relevant planning applications. Comments received are recorded within the case officer’s report and are addressed within the assessment of the case. The weight that is given to comments received is dictated by their relevance in planning law – for example a comment about design or appearance will carry more weight than a comment relating to property prices, and comments made in relation to outline planning applications should be relevant to the issues under consideration at that stage.* *Our records show that in the last 5 years we have consulted Kirkby Hill and District PC 19 times on proposals within their parish which have reached determination. Of these no objections or support were provided to 14 cases and no response was received on one occasion. In the other four cases two were refused on grounds which accorded with the concerns raised by the PC whilst the other two were approved as it was considered that the grounds of concern raised by the PC did not form substantive reasons to refuse the application* |
| **3.** | **Item requested by Nun Monkton Parish Council:**1. **When planning permission is granted subject to conditions, do the planners check to ensure that the conditions are adhered to?**
2. **We understand that the Planning Department used to notify adjacent Parishes if a planning application site butted up to the boundary of another Parish. Why do planners no longer follow this procedure and is it possible for it to be reinstated?**
 |
|  | *1. The Development Management team includes a Compliance Officer whose role includes the monitoring of planning conditions. This work is focussed on the larger approvals and whilst every effort is made to ensure that planning conditions are complied with, the sheer number of approvals given by the Section each year means that we do not have the resources to proactively monitor all cases. However any comments received that conditions are not being complied with on any particular site will be investigated by the team.**2. Consultation with Parish Councils stems from provisions set out in the Town and Country Planning (Development Management Procedure) Order 2015 which effectively require the Council to consult with Parish Councils in respect of applications on land* ***within*** *the Parish. Officers have the discretion to consult neighbouring Parish Councils should it be considered that a development may have significant implications beyond a Parish boundary. However, a more reliable approach would be for Parish Councils to set up one or more development alerts within the online Public Access system which would allow the Parish Council itself to identify and, if desired, make representations on an application rather than relying on case officer discretion. The Planning & Development Service’s Information and Systems Manager, David Clothier, would be happy to advise Parish Councils on how to set up development alerts and can be contacted by email at* *David.Clothier@harrogate.gov.uk**.* |
| **4.** | **Item requested by Killinghall Parish Council:*** **Ask for a change in planning applications policy for a mix of housing in residential developments to include single storey dwellings (bungalows) to provide for the needs of the ageing population.**

* **Planning applications sent to the PC arrive anytime irrespective of our monthly meetings dates and invariably need an extension to the deadline from the period given for examination. Could an extra 14 days grace be automatically granted without having to ask for one every time this happens?**
 |
|  | *Consultation with Parish Councils stems from provisions set out in the Town and Country Planning (Development Management Procedure) Order 2015 which effectively require the Council to consult with Parish Councils in respect of applications on land within the Parish. In return, Parish Councils are required to make any representations within 21 days of being consulted and the Council must not determine an application before the 21 days has elapsed. Given the statutory timescales applicable to the determination of applications, and the threat of Government intervention should performance on the speed of determining applications fall below certain levels, it is not considered appropriate to automatically extend the statutory period within which Parish Councils should respond. However, if necessary and wherever possible, case officers will continue to be sympathetic to requests for more time to respond and representations are accepted up until an application is determined.* |
| **5.** | **Item requested by Kirkby Malzeard, Laverton and Dallowgill Parish Council:****Earlier this year one Planning Application from our Parish was not dealt with by Harrogate Borough Council’s Planning Department within the designated timescale, necessitating the applicant to request that it be considered by the Planning Inspectorate (15/05333/ADV), and in another case (16/02388/TPO) we asked for further information from the Planning Department, but received no reply, and a decision was concocted on our behalf. Other applications are taking a considerable time before decisions are being made. Are steps being taken to address such problems and improve the efficiency of the Planning Department?** |
|  | *Planning application 15/05333/ADV was indeed the subject of an appeal given that the Council had not made a decision within the statutory 8 week. However, the applicant has since acknowledged that before deciding to submit an appeal she failed to respond to an email sent by the case officer which sought a drawing showing where on the building the proposed sign would be located. Receipt of such a drawing would have enabled a decision to be issued within the target timescale. Ironically, the case officer was minded to recommend that the application be approved yet the appointed Inspector dismissed the appeal and so withheld advertisement consent.**With regard to application 16/02388/TPO, whilst it is the case that the Parish Council did not submit an objection to the proposed works as included in the report, the case officer accepts that the requested clarification was not given and offers his apologies. However, given the very clear advice received from the Council’s Arboricultural Section and the fact that the application form contained no conflicting information as suggested by the Parish Council response, it was considered reasonable to proceed to determine the application within the statutory timescale.**Throughout 2015 and 2016 to date, a total of 34 applications falling within the Parish Council boundary have been determined (with 5 being withdrawn and a number pending consideration) of which 74% have been dealt with ahead of target dates. Performance at this level is not considered to be of major concern or to suggest unacceptable inefficiency and it is anticipated that overall performance will improve further once a current backlog in registering applications, due to recent staff turnover, has been addressed.* |
|  |  |
| **6.** | **Item requested by Tockwith and Wilstrop Parish Council:****Harrogate Borough Council have decided to charge for green waste collections as from April of next year. There are currently no green waste collections from mid-December to mid -March which has not been met with universal approval. With the advent of green waste collection charges will the mid December to mid-march collections recommence? If not, why not?** |
|  | *No we do not intend to re-introduce collection of green waste between mid-December and mid-March when the new service is rolled out.**The reason being is that the demand does not justify the cost. We used to run an all year round service up to and including 2011/12, and during that time the amount of green waste collected was very small compared with the rest of the year – see figures provided on Appendix A.**As can be seen the tonnages in December and January are very low and in fact by dropping the winter collections over the past 4 years has not resulted in a fall off of green waste collected.**As a result in an attempt to keep costs down the proposal is to continue to provide the service from Mid-March to Mid-December but to roll it out to as many of the 40% of households who currently do not benefit from the current service as possible.**Please see hand-out for additional information.* |
| **7.** | **Item requested by Knaresborough Town Council:****Why have HBC failed to act to use the power at their disposal to bring back in to productive use long term empty properties?** |
|  | *We do not accept the premise of the question as we take empty properties and the impact they can have very seriously. We recognise the importance of bringing them back into the useful housing stock of the district. The Council’s Empty Property Statement sets out the practical ways in which we do this and we regularly take appropriate action where necessary.**The starting point is to identify why the properties are empty. This helps us to work with the property owner where possible. Each empty property is different and there are many reasons why they become empty. These reasons can be sensitive and it is important to recognise that. However, it is also important to be committed to the principles of the approach and recognise that an empty property is blight on a neighbourhood and a wasted resource. Owners should know that whilst the council would prefer to work with them, non-action is not an option.* *Initially we offer advice and assistance (including funding options if available); with the intention of bringing the property back into use through voluntary action on the owner’s part. Where all negotiation has failed and as a measure of last resort, we will take the appropriate enforcement action to ensure the property is returned to a decent condition and brought back into occupation. Enforcement action will be considered where a property has been empty for at least six months. It will be taken forward by the Empty Homes Officer with officers from Environmental Health, Planning, Legal and other sections as needed.* *Over the years, the Empty Homes Officer has worked relentlessly to reduce the number of empty properties throughout the whole district and Knaresborough in particular. Successes, using a range of powers and funding sources, include:**Park Villas – 9 flats (part - funded by HBC Empty Property Grant (EPG)**‘Lingard’ properties - CPO resolution on 2 occasions (Kings Road/Heathfield Drive/Nora Avenue) – all refurbished and returned to use following CPO resolution* *The Whincup Estate (Cheapside) – renovated following intervention**91 – 93 High Street- converted to flats (part funded by HCA grant and EPG)* *88 – 92 High Street – converted to flats (part funded by HBC EPG)* *Netheredge – council resolution for CPO (demolished)* *16 High Street – conversion/refurbishment (part funded by HBC EPG)* *23 – 25 High Street – converted with (HBC EPG)* *Finkle Street - conversion to flats (HCA grant funded)**IIes Lane - conversion to flats (HCA/EPG funded)* *6 Castlegate – conversion to flats (HCA/EPG)* *Above Johnson’s Dry Cleaners – flat refurbished and brought to the market following HBC intervention* *Ivy Cottage (pub) – demolished and redeveloped as 11 flats (HCA Grant)**We continue to pursue long term empty properties in Knaresborough and across the district. We will always seek to work with property owners first to return these homes to use. Ultimately though, if all else fails, we will seek a resolution of council to apply to the Secretary of State for a CPO.* *We never shy away from using the powers at our disposal when dealing with empty properties; however, without having gone through every other stage, any application for CPO will fail.*  |
| **8.** | **Item requested by Knaresborough Town Council:****Do HBC think diffusion tubes are an adequate way of measuring air pollution?** |
|  | *Yes**This monitoring method is approved by DEFRA as a suitable method to monitor Nitrogen Dioxide and to assess the annual mean concentration to establish if the national air quality objective of 40 micrograms per cubic metre is being achieved at monitoring locations. The laboratory used by the Council to supply the diffusion tubes and analyse the results is UKAS accredited and approved by DEFRA.* *DEFRA have not raised any concerns about the methodology being used or about the results that have been achieved since monitoring started in the 1990’s. As a measure for quality assurance we have triplicate diffusion tubes, at some locations, to demonstrate that the results are accurate. Diffusion tubes are used by all local authorities in North Yorkshire and across the country.* |
| **9.** | **Item requested by Knaresborough Town Council:****Do HBC have plans to change the business rate structure to benefit small shops in towns like Knaresborough?** |
|  | *The government are making changes to Business Rates through revaluation and extension of the Small Business Rates allowance which is likely to mean less rates to pay for some businesses. The full detail has not been evaluated as the information is too new. Information is being sent to every business in the next few days which will direct them to government website to find out more about the changes.* *The only control HBC has is through the discretionary relief scheme which we do not have any plans to make further changes to at this time.* |
| **10.** | **Item requested by Masham Town Council:****Given the levels of adult obesity has consideration been given to the installation of adult fitness equipment into children’s play areas to allow Mums and Dads to use these facilities while supervising their children.  There is certainly space in the Masham Children’s Play Area for such an installation** |
|  | *No it has not and the reason for that is that the national guidance advises against this. This is because many of the “Gym” types of equipment have moving parts and potential trap points, and whilst the risk is low, they could cause injury to a child if used in a play environment. As a result where we have installed these (Knaresborough and Starbeck) they have been in an alternative area to any play equipment.**The second issue is the costs. To supply and install the smallest “packages” cost in the region of (£11,000) and they go up from there. There is then the on-going inspection and maintenance of that equipment, which is difficult to resource in the current economic climate. Should the Parish Council feel there is an alternative site and have the funds available to pay for the purchase and installation of the service along with subsequent maintenance then we would be more than happy to give support and guidance on that.* |
| **11.** | **Item requested by Masham Town Council:****Could the Council support us in a bid to improve the abysmal and, in some cases, useless, Public Transport system currently serving the Masham area? e.g. Masham/Bedale/Northallerton. Is there any funding available towards any self help systems, i.e. community mini bus or small coach schemes** |
|  | *HBC is not the local transport authority (North Yorkshire County Council are) and therefore does not cover bus services, although we are keen to promote public transport use wherever possible.  We are aware that there is currently an open funding opportunity to enable local not for profit organisations to acquire a minibus – this is called the Community Minibus Fund (*[*https://www.gov.uk/government/publications/community-transport-minibus-fund*](https://www.gov.uk/government/publications/community-transport-minibus-fund)*) which may be of interest to the Town Council.  The fund closes on 2nd December 2016, It may be helpful, if it has not been discussed already, for the Town Council to speak with the Passenger Transport team at North Yorkshire County Council to understand what the opportunities for improved provision may be in the area.* |
| **12.** | **Item requested by Knaresborough Town Council:****Would HBC consider i) doing resurfacing works at Conyngham Hall – the pot holes are quite deep and dangerous ii) opening the gates to the picnic field more regularly as they are shut most of the time at present?** |
|  | *Works at Conyngham Hall (i)**Following on from the resurfacing of both Castle yard and Chapel Street car parks, Knaresborough in the last 18 months (circa 95k investment), Conyngham Hall is the next priority for investment.  We are aware of the current condition and intend to undertake works in this financial year.  We are currently obtaining quotes and investigating options for resurfacing.**Gates (ii)**The gates, to the overspill parking (‘picnic’) area, are closed in the Winter in order to give the grass a chance to recover and also due to previous persistent anti-social behaviour from ‘street racers’.  The gate is open from Easter until mid-September when car park demand is increased. There are no plans to amend this arrangement.  Any suggestion to open and close it daily is not feasible but if the Parish Council feel they could undertake this role, we would be happy to discuss.*  |
| **13.** | **Item requested by Knaresborough Town Council:****What is the update on HBC plans to introduce Wi-Fi throughout Knaresborough Town Centre?** |
|  | *Harrogate Borough Council is working to deliver public wi-fi in every town-centre across the district. The ambition is to secure a long-term, commercially viable solution that secures maximum benefits for both residents and visitors. The council has a preferred model in this respect.* *However, a key aspect of this work is ensuring that the right assets are made available to site equipment and ensure seamless, non-disruptive wi-fi coverage across all of our commercial centres. From HBC’s point of view, this includes buildings and CCTV columns. Officers are now working with NYCC in order to utilise street lighting columns to address any potential gaps in coverage.* *Once a definitive list of assets can be offered to the market, the council will consult stakeholders (including Knaresborough Town Council) on the preferred approach and coverage prior to beginning the procurement process. It is envisaged that this consultation exercise will take place before Christmas.* |
| **14.** | **Item requested by Knaresborough Town Council:****Why do HBC not enforce parking restrictions more forcefully in car parks such as the Castle Yard Car Park in Knaresborough? (people park for 4 hours with 1 ticket – then add another 2 hour ticket when that one has run out)**  |
|  | *Parking Enforcement in Knaresborough.**This particular issue is mitigated by the following:**Normally we price our car parks to deter all day parking (preferring parkers to use the cheaper long stay car parks such as York Place or Conyngham Hall) rather than using resources to enforce on the no return.* *We have periodically undertaken surveys to establish if we did have a problem in Knaresborough car parks and not found this to be a significant problem previously.* *One of the issues with Castle Yard and there seeming to be all day parking is because we have a residential permit scheme that allows all day parking. We currently have 71 permits issued for Castle Yard car park and this clearly reduces the available short stay parking for visitors.**We would be happy to undertake further surveys if there is an emerging issue and increase enforcement if necessary.* |
| **15.** | **Item requested Bewerley Parish Council:****Is there a budget for road naming? As new houses are built on unnamed roads there is a need for road naming as utilities can be difficult to obtain if one does not have a street name and number.** |
|  | *When developments take place they have to be allocated an address that can be entered into both the Local Land and Property Gazetteer and also the National Land and Property Gazetteer. This is carried out by HBC’s Building Control team. The team is responsible for the allocation of Street names and numbers, and this is covered within their budget. Naming is carried out (when notified by developers) in consultation with other council departments and external consultees such as the Royal Mail.* |
| **16.** | **Item requested by Pateley Bridge Town Council:****PBTC understands that the recycling facility at Allerton Park will start testing in April 2017; what are your plans for rubbish recycling and kerbside collections once this gets under way?** |
|  | *Nothing changes. We will still take our residual household waste to Allerton. The only difference will be that it will not go to landfill but will be processed by the plant run on behalf of NYCC as the disposal authority.**HBC are just the collection authority.* |
| **17.** | **Item requested by Pateley Bridge Town Council:****Why are you so reluctant to take action on illegal fly-tipping?** |
|  | *The Council is not reluctant to investigate and take action against fly tipping.* *Fly-tipping is the illegal dumping of waste that might include general household rubbish, larger household items e.g. mattresses and fridges, garden refuse or commercial waste. Fly-tipping is a serious criminal offence which carries a fine of up to £50,000 (unlimited if dealt with by the Crown Court). Offenders can be sent to prison for up to five years.**Fly-tipping on private land* *Our Environmental Protection team deal with the investigation and enforcement of fly-tipping on private land. If the waste consists of garden cuttings or rubble, and there's no evidence of who's dumped it, we're very limited in what action can be taken. However, investigations will be pursued where evidence exists which may point to who's responsible, or witnesses can provide statements that can be followed up. We're not responsible for clearing waste from private land. If we can't find who was responsible for the tipping, removing the waste is the landowner's responsibility.**We also work in liaison with the Environment Agency regarding larger incidents, where there may be waste management licensing regulation issues.**Fly-tipping on the highway**Our Parks and Environment Service report that we do have a number of regular hot spots for the larger type fly-tips, on the highway, and we are currently looking to introduce a signage system (similar to what the Police do when there has been an accident) to see if we can encourage anyone to come forward with information when a large fly-tipping incident has occurred.**If the Parish Council are receiving reports of fly-tipping please do not hesitate to contact us.* |

**Additional questions raised by parish councils which will be included in the Harrogate District Local Plan Briefing:**

|  |  |
| --- | --- |
| **A** | **Item requested by Upper Nidderdale Parish Council**How is the new format Commuted Sums scheme being administered and how will it affect parish councils. |
|  |  |
| **B** | **Item requested by Beckwithshaw Parish Council:**The reason most people are against housing developments concentrated to the west of Harrogate is that they will make traffic congestion worse. Each individual large development has a traffic impact assessment but there seems to be no strategic traffic assessment taking into account ALL the new and proposed housing and commercial developments and their COMBINED effect on traffic congestion.Question 1  Is there a strategic traffic assessment?Question 2  If not, why not?Question 3  If there has been such an assessment when will it be made public?" |
|  |  |
| **C** | **Item requested by Goldsborough and Flaxby Parish Council:**1) Can the Local Plan please be included on the agenda?2) What is the current timetable for the Local Plan, including the relevant milestones and consultations?3) Will Harrogate Borough Council have to revise its projections for the requirements of the Borough (eg housing/jobs etc) in light of the Brexit vote?4) How will the consultation with Parish Councils and the public be undertaken and what will be the format? Also how will this consultation materialise in practice?5) There are significant size developments ongoing or included in the Local Plan district wide such as but not limited to Killinghall, Ripon, Pannal, Manse Farm and Flaxby. Surely such developments are of such size to negate the need for smaller developments within villages around the District and allow these villages to retain their identity and character.  |
|  |  |
| **D** | **Bewerley Parish Council**Why is Harrogate not using more brownfield sites for housing rather than greenfield? |
|  |  |
| **E** | **Item requested by Darley and Menwith Parish Council**Can Harrogate Borough Council reassure the parishes that the consultation will be carried out in such a way that no-one is disadvantaged?Many people do not have access to computers and these and many others will be unable to complete on-line consultations which are unwieldy even for those who are computer-literate.It is essential that hard-copy of the information on site locations, preferred locations and assessments are provided to all householders as they were for the last consultation.It is also essential that responses can be made in any manner – by letter, by a printed form, by e-mail comments as well as on-line, with a guarantee that all comments will be taken into consideration.Darley and Menwith Parish Council asks for reassurance on these issues.The Council would also like to know the anticipated date when the Plan will be ready to go for Inspection, and the dates of any further consultations before that date. |
|  |  |
| **F** | **Item requested by Tockwith and Wilstrop Parish Council**The District Council appears to operate a strict policy of low cost housing allocation to each planning application and it does not seem to alter whether the proposed development is in what is deemed in an urban area or a rural area. This means that low cost housing allocation is being imposed in rural areas where there is neither a local need or infrastructure to cater for such additional building. Does it not make sense to impose a greater density of low cost housing in urban areas where there is the infrastructure to deal with the expected increase in social need and write it within the Harrogate Planning Policy? |
|  |  |
| **G** | **Item requested by Masham Town Council**Affordable Housing – what is the policy? With current proposals for development of specific areas around the Harrogate District area there is concern from local residents that they will not be able to afford to live in any of these new houses. |
|  |  |
| **H** | **Item requested by Pateley Bridge Town Council**How much provision for affordable housing – both for families and single occupancy - will there be in the revised Local Plan? |
|  |  |
| **I** | **Item requested by Pateley Bridge Town Council**Although HBC has been unable to introduce the Community Infrastructure Levy (CIL), the CIL regulations have had an impact on the allocation of commuted sums in the interim period. In July 2015 James Langler, your Principal Planner, informed Pateley Bridge Town Council that HBC would be starting the process of introducing a CIL to the District again towards the end of that year, with the consultation on a preliminary draft charging schedule due to take place in July 2016. Please could you update us on this? |

**Appendix A**

**Tonnages of Green Waste Collected**

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Year** | **April** | **May** | **June** | **July** | **August** | **September** | **October** | **November** | **December** | **January** | **February** | **March** | **Year Total** |
| **2011/12** | 1018.24 | 1131.86 | 1281.38 | 1154.98 | 1269.10 | 1193.80 | 1057.66 | 807.42 | 277.86 | 265.76 | 213.14 | 820.26 | **10491.46** |
| **2012/13** | 763.90 | 1296.20 | 1431.66 | 1567.76 | 1376.74 | 1146.14 | 966.92 | 807.02 | 0.00 | 0.00 | 0.00 | 491.60 | **9847.94** |
| **2013/14** | 803.74 | 1379.90 | 1515.22 | 1369.86 | 1280.84 | 1132.55 | 1100.86 | 838.62 | 287.88 | 0.00 | 0.00 | 685.98 | **10395.45** |
| **2014/15** | 1236.68 | 1607.67 | 1645.72 | 1377.14 | 1122.72 | 1359.14 | 1125.49 | 748.42 | 217.30 | 0.00 | 0.00 | 576.98 | **11017.26** |
| **2015/16** | 1182.10 | 1266.85 | 1472.98 | 1354.76 | 1192.28 | 1343.73 | 1046.80 | 842.00 | 207.10 | 0.00 | 0.00 | 680.58 | **10589.18** |
| **2016/17** | 944.32 | 1289.32 | 1748.36 | 1339.80 | 1176.36 | 1345.04 |   |   |   |   |   |   | **7843.20** |