

# WHITBY TOWN COUNCIL

Minutes of the meeting of the Town Council of Whitby, duly convened, held in Pannett Art Gallery, Whitby on Tuesday, 7<sup>th</sup> October 2008 at 6.45 p.m.

**Present:** Councillor S R Smith (Town Mayor) and Councillors Mrs S Boyce, Mrs J M Daniels, Dr S M Daniels, J Dickinson, J Freeman, I Havelock, T Jennison, W F Jones, M D Murphy and Mrs A J Smith.

Mrs A Cowey, Deputy Clerk & Civic Officer, Mr N West, Mr L Parker (North Yorkshire County Council), Mr A Richards, Mr G Hornsby and Ms D Juda (Scarborough Borough Councils Focus Group 2) one member of the press and one member of the public.

**Apologies:** for inability to attend were received from Councillors T N Carson, Mrs H R Coughlan and J McEachen.

Opening Prayers.

Prior to the start of the meeting:

Mr West and Mr Parker of North Yorkshire County Council spoke about the revised application for Park and Ride and answered questions.

Ms Juda, Mr Hornsby and Mr Richards gave a power point presentation on the proposed Whitby Marina on Shore Facilities and answered questions put by Councillors.

## **119. MINUTES**

**MOVED** by Councillor Murphy seconded by Councillor Dickinson and

**RESOLVED** that the minutes of the meeting of the Council held on the 2<sup>nd</sup> September 2008 having been circulated, be taken as read, confirmed as a correct record and signed by the Town Mayor.

## **120. DECLARATIONS OF INTEREST**

Councillor Smith declared an interest in agenda item 20 (personal and non-prejudicial).

Councillor Mrs Smith declared an interest in agenda Item 20 (personal and non-prejudicial)

Councillor Jones declared an interest in agenda items 17 and 19 (personal and non-prejudicial).

## **121. PUBLIC PARTICIPATION**

No public participation.

## **122. COMMUNICATIONS**

- (a) The Town Mayor reported on the following civic engagements:
- |                       |   |
|-----------------------|---|
| 1 <sup>st</sup> Sept  | St Peters Court Community Centre – visit by MP. |
| 12 <sup>th</sup> Sept | Photo Shoot – Fairtrade (Deputy).               |
| 14 <sup>th</sup> Sept | Civic Service – Filey Town Council.             |
|                       | Battle of Britain Service (Deputy).             |
| 29 <sup>th</sup> Sept | Whitby in Bloom Presentation.                   |

(b) Letters received by Council:

- (1) Scarborough Borough Council – Community Payback/Probation Service.
- (2) Scarborough Borough Council BT Phone Box removal consultation – Notification under section 49 of the Communications Act 2003.
- (3) Scarborough Borough Council Overview and Scrutiny Annual Report 2007 – 2008.
- (4) Country Air.
- (5) The Playing Field.
- (6) North Yorkshire and York NHS Primary Care Trust – Scarborough Strategic Review of Clinical Services.
- (7) Report of the meeting of the Friends of Pannett Park (incl Little Park) Management Committee held on the 8<sup>th</sup> and 15<sup>th</sup> September 2008, for information only.
- (8) Report of the meeting of the Friends of Pannett Park (inc Little Park) open meeting held on the 15<sup>th</sup> September 2008, for information only.
- (9) Report of the meeting of the Whitby in Bloom Group held on the 3<sup>rd</sup> September 2008, for information only.

**MOVED** by Councillor Dickinson, seconded by Councillor Murphy and

**RESOLVED** that the above letters be received.

(c) Letter sent by Council:

- (1) To businesses on the West Cliff regarding Tuckers Field.
- (2) To North Yorkshire County Council and Robert Goodwill MP regarding the closure of the Arriva Office, Whitby.
- (3) To North Yorkshire County Council, Scarborough Borough Council, Whitby Folk Week and Whitby Regatta regarding Whitby Regatta/Folk Week 2009.

**123. PLANNING COMMITTEE**

**MOVED** by Councillor Jennison, seconded by Councillor Freeman and

**RESOLVED** that the minutes of the Planning Committee held on the 9<sup>th</sup> and 23<sup>rd</sup> September 2008, having been circulated, be approved as a correct record and adopted by the Council.

**124. FINANCE AND GENERAL PURPOSES COMMITTEE**

**MOVED** by Councillor Murphy, seconded by Councillor Mrs Boyce and

**RESOLVED** that the minutes of the Finance and General Purposes Committee held on the 16<sup>th</sup> September 2008, having been circulated, be approved as a correct record and adopted by the Council.

**125. PANNETT ART GALLERY AND WHITBY MUSEUM JOINT MANAGEMENT COMMITTEE**

**MOVED** by Councillor Smith, seconded by Councillor Murphy and

**RESOLVED** that the minutes of the Pannett Art Gallery and Whitby Museum Joint Management Committee held on the 3<sup>rd</sup> September 2008, having been circulated, be approved as a correct record and adopted by the Council.

**126. PANNETT ART GALLERY COMMITTEE**

**MOVED** by Councillor Freeman, seconded by Councillor Murphy and

**RESOLVED** that the minutes of the meeting of the Pannett Art Gallery Committee held on the 5<sup>th</sup> September 2008 having been circulated, be approved as a correct record and adopted by the Council.

Members were made aware that due to the retirement of Mrs Price, Pannett Art Gallery was without a curator at present and an advert for the position would be published in the local news paper imminently.

**127. PARK & RIDE**

Member received the presentation from Mr West and Mr Parker (North Yorkshire County Council). Councillor Jones strongly advised all members to read the Traffic Management document which had been previously circulated to all members.

**128. WHITBY MARINA ON SHORE FACILITIES**

The presentation regarding Whitby Marina on Shore Facilities was received.

**129. CLOSURE OF ARRIVA OFFICE – WHITBY**

**RESOLVED** that the letters received from Robert Goodwill MP and Andrew Easson, Rail Officer, North Yorkshire County Council be received.

**130. FOLK WEEK/WHITBY REGATTA**

The letters from Graham Pirt, Whitby Folk Week, Les Parker, North Yorkshire County Council and the Chief Executive, Scarborough Borough Council regarding Whitby Folk Week/Whitby Regatta 2009 were received.

**MOVED** by Councillor Murphy, seconded by Councillor Mrs Boyce and

**RESOLVED** that the Chief Executive, Scarborough Borough Council be contacted for further information regarding the organisation of a task force to ensure a successful Folk Week/Whitby Regatta 2009.

**131. YORKSHIRE WATER**

**MOVED** by Councillor Freeman, seconded by Councillor Mrs Boyce and

**RESOLVED** that a formal complaint be made to the Environment Agency regarding the recent failure of Yorkshire Water's high pressure sewage pump which resulted in raw sewage pouring into Whitby Harbour for 52 hours in August 2008. A request for a copy of the results of the investigation when published, as well as assurances that the present sewage system is adequate for the town with the proposed additional housing.

**132. COMMUNITIES AND LOCAL GOVERNMENT – The Making and Enforcement of Byelaws – a consultation.**

**RESOLVED** that the above consultation document be received.

**133. DOG WARDEN REVIEW**

**MOVED** by Councillor Havelock, seconded by Councillor Dickinson and

**RESOLVED** that a letter be sent to the Health and Community Safety Manager stating that the whole dog warden service needed looking into, enquiring what the statutory duty of the dog warden is including what is the statutory provision required to be given to the Borough by Scarborough Borough Council.

**134. FOOTPATH – GAS WORKS TO RUSWARP**

**MOVED** by Councillor Freeman, seconded by Councillor Mrs Boyce and

**RESOLVED** that the Town Council's full support be given to the Civic Society in their application to extend the footpath from the Gas Works to Ruswarp.

**135. CONDITION OF ROADS – WEST CLIFF AREA**

A letter was considered from Mr J Smith complaining about the conditions of the roads in the West Cliff area of Whitby.

**MOVED** by Councillor Mrs Boyce, seconded by Councillor Freeman and

**RESOLVED** that Mr Smith be informed that Councillors are aware of the issues which have been raised with the relevant authorities and will continue to pursue the matter.

**136. PUBLIC FOOTPATH – ESK TERRACE**

A letter was received from North Yorkshire County Council regarding an application to add a public footpath to the definitive map and statement near Esk Terrace.

**MOVED** by Councillor Mrs Boyce, seconded by Councillor Murphy and

**RESOLVED** that the Definitive Map Officer be informed that members agree that the above has always been a footpath and would like assurance that it will be cleared of the present obstructions.

**137. TIN GHAUT CAR PARK**

**MOVED** by Councillor Mrs Boyce, seconded by Councillor Murphy and

**RESOLVED** that information be obtained from North Yorkshire County Council regarding the outcome of the application for a definitive map modification order made to record a public footpath at Tin Ghaut Car Park.

**138. PUBLIC FOOT PATH – ST ANDREWS ESTATE, DIVERSION ORDER 2008**

**RESOLVED** that the information received from North Yorkshire County Council regarding the above be received.

**139. PROVISION OF LOADING (Opp Middle Earth PH) – CHURCH STREET**

**RESOLVED** that a letter be received from the Area Manager, North Yorkshire County Council stating that following consultation regarding the provision of a loading bay in the above vicinity would not be taken forward.

**140. ATTENDANCE**

**RESOLVED** that the publication of members' attendance be discussed further by the Finance and General Purposes Committee and their recommendations be reported back to Full Council.

**141. REPORTS OF THE COUNTY AND BOROUGH COUNCILLOR AND TOWN COUNCILLORS (for information only)**

A report was received from Councillor Jones following his attendance at the Action for Market Towns Conference.

Councillor Freeman informed members about information received regarding the centenary of the Swing Bridge which was opened in July 1909 not August as previously stated, as well as the need to consider forming a task group to organise the event.

Councillor Havelock requested information if known concerning dead animals and birds on the old railway line.

Councillor Smith reported on meetings of the Marina Focus Group 2 as well as the meeting of the Whitby Harbour Users Group which discussed concerns regarding the pier extensions.

**142. PAYMENT OF ACCOUNTS**

**MOVED** by Councillor Mrs Boyce, seconded by Councillor Murphy and

**RESOLVED** that the following accounts, totalling £12,962.05 (including vat) be authorised for payment.