

WHITBY TOWN COUNCIL

Minutes of the meeting of the **Town Council of Whitby**, held on **Wednesday 14th April 2010** in **Pannett Art Gallery**, Whitby at 6.45 p.m.

Present Councillor T Jennison (Town Mayor) and Councillors Mrs S Boyce, Mrs D M Calderley, T N Carson, Mrs H R Coughlan, Mrs J M Daniels, Dr S M Daniels, J Dickinson, J Freeman, I Havelock, D Johnson, W F Jones, J McEachen, Miss V Pitts, Mrs A J Smith, S R Smith and M Ward.

Mrs P Dobson, Town Clerk, Mrs A Cowey, Deputy Clerk and 4 members of the public.

Opening Prayers

NOTICE OF MEETING – Public Notice of the Meeting has been given in accordance with Schedule 12, paragraph 10 (2) of the Local Government Act 1972.

536/10 APOLOGIES

For absence were received from Councillors M D Murphy and R G Sigsworth.

537/10 MINUTES

MOVED by Councillor Mrs Calderley seconded by Councillor Dr Daniels and

RESOLVED that the minutes of the meeting of the Council held on the 2nd March 2010 having been circulated, be taken as read, confirmed as a correct record and signed by the Town Mayor subject to minute 452/10 Coach Parking reading.....£5.00 for 4 hours or £10.00 per day and not £4.00 per hour as stated.

538/10 DECLARATION(S) OF INTEREST

There were no declarations of interest.

539/10 PUBLIC PARTICIPATION

STANDING ORDERS SUSPENDED.

Mr Ward asked the following question

‘Would those Councillors and WTC staff-members who are willing severally to take their personal share of responsibility for the Whitby Town (Parish) Council 2008-2009 and 2009-2010 statement of accounts, and also for the Whitby Town (Parish) Council budget for 2010-2011, please make themselves known to the public, the press and, for the record to the Town Clerk?’

Mr Broderick informed members that they needed to gain public support and should be seen to be actively working on the following projects – Park and Ride, Tesco/Sainsburys, Education, Harbour Review and informing the public where the Council is going by making press reports, if not he predicted there would be a lot more calls for parish polls.

Councillor Havelock asked why the Whitby Gazette was not present. The Town Clerk informed him that she was under the assumption that they would be in attendance.

STANDING ORDERS RE-INSTATED

540/10 COMMUNICATIONS

A. Town Mayor’s engagements

MARCH

Tuesday 2 Rotary Presentation – Pavilion

Friday 5th Eskdale School, Charity Night in aid of Marie Curie

Saturday 6th Filey Town Council – Annual Dinner

Friday 19th Mayors Emerald Ball – Royal Hotel, Scarborough

B. Letters received by Council

a) Letter from Arriva asking for a meeting

MOVED by Councillor Carson, Seconded by Councillor Jones and

RESOLVED that representatives from Arriva be invited to talk to the Town Council and answer any questions on 1st June 2010 after the new buses are put into service.

b) Copy letter from Mr. J A Smith regarding Whitby Health Services

C. Items for circulation and information only

1. Cinder Track Improvement Project

2. Whitby in Bloom Minutes 3rd March 2010

3. Letter from Mayor of Wootton Bassett Town Council

4. Good Neighbours Coastal Car Scheme

5. NYMNP – Newsletter

6. North Yorkshire Fire & Rescue Draft Integrated Risk Management Plan

7. Inclusion in Pharmaceutical List – Cooperative Food Store, Whitby

MOVED by Councillor Mrs Calderley and seconded by Councillor Smith

RESOLVED that the above items be received.

541/10 PANNETT ART GALLERY AND WHITBY MUSEUM JOINT MANAGEMENT COMMITTEE

MOVED by Councillor Smith, seconded by Councillor McEachen and

RESOLVED unanimously that the minutes of the Pannett Art Gallery and Whitby Museum Joint Management Committee held on the 4th March 2010 having been circulated be approved by the Council and adopted as a correct record subject to the inclusion of Councillor Miss Pitts apologies.

542/10 POLICY REVIEW COMMITTEE

MOVED by Councillor Mrs Boyce, seconded by Councillor Johnson and

RESOLVED unanimously that the minutes of the meeting of the Policy Review Committee held on the 4th March 2010 having been circulated be approved by the Council and adopted as a correct record.

Members were made aware that Yorkshire Local Council's Association had viewed all the documentation produced by the Policy and Review Committee. Questions regarding the proposed Delegation of Powers, Committee Structure and Committee Terms of Reference were posed and answered.

MOVED by Councillor Mrs Boyce, seconded by Councillor Johnson and

RESOLVED that the recommendations of the Policy and Review Committee held on the 4th March 2010 in respect of Delegation of Powers, Committee Structure and Committee Terms of Reference be adopted by the Council.

The Town Mayor suspended the meeting of the Full Council for 2 minutes to allow the meeting to calm down.

An Amendment to the above motion was **MOVED** by Councillor Ward, seconded by Councillor Havelock and **RESOLVED** that before Council accepts the recommendations, Policy and Review Committee takes time to consider whether committee numbers could be reduced.

A recorded vote was requested and the AMENDMENT was voted on first.

<u>For the Amendment</u>	<u>Against the Amendment</u>	<u>Abstentions</u>
Cllr Havelock	Cllr Mrs Coughlan	
Cllr Ward	Cllr Johnson	
Cllr Mrs Smith	Cllr Freeman	
Cllr Smith	Cllr Jones	
Cllr Miss Pitts	Cllr Mrs Daniels	
	Cllr Mrs Boyce	
	Cllr Mrs Calderley	
	Cllr Dickinson	
	Cllr Dr Daniels	
	Cllr McEachen	
	Cllr Carson	

<u>For the Motion</u>	<u>Against the Motion</u>	<u>Abstentions</u>
Cllr Mrs Coughlan	Cllr Havelock	Cllr Ward
Cllr Johnson	Cllr Smith	Cllr Miss Pitts
Cllr Freeman	Cllr Mrs Smith	
Cllr Jones		
Cllr Mrs Daniels		
Cllr Mrs Boyce		
Cllr Mrs Calderley		
Cllr Dickinson		
Cllr Dr Daniels		
Cllr McEachen		
Cllr Carson		

THE MOTION IS CARRIED

MOVED by Councillor Mrs Boyce, seconded by Councillor Johnson and **RESOLVED** that the minutes of the Policy and Review Committee held on the 11th March 2010 having been circulated be taken as read and adopted as a correct record.

MOVED by Councillor Mrs Boyce, seconded by Councillor Mrs Calderley and **RESOLVED** that the recommendations by the Policy and Review Committee on: Policy for Conduct of Public Sessions, Layout of Agendas and Adoption of New Template be adopted by the Council subject to the amendments recommended by the Yorkshire Local Council's Association.

A recorded vote was requested

For the Motion

Cllr Mrs Coughlan
Cllr Johnson
Cllr Freeman
Cllr Jones
Cllr Mrs Daniels
Cllr Mrs Boyce
Cllr Mrs Calderley
Cllr Dickinson
Cllr Dr Daniels
Cllr McEachen

Against the Motion

Cllr Havelock
Cllr Ward
Cllr Mrs Smith
Cllr Smith

Abstentions

THE MOTION IS CARRIED

(Councillor Johnson left the meeting after the above vote)

MOVED by Councillor Mrs Boyce, seconded by Councillor McEachen and

RESOLVED that the minutes of the Policy and Review Committee held on the 25th March 2010 having been circulated be taken as read and adopted by the Council.

MOVED by Councillor Mrs Boyce, seconded by Councillor Mrs Calderley and

RESOLVED that the recommendations put forward by the Policy and Review Committee regarding the Council's Procedures for Handling Requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998; review of the Council's Procedure for Handling Complaints and Establishing a Policy on Access to Council Services and Dealing with Obstructive or Vexatious Customers be adopted by the Council, subject to the recommendations made by the Yorkshire Local Councils Association.

A recorded vote was requested

For the Motion

Cllr Mrs Coughlan
Cllr Johnson
Cllr Freeman
Cllr Jones
Cllr Mrs Daniels
Cllr Mrs Boyce
Cllr Mrs Calderley
Cllr Dickinson
Cllr Dr Daniels
Cllr McEachen

Against the Motion

Cllr Havelock
Cllr Smith
Cllr Mrs Smith

Abstentions

Cllr Carson
Cllr Miss Pitts
Cllr Ward

THE MOTION IS CARRIED

543/10 PLANNING COMMITTEE

MOVED by Councillor Mrs Smith, seconded by Councillor Mrs Calderley and

RESOLVED that the minutes of the meeting of the Planning Committee held on the 9th and 23rd March 2010 having been circulated be approved by the Council and adopted as a correct record.

544/10 HUMAN RESOURCES COMMITTEE

MOVED by Councillor Mrs Daniels, seconded by Councillor Dr Daniels and

RESOLVED that the minutes of the meeting of the Human Resources Committee held on the 11th March 2010 having been circulated be approved by the Council and adopted as a correct record.

545/10 FINANCE AND GENERAL PURPOSES COMMITTEE

MOVED by Councillor Mrs Smith, seconded by Councillor Dr Daniels and

RESOLVED that the minutes of the meeting of the Finance and General Purposes Committee held on the 16th March 2010 having been circulated be approved by the Council and adopted as a correct record.

546/10 HUMAN RESOURCES AND PANNETT ART GALLERY COMMITTEE

MOVED by Councillor Freeman, seconded by Councillor Mrs Daniels and

RESOLVED that the meeting of the Human Resources and Pannett Art Gallery Committee held on the 25th March 2010 having been circulated be approved by the Council and adopted as a correct record.

547/10 STANDING ORDERS

MOVED by Councillor Mrs Boyce, seconded by Councillor Carson and

RESOLVED that the new model Standing Orders be adopted by the Town Council.

A recorded vote was requested.

For the Motion

Cllr Mrs Calderley

Cllr Dr Daniels

Cllr Dickinson

Cllr Ward

Cllr McEachen

Cllr Carson

Cllr Mrs Boyce

Cllr Mrs Daniels

Cllr Jones

Cllr Freeman

Cllr Smith

Cllr Miss Pitts

Cllr Mrs Coughlan

Against the Motion

Cllr Havelock

Abstentions

Cllr Mrs Smith

548/10 SENIOR SCHOOL EDUCATION IN WHITBY

Councillor Havelock withdrew the agenda item 14 regarding the above due to lack of confidence and no press present.

549/10 ACCESS TO COUNCIL SERVICES POLICY

Councillor Mrs Boyce highlighted the number of e-mails, FOI requests and complaints against staff members received from one member of the public over recent months. She pointed out that the Town Council has limited resources to serve an electorate of 10,700 people.

MOVED by Councillor Mrs Boyce, seconded by Councillor Ward and

RESOLVED that this Council should make one final attempt to be reasonable and see if we

could resolve this situation amicably. Mr Ward to be invited to send to the Town Council by letter a full list of all the issues and concerns that he has in relation to Whitby Town Council, its members, its staff, its finances and its assets.

A recorded vote was requested.

For the Motion

Against the Motion

Abstentions

Cllr Mrs Calderley

Cllr Mrs Smith

Cllr Dr Daniels

Cllr Havelock

Cllr Dickinson

Cllr Ward

Cllr McEachen

Cllr Carson

Cllr Mrs Boyce

Cllr Mrs Daniels

Cllr Jones

Cllr Freeman

Cllr Smith

Cllr Miss Pitts

Cllr Mrs Coughlan

550/10 PLANNING APPLICATION 10/00092/FL

Due to the Government issuing a new Planning Policy Statement (PPS5) to replace PPG 15 on 23rd March it was

MOVED by Councillor Mrs Boyce, seconded by Councillor Carson and

RESOLVED that a letter be sent to Scarborough Borough Council to withdraw the recommendation of the Planning Sub-Committee made under PPG 15 on 23rd March re planning application 10/00092/FL and that an extra-ordinary meeting of Council be held on Tuesday 20th April to consider the application under PPS 5.

MOVED by Councillor Mrs Smith, seconded by Councillor Smith and

RESOLVED that a vote of no confidence be taken in the Chair of the Planning Committee.

Councillor Ward pointed that a Councillor could not propose a vote of no confidence in herself.

MOVED by Councillor Ward, seconded by Councillor Mrs Boyce and

RESOLVED that a vote of confidence in the Chair of Planning be taken. (CARRIED).

(Councillor Ward did not vote or take part in any discussion regarding the planning application)

551/10 COURT BUILDING – WATERSTEAD LANE

MOVED by Councillor Smith, seconded by Councillor Mrs Boyce and

RESOLVED that further investigations be made regarding the purchase of the former Court Building, Waterstead Lane.

552/10 HEALTH SERVICE – WHITBY

Members expressed their concerns regarding the current issues surrounding Whitby Hospital.

MOVED by Councillor Smith, seconded by Councillor Ward and

RESOLVED that a strong letter be sent to the PCT to register the Town Council's disapproval and no confidence in them.

MOVED by Councillor Carson, seconded by Councillor Ward and

RESOLVED that the letter of no confidence in the PCT be copied to Parliamentary Candidates,

Whitby Gazette and other Yorkshire newspapers.

MOVED by Councillor Mrs Smith, seconded by Councillor Freeman and **RESOLVED** that the Local GP's be contacted regarding this issue.

(Councillor McEachen left following the above item)

553/10 SPRING WALKABOUT

The Chairman of the Maintenance Committee thanked everyone who attended the Spring Walkabout.

RESOLVED that the schedule of works from the Spring Walkabout with Scarborough Borough

Council on the 30th March 2010 having been circulated be received.

(Councillors Dr and Mrs Daniels left the meeting during the above item)

554/10 TO RECEIVE REPORTS FROM THE COUNTY, BOROUGH AND TOWN COUNCILLORS (FOR INFORMATION ONLY)

Councillor Ward reported on:-

The Marina Focus Group Meeting and a further grant of £300,000 towards the Marina Development.

Park and Ride Group meeting including the bus trip. Councillor Ward understands that there will be consultation on three issues – Park and Ride scheme – On street parking and Residents parking zones.

West Cliff Project Board.

Wave Power Focus Group.

The Planning Committee on May 13th 2010 will be held in the Pavilion at 1pm to discuss the two supermarket planning applications (Sainsburys and the Co-Op), the Tesco application has been put back to later in the year.

Councillor Jones spoke about e-mails relating to Park and Ride and draft traffic data from the Crest Project, and suggested talking directly to Whitby Group Practice regarding joint action against the PCT.

Councillor Carson informed members that £500,000 had been found by North Yorkshire County Council to upgrade the traffic lights at the Mayfield Road Junction.

555/10 SCHEDULE OF PAYMENTS

MOVED by Councillor Smith, seconded by Councillor Mrs Calderley and

RESOLVED that the schedule of accounts for March 2010 as circulated and attached hereto is approved for payment in the sum of £22,231.98 (inc VAT).