

WHITBY TOWN COUNCIL

Minutes of the Extra Ordinary meeting of the **Town Council of Whitby**, held on **Tuesday 20th April 2010** in **Pannett Art Gallery**, Whitby at 6.00 p.m.

Present Councillor T Jennison (Town Mayor) and Councillors Mrs S Boyce, Mrs D M Calderley, T N Carson, Mrs H R Coughlan, J Dickinson, J Freeman, D Johnson, W F Jones, M D Murphy and S R Smith.

Mrs A Cowey, Deputy Clerk and 2 members of the public.

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.

556/10 APOLOGIES

For absence were received from Councillors Mrs J M Daniels, Dr S M Daniels, J McEachen, Miss V Pitts, Mrs A J Smith, R G Sigsworth and M Ward.

557/10 DECLARATION(S) OF INTEREST

Councillor Jones informed members that he was a member of the Esk Terrace Residents Group.

Councillor Mrs Boyce informed members that she had attended a meeting of the Esk Valley Railway Development Company (EVRDC) on 15th April (as the nominated representative of Whitby Town Council) when this planning application had been discussed and was therefore attending this meeting with a pre-determined view and would withdraw after speaking as a member of the public.

558/10 PUBLIC PARTICIPATION

Councillor Mrs Boyce spoke as a member of the public informing members that EVRDC directors appointed by Network Rail, Northern Rail and North York Moors Railway were unaware of this application and therefore had not been consulted. North York Moors Rail would have very strong objections to any proposals for access along the station platform. Any scaffolding required for maintenance of the Engine Shed would usually prevent the trains from running and the proposal would isolate the Engine Shed. Information contained within the planning report stated that Network Rail and Northern Rail had no objections in principle to the use of the platform, but that was from 8 years ago before the steam trains came into Whitby. Mrs Boyce stated that there should be no variance on the section 106.

Councillor Mrs Boyce left the meeting.

Mrs Jones spoke against the planning application informing members that the narrow land near the Engine Shed belonged to Network Rail and was subject to Railway Policy Strategy and the present application would isolate the Engine Shed, which would put any proposed community use of this building under threat. Health and Safety issues were highlighted if mixed use of the platform occurred. Concern was expressed over the small part of the Engine Shed that had been re-roofed as work appeared to have stopped on this undertaking.

559/10 PLANNING APPLICATION 10/00092/FL

Members discussed in full the above application and the need for documented evidence that all the correct procedures had been adhered to.

MOVED by Councillor Carson, seconded by Councillor Murphy, and
RESOLVED that a letter dictated to the Deputy Clerk during the meeting – calling for no further planning applications to be granted until an enquiry had taken place - be sent to the Head of Planning and Regeneration cc the Leader of the Council, Chief Executive of Scarborough Borough Council, all Borough Councillors and the Editors of the Yorkshire Post and Whitby Gazette.

The letter was typed up and read out for all members hear.

A recorded vote was requested

<u>In Favour</u>	<u>Against</u>	<u>Abstentions</u>
Cllr Mrs Calderley	Cllr Smith	
Cllr Carson		
Cllr Mrs Coughlan		
Cllr Dickinson		
Cllr Freeman		
Cllr Jones		
Cllr Johnson		
Cllr Murphy		

MOVED by Councillor Johnson, seconded by Councillor Murphy, and
RESOLVED that legal and financial advice be sought on whether or not it would be permitted for the Town Council to call a Public Inquiry and refer this issue to the Audit Commission and Police.

A recorded vote was requested

<u>In Favour</u>	<u>Against</u>	<u>Abstentions</u>
Cllr Mrs Calderley		Cllr Smith
Cllr Carson		
Cllr Mrs Coughlan		
Cllr Dickinson		
Cllr Freeman		
Cllr Jones		
Cllr Johnson		
Cllr Murphy		