

PANNETT PARK | WHITBY | YO21 1RE  
TEL: (01947) 820227 | E MAIL: info@whitbytowncouncil.gov.uk

Dear Sir/Madam,

7 October 2020

You are requested to attend a meeting of the **PANNETT ART GALLERY AND WHITBY MUSEUM JOINT MANAGEMENT COMMITTEE** to be conducted on-line, via Zoom<sup>1</sup>, on **Monday 12 October 2020 at 4:30pm**, the agenda for which is set out below.



Michael King  
Town Clerk

To: Whitby Town Council: Councillors (9)  
Whitby Literary & Philosophical Society (6)

**NOTICE OF MEETING – Public notice of the meeting is given in accordance with schedule 12, paragraph 10(2) of the Local Government Act 1972.**

## AGENDA

- 1. ELECTION OF CHAIRMAN FOR THE YEAR 2020/21**
- 2. ELECTION OF VICE-CHAIRMAN FOR THE YEAR 2020/21**
- 3. APOLOGIES FOR ABSENCE**  
To receive and resolve upon apologies for inability to attend.
- 4. DECLARATION OF INTERESTS & REQUESTS FOR DISPENSATION**  
To declare any interests which members have in the following agenda items.
- 5. PUBLIC PARTICIPATION**  
Standing Orders will be suspended for up to 15 minutes to allow for questions or statements about business items on the agenda, submitted by members of the public (limited to 3 mins per person). Note: Questions regarding Whitby Museum & Literary & Philosophical Society are not permissible.
- 6. MINUTES**  
To approve as an accurate record the minutes of the committee meeting held on 21 January 2020. (attached)

---

<sup>1</sup> Log on details for Zoom access  
Meeting ID: 826 8522 1452  
Passcode: 536812

- 7. PROCEDURAL REVIEW** (attached)
- a. **Terms of Reference of the Committee.**
  - b. **Delegation Arrangements to Employees**
  - c. **Adoption of Appropriate Standing Orders, Policies and Procedures Relating to the Functions of the Committee**

The attached Terms of Reference are presented for consideration under Items 7a and 7b. Standing Orders Policies and Procedures are those approved and adopted by Whitby Town Council at its meeting 5 February 2019 (<https://www.whitbytowncouncil.gov.uk/uploads/standing-orders-adopted-05-02-19.pdf>).

- 8. ANTICIPATED COMMITTEE WORKLOAD FOR THE COMING YEAR**
- Members are requested to consider the workload of the Committee under the following headings:
- a. Day-to-day Operational Improvements
  - b. Potential for Investment and Development
  - c. Repairs and Maintenance (see item 9, below).

- 9. REPORT ON PROPERTY MATTERS** (attached)

## WHITBY TOWN COUNCIL

Minutes of the meeting of the **PANNETT ART GALLERY AND WHITBY MUSEUM JOINT MANAGEMENT COMMITTEE** held in the Pannett Art Gallery on **Tuesday 21<sup>st</sup> January 2020 at 4.30 P.M.**

**Present** Whitby Town Council: Councillors P Trumper (Chairman), Mrs. H Coughlan, R Dalrymple, J Nock (sub), Mrs. N Wilson and C Winspear.  
Whitby Literary & Philosophical Society: Ms. S Booth, S Barnard and Mrs. A Roberts

Also present Mrs. P A Dobson Town Clerk, Mrs H Wright Museum Manager and one member 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.**

### **JM550/20 APOLOGIES**

Apologies for absence were received from Councillor Mrs. L Wild (WTC), and Miss. M Berry, Mrs. D Gildroy and Mrs. W Price (WLPS)

### **JM551/20 DECLARATION(S) OF INTEREST & REQUEST FOR DISPENSATION**

Councillor J Nock declared a personal non-pecuniary interest, as a friend of two members of WLPS.

### **JM552/20 PUBLIC PARTICIPATION**

One member of the public was present to observe only.

### **JM553/20 MINUTES**

Members had been circulated with the Minutes of the last meeting of the Committee held on 15th October 2019

Proposed by Mrs. N Wilson, seconded by Councillor C Winspear and unanimously

**RESOLVED:** That the minutes of the meeting of the Pannett Art Gallery and Whitby Museum Joint Management Committee held on the 19th October 2017 be taken as read and approved as a correct record.

### **JM554/20 REPORT FROM TOWN CLERK ON PROPERTY MATTERS ADDRESSED SINCE LAST MEETING**

Members received information on matters resolved, those still ongoing and new items which have arisen or been notified by WLPS .

#### **i Heating system – report on progress**

The installation of a new pump for the library heating has been installed I am still awaiting information on the sequencing control on Ideal boilers. Ideal have been to site a couple of times and the issue has not been resolved. Currently we do not owe any money to Pickups for the materials they have put on site. The Clerk also reported that problems were being experienced with a pump on the first floor which is only working intermittently, Pickups are aware.

#### **ii The Clerk reported that the safety gear rope and supplementary test for the hydraulic Rupture - Restrictor Valve have been completed and the bulkhead emergency light installed in the lift car.**

Contact had been made with Architectural joiner Jack Hallam, who visited the site on 11th November, to consider the following items, but no quote or recommendations have been received to date, this has been chased.

- Flooring in the main museum
  - Main Gallery –
- Fitting of Doors
  - Basement Door - contact Architectural joiner
  - Back Door - contact Architectural joiner
- Window Cleaning – particularly Normanby Room – arrange for a new window cleaning contract – cost quoted £180 per quarter

Proposed by Councillor Mrs. N Wilson, seconded by Councillor Mrs. H Coughlan and unanimously

**RESOLVED:** That a one-year contract is offered as a trial and the cost split on a 50/50 basis with the Museum.

Quote from Ivy Construction for following

- Rear Cloakroom – obtain price for new floor - £ 795 + VAT

Proposed by Councillor C Winspear, seconded by Councillor J Nock and unanimously

**RESOLVED:** That the quote is accepted subject to a warranty been given.

Quote awaited

- Normanby Room – Windows need easing, and locks fitted – security issue – get quote for new locks and easing
- Decorating schedule starting with new wing – ongoing
- Inner Shutter between old and new wing – night closure security issue – obtain quote for manual winder - ongoing

The Clerk also reported that works had been carried out in the Staithes Gallery to reinforce the wall to improve security for paintings being brought in for the Laura Knight at Staithes Exhibition which will open on 1st February 2020.

Proposed by Councillor Mrs. H Coughlan, seconded by Councillor C Winspear and unanimously

**RESOLVED:** That these items are noted, and actions taken as specified.

#### **JM555/20 QUOTE FROM BHD FOR UPDATING BUILDING SURVEY AND ENGAGING ELECTRICAL SURVEY**

Members considered the quote for updating the building survey and engaging an electrical survey. It was agreed that the re-decoration works could be dealt with in house and would be phased over the next 3 years.

Proposed by Councillor Mrs. H Coughlan, seconded by Councillor C Winspear and unanimously

**RESOLVED:** That the quote for the updating of the building survey and the electrical survey are accepted,

#### **JM556/20 SUGGESTED WORDING FOR ENTRANCE SIGNAGE**

Members considered options for rewriting of entrance signs at front and rear of building. A combination of the two options was agreed and a draft will be circulated for final approval.

Proposed by Councillor Mrs. H Coughlan, seconded by Councillor C Winspear and unanimously

**RESOLVED:** That this action is taken.

**TERMS OF REFERENCE  
WHITBY TOWN COUNCIL**

**PANNETT ART GALLERY & WHITBY MUSEUM  
JOINT MANAGEMENT COMMITTEE**

**General**

A Committee of the Town Council established by High Court Order to “repair, maintain and keep in a good and proper state of repair and condition (both inside and outside) the buildings constituting the Art Gallery and the Museum building including the Kendal Room, in Pannett Park” having due regard to “the purposes for which the buildings are to be used and the nature and value of the contents thereof”.

Note: The contents of the Art Gallery are held in trust by the Town Council on behalf of the inhabitants of Whitby. The contents of the Museum are held in trust by the Whitby Literary and Philosophical Society for the inhabitants of Whitby. The contents of the Library and Archives are the sole property of the Whitby Literary and Philosophical Society.

**Membership, Chairmanship and Quorum**

Number of Members	Nine councillors to include the Chair of the Finance & Gen Purposes Committee, the Chair of the Human Resources Committee, 7 members of the PAG Committee - and 6 nominees from the Whitby Literary & Philosophical Society – total 15
Substitute Members Permitted	Yes: any member of Town Council
Appointments/Removals from Office	Councillors: by resolution of full Council. Society members: by resolution of Lit & Phil Management Committee
Restrictions on Appointment	None
Restrictions on Chairmanship/Vice-Chairmanship	Chairman & Vice Chairman must be a Councillor.
Quorum	6 Councillors
Number of ordinary meetings per Council Year	Minimum of 2
Current Sub-Committees	None

**Terms of Reference**

1. Under the terms of the 999 year lease\*, the right and duty of maintenance of the fabric of both the Art Gallery and Museum buildings and the heating and lighting and administrative services of all of the said buildings is vested in the Joint Management Committee which is deemed to be a Committee of the Council.
2. Responsible for authorising the use of the Art Gallery for any official or public ceremonies or for the purposes of holding therein concerts, art exhibitions, or lectures, or for other cultural purposes; and to provide for the admission of the public during the periods of any such use on such terms as to payment or other conditions as the Joint Management Committee determines.
3. Responsible for implementing measures to safeguard the security of building and its contents, within the agreed budget.
4. Responsible for implementing health and safety measures and procedures to safeguard employees, users, and visitors to the building, within the agreed budget.
5. Formulate and make recommendations to Council in relation to strategies, for maintenance of the fabric of the building, which require financial outlay in excess of the agreed budget.
6. Formulate and make recommendations to Council in relation to caretaking provision. (Note: Under the terms of the lease \* the Council employs and pays the wages of the caretaking staff)
7. To determine by resolution annually, the contribution to be made by the Whitby Literary and Philosophical Society each year towards the costs and expenses to be incurred by the Council in repairing and maintaining the buildings, provided that the Society shall not be required to contribute in any year, a sum in excess of 60% of the total monies received by the Society in that year in respect of charges for admission to the Museum and other rooms under the control and management of the Society.
8. Responsible for preparing a draft revenue budget for each coming financial year in respect of the functions falling within the terms of reference of the Joint Management Committee and to submit that to the Finance & General Purposes Committee for consideration by not later than 31 December in any year.

**Delegated Powers.**

9. The matters referred to in Paragraphs 1,2, 3, 4, 5, 6 and 8 above are fully delegated.
10. The Town Clerk or in the absence of the Town Clerk, the Deputy Town Clerk is authorised to act as and carry out the duties of the Responsible Financial Officer.
11. The Town Clerk or in the absence of the Town Clerk, the Deputy Town Clerk is authorised to act as and carry out the duties of the Senior Officer of the Council in respect of the Council's employees in the Museum and Art Gallery building.

**Notes**

Following the election of the Chairman and Deputy Chairman of the Joint Management Committee at the first meeting of the Committee in each Council year, the order of business shall be as follows:

- (a) Confirmation of the accuracy of the minutes of the last meeting of the Committee.
- (b) Review of the terms of reference of the Committee.
- (c) Review of delegation arrangements to employees
- (d) Review and adoption of appropriate standing orders, policies and procedures relating to the functions of the Committee.
- (e) Review of the anticipated Committee workload for the coming year.

Note: The terms of reference for the Art Gallery Committee will be determined by the Council as the trustees of the Art Gallery and its collections.

**Version History**

These Terms of Reference were approved by the Town Council on 14 April 2010 (Minute 542/10 refers).

These Terms of Reference were amended by the Town Council on 3 May 2011 (Minute 963/11 refers).

These Terms of Reference were amended by the Town Council on 1 November 2011 (Minute 394/11 refers)

These Terms of Reference were amended by the Town Council on 3 December 2013 (Minute 496/13 refers)

\* The Legal Orders and Leases under which this Committee holds its terms of reference are:

- (a) Order of the Chancery division of the High Court of Justice made on 5 November 1948 re: lease dated 15 August 1931
- (b) 999 year lease between Whitby Urban District Council and Whitby Literary and Philosophical Society dated 2 June 1953 and a supplemental lease dated 10<sup>th</sup> February 2003

Note: Whitby Town Council is the assigned successor to Whitby Urban District Council in respect of these documents.





**WHITBY TOWN COUNCIL  
JOINT MANAGEMENT COMMITTEE – 12 OCTOBER 2020  
REPORT ON PROPERTY MATTERS**

**1. Introduction**

- 1.1 This report outlines those matters which have been addressed since the last meeting of the committee and those which have arisen since.

**2. Background to the Report**

- 2.1 As outlined in the minutes of the meeting held on 21 January 2020 (Item 6), a number of maintenance items are outstanding. In the interim, additional work to fixtures and fittings in the Museum and Gallery have been made to meet the requirements of reopening the building to comply with 'Covid-secure' guidance.

**3. Current Issues**

- 3.1 The following items were outstanding at the time of the last meeting:

Flooring in the main museum	A site visit has been made by the architectural joiner and an estimate for repairs has been submitted (see 3.2 below).
Fitting of Doors	Not progressed.
Window Cleaning	A contract for one year (£180 per quarter) has been let and is in place.
Rear Cloakroom	Work has been carried out in accordance with the resolution
Updating Building Survey and Engaging Electrical Survey	Work has not been carried out.
Normanby Room – Windows need easing, and locks fitted	Quote for new locks and easing to be progressed
Decorating schedule starting with new wing	Ongoing

**2023 Permissions – to be discussed further as WLPS develop their plans**

Level Access – back door. Building Access Regs state width of a single door – neither comply.	Replace with Automatic door?
Level Access requirement applies to Museum/Gallery and	

Town Council Offices.

Wiring if we are hoping to replace lighting etc in main gallery maybe re-wiring requirement needs to be assessed first.

Permission to make a curved window to mimic/complement above in tearoom to provide natural light

- 3.2 An estimate in relation to the floor of the main exhibition room, which is showing increasing signs of distortion sets out the following:

To lift timber floor, investigate and try to solve the issue of why the floor is buckling and then relaying flooring. Easing of metal grates to make fit properly. Roughly a two week timescale on site. £2,800

Replacement of 5m x 2m oak flooring if required  
This flooring will be unfinished and need an expert in French Polishing to complete, to ensure that it matches the surrounding flooring. £2,500

Sub Total (ex VAT) £5,300

- 3.3 The works are now required to make the building safe. It would seem prudent that the work should be done during a period of closure, given its likely duration. There remains some uncertainty about the structure of the supporting timbers and, indeed, the root causes of the distortion, which is unlikely to be answered until the boards are removed.

- 3.4 There is an amount of £13,369 in the town council's Maintenance Earmarked Reserve. There is otherwise no revenue budget provision for this work.

#### 4. Conclusion

- 4.1 The deterioration in the wooden floor is such that repairs are urgently required. A decision is required to programme the work and to identify how this will be funded. Other items identified in the table at 3.1 also need to be scheduled.

**Recommendation** – (a) That the work as described be undertaken at the earliest, operationally available opportunity;  
(b) That funding be allocated;  
(c) That a schedule of planned and preventative maintenance be agreed.

**Michael King**  
**Town Clerk & RFO**