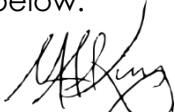


PANNETT PARK | WHITBY | YO21 1RE  
TEL: (01947) 820227 | E MAIL: info@whitbytowncouncil.gov.uk

Dear Councillor/Trustee,

23 September 2021

You are requested to attend a meeting of the **PANNETT ART GALLERY AND WHITBY MUSEUM JOINT MANAGEMENT COMMITTEE** to be conducted in the **Normanby Room, Whitby Museum**, on **Thursday 30 September 2021 at 2:00pm**, 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** **page 3**  
To approve as an accurate record the minutes of the committee meeting held on 21 January 2020.

**7. PROCEDURAL REVIEW**

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- 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 (as approved 12 October 2020) 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 4 May 2021.

**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 items 9-13, below).

**9. NEW WHITBY MUSEUM MAIN ENTRANCE PROPOSAL**

Papers circulated separately to members of the JMC.

**10. INSTALLATION OF DIVIDER IN THE NORMANBY ROOM**

Papers circulated separately to members of the JMC.

**11. ALTERATIONS TO THE LOWER GROUND FLOOR**

Verbal update.

**12. LIFT MAINTENANCE**

Consideration of operational issues affecting the passenger lift in the new wing and of quotations for works. (As circulated)

**13. REPORT ON OTHER PROPERTY MATTERS**

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## WHITBY TOWN COUNCIL

Minutes of the meeting of the **Pannett Art Gallery and Whitby Museum Joint Management Committee** held on **Wednesday 24 March 2021 at 4:00pm** via Zoom.

**Present** Whitby Town Council: Councillors R Dalrymple (Chairman), Mrs H R Coughlan, J Nock, Mrs L Wild, Mrs N L Wilson and C Winspear;  
Whitby Literary & Philosophical Society: Ms S Booth, S Barnard, Mrs D Gildroy, Mrs W Price, Mrs A Roberts.

**Also:** Michael King, Town Clerk, Anne Cowey, Deputy Clerk, Helen Berry, PAG Curator, Hazel Wright, Museum Manager and one member of the public.

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

### JM274/21 APOLOGIES

No apologies for inability to attend were received. (Mr D Rodwell was unable to attend due to technical difficulties logging onto the zoom meeting).

### JM275/21 DECLARATION(S) OF INTEREST & REQUEST FOR DISPENSATION

Councillor J Nock declared a non-pecuniary interest in agenda item 6 Report on Property Matters – flooring.

#### STANDING ORDERS SUSPENDED

### JM276/21 PUBLIC PARTICIPATION SESSION

No public participation.

#### STANDING ORDERS REINSTATED

### JM277/21 MINUTES

**MOVED** by Councillor J Nock, seconded by Councillor Mrs H Coughlan and

**RESOLVED** unanimously that the minutes of the Joint Management Committee held on 12 October 2020 having been circulated be taken as read and signed as a correct record subject to the minor attendance amendments.

### JM278/21 POTENTIAL FOR INVESTMENT AND DEVELOPMENT

The Town Clerk reported on the Town Deal and the possible funding for an extension to the Pannett Art Gallery. The Town Deal for Whitby was not awarded the full amount applied for and it is not known to date whether the projects will be cut or parred down. If successful there are further stages to go through before any building work would be carried out.

**MOVED** by Councillor Mrs H Coughlan, seconded by Councillor J Nock and

**RESOLVED** unanimously that the Clerks report is received.

**JM279/21 REPORT ON PROPERTY MATTERS**

**HEATING**

Pickups have been called out on a number of occasions – the last occasion was due to the fail-safe button being pressed by accident, the Park Keepers and friends of Pannett Park have been made aware of the issue and will be more careful in the future.

**FLOOR**

The highlighted area of museum flooring has been repaired. During the repairs it was discovered that the wooden floor is not suspended and is held off the concrete with thin wooden laths. It appears that the nails had rusted and failed, and the flooring had moved due to weight, to the area of least resistance. A programme of inspection and renewal for the floor will need to be carried out once funding is available.

The Town Clerk will contact the joiner regarding the grating, which may be taken off site for the work to be carried out.

**SECURITY SUTTER (between new wing)**

The Literary and Philosophical Society have obtained a quotation and offered to purchase a manual winding handle for the shutter between the main building and new wing.

**TEA ROOM**

Plans drawn up by the Literary and Philosophical Society to create external double doors into the café were displayed. The proposed plans will create much needed ventilation and light. A security shutter will be installed at the same time on the inside of the proposed doors. Councillors were assured that the door would not be a main entry or exit to the building.

**MOVED** by Councillor Mrs L Wild, seconded by Councillor J Nock and

**RESOLVED** unanimously that members are in favour of the proposed plans.

**BUILDING SURVEY**

The firm who has carried out the building survey in the past has contacted the Town Clerk to inform him that due to a conflict of interest they are unable carry out the present survey. Quotations will need be obtained from alternative surveyors.

**WINDOW LOCKS**

On-going.

**SIGNAGE**

Proposed signage for the front and rear of the building was discussed – it was agreed that a compromise will have to be reached regarding the

opening times.

A report on signage for the Art Gallery/Museum within the park will be forwarded on to the Town Clerk.

RE-OPENING

The Museum is looking to re-open on 18 May 2021 subject to government guidance.

WI-FI

A date is awaited for work to be carried out on the museums Wi-Fi system.

**MOVED** by Councillor J Nock, seconded by Councillor Mrs H Coughlan and

**RESOLVED** unanimously that the above information is received.



**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 2 November 2021 (Minute 086/20 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 – 30 SEPTEMBER 2021**

**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. Current Issues**

- 2.1 Align Partners (NYCC) have undertaken an outline M&E survey of the building and report the following:

*“For the electrical rewire we would anticipate budget costs for around £220k for a full rewire to a building this size (the existing building and not the more modern extension). this wouldn't include new light fittings. But would include all wiring, making good walls etc. Please note that this is just a budget cost and would require detailed electrical surveys and design to be carried out to give you a firmer cost. You would also need to allow for consultant fees for these which would range from £20-30k. If you haven't already had one we would also recommend you have a 5yearly electrical wiring inspection reports carried out by an electrical contractor for a building this size it may cost around £4-6.*

*“The most probable cause for the floor lifting and causing tripping hazards is likely due to a leak under the floor causing the timber get damp and in turn expands as it gets wet and dries out over time. With having an underfloor heating system this could be the likely culprit for dampness below the timber floors. There is also a small possibility that there is a water pipe/main somewhere under the floor that could be leaking. A detailed investigation would be required to establish if what is the cause.*

*“You have a few options with the heating. (if the heating is leaking)*

*“1) Carry out a detailed investigation on the existing heating coils in the ducts within the museum hall to try and establish if the heating pipes are leaking and if so where. This might be a fairly easy task if the ducts and grilles in the hall don't contain asbestos, then it would hopefully be a case of lifting all the grilles and investigating the pipes with the heating on and locating a leak. If the pipes are leaking the cheapest option would be to replace these with new. The costs for replacing the pipes would be around £15-£20k this excludes and investigation costs, asbestos surveys, consultant fees etc.*

*“2) 2nd Option would to still carry out and investigation to see if the pipes were leaking and if so to abandon the underfloor heating system and drain down the pipes, then provide an alternative heating system in the hall. This would be subject to detailed investigations and design to see if this could work but due to the limited wall space for alternative heating a possibility would be to provide a heated ventilation system within the roof void with an air handling unit this would control the heating and humidity levels required for a museum. Again subject to surveys and investigations works a new heating system like this*

*may costs between £80-100k excluding consultant fees of £15-20k and any survey and investigation works.*

*“Depending on what option you went with and whether you would want to replace the hall floor with a new timber flooring or repair as you go like you have done. To replace the whole floor with a like for like timber floor and finish you would be looking around £100k excluding fees etc.”*

- 2.2 I will provide an update on works recently undertaken and on those still to be progressed at the meeting.

### **3. Conclusion**

- 3.1 The deterioration in the wooden floor continues to be a concern. Exploring either option identified at 2.1 comes at a cost, is not without risk and implies the potential for much greater cost and disruption. JMC may wish to consider its appetite for managing these risks.

**Recommendation** – (a) That the position is noted; and  
(b) That JMC considers its recommendations to the town council.

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