

PANNETT PARK | WHITBY | YO21 1RE
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Dear Councillor,

16 June 2022

You are summoned to attend a meeting of the **TOWN DEVELOPMENT AND IMPROVEMENT COMMITTEE** to be conducted at the **Pannett Gallery**, on **Tuesday 21 June 2022 at 6:00pm**, the agenda for which is set out below



Michael King
Town Clerk

To: Councillors Mrs Brown, Dalrymple, Harston, Jones, Nock, Smith and Mrs Wilson
(Sub. Mrs Coughlan)

Cc: Councillors Abbott, Barnett, Goodberry, Redfern, Riddolls, Mrs Sumner and Mrs Wild.

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 CHAIR**
To elect a Chair of Town Development & Improvement Committee for 2022/23
- 2. APOLOGIES FOR ABSENCE**
To receive and resolve upon apologies for inability to attend.
- 3. ELECTION OF VICE CHAIR**
To elect a Vice Chair of Town Development & Improvement Committee for 2022/23
- 4. DECLARATION OF INTERESTS AND 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).
- 6. MINUTES** **(page 3)**
To approve as an accurate record the minutes of the Town Development and Improvement Meeting held on 25 April 2022.

Agenda

7. ACTIONS REQUIRED IN ACCORDANCE WITH TERMS OF REFERENCE AT THE FIRST COMMITTEE MEETING OF A NEW COUNCIL YEAR

To consider actions required in accordance with Terms of Reference at the first Committee meeting of a new Council year:

- a) Review of the terms of reference of the Committee. **(page 7)**
- b) Review of the terms of reference of any sub-committee(s) of the Town Development and Improvement Committee
 - i. Nominations for Allotment Sub Committee
 - ii. Christmas Lights Sub Committee
- c) Review of delegation arrangements to employees and to any sub-committee(s) of the Town Development and Improvement Committee
- d) Review of the anticipated Town Development and Improvement Committee workload for the coming year.

Note – meetings are scheduled to take place on 16 August, 18 October, 20 December, 21 February 2023 & 18 April 2023.

8. CLERK'S UPDATE ON MATTERS RAISED PREVIOUSLY

Verbal report from the Clerk

9. MATTERS OF REPAIR AND MAINTENANCE REQUIRED IN TOWN

Opportunity for members to highlight areas of concern which may be brought to the attention of the appropriate department at either the borough or county council.

WHITBY TOWN COUNCIL

Minutes of the meeting of the **TOWN DEVELOPMENT & IMPROVEMENT** Committee held on **Monday 25 April 2022** conducted in the Pannett Gallery at 6:00pm.

Present Councillors Harston (Chair), G Jackson, A Jones, J Nock, Mrs L Wild and Mrs N Wilson (sub).

Also M King, Clerk 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.

APOLOGIES FOR ABSENCE

Apologies were received from Cllr Dalrymple.

MOVED by Cllr Harston, seconded by Cllr Mrs Wild and unanimously

RESOLVED that Cllr Dalrymple's apologies be approved.

DECLARATION OF INTEREST AND REQUESTS FOR DISPENSATION

No declarations of interests or requests for dispensations were received.

STANDING ORDERS SUSPENDED

PUBLIC PARTICIPATION SESSION

Standing Orders were suspended to enable a member of the public speak on an issue to be considered at Minute TDI266(A) (below) to speak.

STANDING ORDERS REINSTATED

MINUTES OF MEETING HELD ON 14 MARCH 2022

MOVED by Cllr Mrs Wild, seconded by Cllr Jackson and unanimously

RESOLVED that the minutes of the meeting of the Town Development and Improvement Committee held on 14 March 2022 are accepted as an accurate record and approved.

CLERK'S UPDATE ON MATTERS RAISED PREVIOUSLY

A) Whitby Golf Club

Submitted: Background information on the council's request to Scarborough Borough Council to support the Whitby Golf Club by agreeing a new lease, writing off its debts and repairing the bridge over the Upgang Ravine, as landlord in June 2021.

The relative priority of this request was considered with those made against Phase II of the Sunshine Fund, following the last meeting. It was noted that officers of the borough council had indicated that mainstream funding to support Whitby Golf Club was available from other sources. Work to repair the bridge had previously been discussed as fundable by the borough council at the time of the land transfer deal involving the area behind Love Lane now forming area HA22 of the local plan.

It was further noted that lack of inclusion of the bridge repairs in the list of projects might be interpreted as lack of priority for the works from the town council.

MOVED by Cllr Mrs Wild, seconded by Cllr Nock and unanimously

RESOLVED (a) that, by 23 May 2022, in addition to the list of town priorities identified for funding from phase II of the Sunshine Fund, Whitby Town Council requests that this fund, or suitable alternatives, are prioritised to be used to repair the pedestrian bridge over the Upgang ravine, consistent with the request made to the Chief Executive of Scarborough Borough Council dated 15 June 2021 and that it be noted that the costs of these repairs would have been considerably less if the work had been carried out in 2018; and
(b) that an approach be made to Newholm cum Dunsley Parish Council for a joint request to NYCC Highways to restrict vehicles from using the bridleway between the A171 and the sea at Upgang Ravine.

B) Verbal report from the Clerk

The clerk confirmed that actions resolved at the previous meeting had been taken and that responses were awaited from NYCC, SBC and Ruswarp School.

MOVED by Cllr Mrs Wild, seconded by Cllr Mrs Wilson and unanimously

RESOLVED (c) that the information be received.

NOTICES OF MOTION

MOVED by Councillor Jones, seconded by Councillor Mrs Wilson and unanimously

RESOLVED (a) that Whitby Town Council should engage with North Yorkshire County Council and the five primary schools in Whitby to identify and bridge the potential funding gap that may exist in Bikeability being free at the point of use for Year 5 and 6 primary school pupils in Whitby.

MOVED by Councillor Jackson, seconded by Councillor Mrs Wild and unanimously

RESOLVED (b) that the council comment on the issues raised in the press regarding the increasing number of second homes in Whitby and its effect on the availability of properties for local home occupiers.

The committee considered the policy options available, chiefly to district councils, through planning and local taxation powers to prioritise the building of affordable housing as primary residences. Members discussed the approach taken to the identification and management of dwellings converted to holiday

lets or used from time to time for short-term letting and the regulation and tax position that affected dwellings in these categories.

It was also noted that the enforcement of existing provisions, particularly with respect to the percentage of affordable dwellings within new developments was key to achieving good results in this area.

MOVED by Councillor Nock, seconded by Councillor Jones and unanimously

RESOLVED (c) that the council should investigate the approaches that are taken by others to support affordability and reduce the impact of second and holiday homes on the stock of local housing by researching and documenting the proportions of dwellings in each category in Whitby and the enforcement of existing powers by (among others) the borough council.

WHITBY CLIFF LIFT

Submitted: an update on the condition of the cliff lift from the West Cliff to the Esplanade, which had been prepared for borough councillors.

MOVED by Councillor Nock, seconded by Councillor Jackson and unanimously

RESOLVED that in view of the comments attributed to the borough council, Scarborough Borough Council should be asked whether it had a case against the workmanship of repairs carried out in the past three years and to explain its plans for the repair and maintenance of the cliff lift.

MATTERS OF REPAIR AND MAINTENANCE REQUIRED IN TOWN

The following areas of concern were identified to be brought to the attention of the appropriate department at the borough or county council.

1. **24A-24C Church Street**, following redevelopment of a garage in this location, the sign for 'Prospect Place' had been removed.

MOVED by Cllr Harston, seconded by Cllr Nock and unanimously

RESOLVED a) That the Clerk write to Scarborough Borough Council to request that the 'Prospect Place' sign is replaced by the developer.

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21 June 2022

Terms of Reference

WHITBY TOWN COUNCIL

TOWN DEVELOPMENT & IMPROVEMENT COMMITTEE

General

A Committee of the Town Council established to consider and make recommendations to Council in relation to the maintenance and improvement of town facilities in order to ensure a high standard of provision; and to manage the Council's allotments; and to liaise with North Yorkshire County Council and Scarborough Borough Council in respect of services and facilities provided by them and to make recommendations to Council in relation to the management of facilities in the Town. To develop strategies, plans, projects or services to improve the well-being of persons who live, work or spend leisure time in the town and so contribute to a sustainable local community

Membership, Chairmanship and Quorum

Number of Members	Seven
Substitute Members Permitted	Yes: maximum of 3 to be appointed
Appointments/Removals from Office	By resolution of full Council
Restrictions on Appointment	None but recommended at least one member from each ward.
Restrictions on Chairmanship/Vice-Chairmanship	None
Quorum	Four
Number of ordinary meetings per Council Year	A minimum of four
Current Sub-Committees	Allotments /Armed Forces WP

Terms of Reference

1. To formulate and make recommendations to Council in relation to any strategies, plans or policies intended to improve the provision and maintenance of town facilities, so contributing to the economic social or environmental well-being of persons who live, work or spend leisure time in the administrative area of the Town Council.
2. On behalf of the Council as the trustees of Pannett Park, responsible for liaising with Scarborough Borough Council, and monitoring the

- effectiveness of the maintenance contract for Pannett Park, referring issues to the trustees where it considers it appropriate or expedient to do so.
3. Responsible for liaising with the Friends of Pannett Park, Whitby in Bloom, and similar volunteer groups in relation to their activities to improve the local environment.
 4. Responsible for considering and making recommendations to Council in relation to applications made under the Community Grants Policy.
 5. Responsible for the management of the Town Council's allotment holdings within the approved budget.
 6. Responsible for liaising with North Yorkshire County Council and Scarborough Borough Council and making recommendations to Council in relation to recreation and amenities facilities in the administrative area of the Town Council, including traffic management, crime prevention, street cleaning, signage, waste management, cemeteries, play areas, playing fields, sport and leisure facilities, recreation grounds, public open spaces, and public conveniences
 7. Responsible for evaluating and making recommendations to Council on the delegation of appropriate services to the Town Council from other authorities
 8. Responsible for identifying the need for new services and facilities and developing strategies, plans, and projects to improve the well-being of persons who live, work or spend leisure time in the town.
 9. Responsible for preparing a draft revenue budget for each coming financial year in respect of the functions of the Town Council falling within the terms of reference of the Town Improvement Committee and to submit that to the Finance & General Purposes Committee for consideration by not later than 31 December in any year.

Substitution

10. Up to three members may be appointed by Council as nominated substitutes for members of the Committee unable to attend a meeting. It is the responsibility of the Committee member to contact one of the nominated substitutes to request their attendance as a replacement.
11. The participation of a substitute member is only valid if the Town Clerk or Committee Clerk has been notified by the appointing member of the identity of the substitute member prior to the meeting.
12. A duly appointed substitute shall be entitled to exercise all the powers of the appointing member including the power to propose motions, speak and vote save that a duly appointed substitute for the Chairman shall not

thereby be entitled to preside at the meeting. If the Chairman is absent, the Deputy Chairman shall chair the meeting; if the Deputy Chairman is also absent, the Committee shall elect one of the members present to chair the meeting.

13. If at any time the appointing member attends the meeting Standing Order 15(a) (v) will apply (an ordinary member of a committee who has been replaced at a meeting by a substitute member (in accordance with standing order 15(a)(iv) above) shall not be permitted to participate in debate or vote on business at that meeting and may only speak during any public participation session during the meeting;)

Delegated Powers.

14. The matters referred to in Paragraphs 2, 3, and 5 above are fully delegated.

Notes

15. Following the election of the Chairman and Deputy Chairman of the Planning 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.
16. These Terms of Reference were approved by the Town Council on 14th April 2010 (Minute 542/10 refers).
17. These Terms of Reference were amended by the Town Council on 1st November 2011 (Minute 394/11 refers)
18. These Terms of Reference were amended by the Town Council on 3rd December 2013 (Minute 496/13 refers)
19. These Terms of Reference were amended by the Town Council on 4th October 2016 (Minute 308/16 refers).
20. These Terms of Reference were reviewed by the Finance Policy & General Purposes Committee on 18th October 2019 (Minute F388/19 refers).

Terms of Reference WHITBY TOWN COUNCIL

ALLOTMENT SUB-COMMITTEE

General

A Sub-Committee of the Town Improvement Committee established to manage the maintenance and improvement of the Allotments, which are administered by the Town Council.

Membership, Chairmanship and Quorum

Number of Members	6 Councillors
Substitute Members Permitted	Two to be appointed
Appointments/Removals from Office	By resolution of full Council
Restrictions on Appointment	None
Restrictions on Chairmanship/Vice-Chairmanship	None
Quorum	3
Number of ordinary meetings per Council Year	Minimum of 4
Current Sub-Committees	None

Terms of Reference

1. Responsible for the control and day-to-day operation of Allotments within the agreed budget, including collection of rents, issuing of tenancies and leases as required and maintaining an up to date waiting list for vacancies.
2. Responsible for the maintenance, and improvement of the Allotments, within the agreed budget.
3. Responsible for formulating and making recommendations to Town Improvement Committee in relation to any strategies, plans or policies intended to improve the provision, or maintenance of Allotments.
4. Formulate and make recommendations to Council in relation to strategies, plans or policies intended to improve the provision or facilities at the Allotments which require financial outlay in excess of the agreed budget.

5. Formulate and make recommendations to Council in respect of expenditure from reserved funds for Allotments maintenance
6. Responsible for preparing a draft revenue budget for each coming financial year in respect of the functions falling within the terms of reference Allotments Sub Committee and to submit that to Town Improvement Committee for consideration by not later than 30 November in any year.
7. Responsible for maintaining accurate records of the tenancies and leases of the Allotments and allocation of vacancies in strict order to the waiting list.
8. Responsible liaising with Allotment holders on a regular basis to ensure that all tenancies and leases are being adhered to

Delegated Powers.

9. The matters referred to in Paragraphs 1, 2, and 7 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.

Notes

11. Following the election of the Chairman and Deputy Chairman of the Allotment Sub-Committee at the first meeting of the Sub-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 Sub-Committee.
 - (b) Review of the terms of reference of the Sub-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 Sub-Committee.
 - (e) Review of the anticipated Sub-Committee workload for the coming year.
12. These Terms of Reference were approved by the Town Council on 10th January 2012 (Minute 546/12 refers)
13. These Terms of Reference were amended by the Town Council on 4th October 2016 (Minute 308/16 refers).
14. These Terms of Reference were reviewed by the Finance Policy & General Purposes Committee on 18th October 2019 (Minute F388/19 refers).

Terms of Reference WHITBY TOWN COUNCIL

CHRISTMAS LIGHTS SUB-COMMITTEE

General

A Sub-Committee of the Town Improvement Committee established to manage the maintenance and improvement of the Town's Christmas Lighting Scheme, which is administered by the Town Council.

Membership, Chairmanship and Quorum

Number of Members	6 Councillors
Substitute Members Permitted	Two to be appointed
Appointments/Removals from Office	By resolution of full Council
Restrictions on Appointment	None
Restrictions on Chairmanship/Vice-Chairmanship	None
Quorum	3
Number of ordinary meetings per Council Year	Minimum of 4
Current Sub-Committees	None

Terms of Reference

1. Responsible for the provision of Christmas Lighting within the agreed budget,
2. Responsible for formulating and making recommendations to Town Improvement Committee in relation to any strategies, plans or policies intended to improve the provision, or maintenance of Christmas Lighting.
3. Formulate and make recommendations to Council in relation to strategies, plans or policies intended to improve the provision or Christmas Lighting which require financial outlay in excess of the agreed budget.
4. Formulate and make recommendations to Council in respect of expenditure from reserved funds for Christmas lighting.
5. Responsible for preparing a draft revenue budget for each coming financial year in respect of the functions falling within the terms of

reference Christmas Lighting Sub Committee and to submit that to Town Improvement Committee for consideration by not later than 30 November in any year.

Delegated Powers.

6. The matters referred to in Paragraphs 1, 2, and 7 above are fully delegated.
7. 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.

Notes

8. Following the election of the Chairman and Deputy Chairman of the Christmas Lights Sub-Committee at the first meeting of the Sub-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 Sub-Committee.
 - (b) Review of the terms of reference of the Sub-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 Sub-Committee.
 - (e) Review of the anticipated Sub-Committee workload for the coming year.
9. These Terms of Reference were amended by the Town Council on 4th October 2016 (Minute 308/16 refers).
10. These Terms of Reference were reviewed by the Finance Policy & General Purposes Committee on 18th October 2019 (Minute F388/19 refers).