



PANNETT PARK | WHITBY | YO21 1RE  
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Dear Councillor,

26 April 2023

You are **summoned** to attend the **ANNUAL MEETING** of the **TOWN COUNCIL OF WHITBY** to be conducted Pannett Gallery on **Tuesday 2 May 2023 at 6:00pm**, the agenda for which is set out below.

Michael King  
Town Clerk

To: Councillors Abbott, Barnett, Mrs Brown, Mrs Coughlan, Croft, Dalrymple, Goodberry, Harrison, Harston, Hinchliffe, Jones, Nock, Redfern, Riddolls, Smith, Mrs Sumner, Mrs Turner, Mrs Wild and Mrs Wilson

**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 TOWN MAYOR FOR THE MUNICIPAL YEAR 2023-24**
2. **ELECTION OF DEPUTY TOWN MAYOR FOR THE MUNICIPAL YEAR 2023-24**
3. **APOLOGIES FOR ABSENCE**  
To receive and resolve upon apologies for inability to attend.
4. **DECLARATION OF INTERESTS**  
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<sup>1</sup> (limited to 3 mins per person).
6. **EXTERNAL REPORTS**  
To receive reports on behalf of external bodies if present
  - a. North Yorkshire Police
  - b. North Yorkshire Council
7. **MINUTES**
  - a. To approve, as an accurate record, minutes of the following meetings:

i. Council	7 March 2023	5
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  - b. To receive the (draft) minutes of the following meetings:

i. Joint Management	14 March 2023	11
ii. Planning	14 March 2023	15

iii.	Harbour	21 March 2023	19
iv.	Finance Policy & General Purposes	4 April 2023	25
v.	Planning	12 April 2023	29
vi.	Human Resources	18 April 2023	35
vii.	Town Development & Improvement	18 April 2023	37

## 8. COMMITTEE RECOMMENDATIONS

### a. Finance, Policy & General Purposes Committee 406/22 APPROVAL OF EXPENDITURE

**RECOMMENDED** that the schedule of expenditure up to 28 March 2023 in the sum of **£95,466.02** (as attached) is approved. 26

b. Any other matters arising from the minutes noted above.

## 9. ITEMS FOR REVIEW AT THE ANNUAL MEETING OF THE TOWN COUNCIL

### a. REVIEW AND ADOPTION OF THE COUNCIL'S CONSTITUTION INCLUDING APPROPRIATE STANDING ORDERS, FINANCIAL REGULATIONS, POLICIES AND PROCEDURES, DELEGATION AND TERMS OF REFERENCE (circulated separately)

A summary of the changes is attached. 41

**Recommendation:** That the revised Standing Orders, Financial Regulations, Policies, Procedures, Scheme of Delegation and Terms of Reference of Committees, forming the town council's constitution and approved by FP&GP Committee on 6 December 2022 (255/22) for onward determination by this meeting, be adopted.

### b. APPOINTMENT OF MEMBERS TO EXISTING COMMITTEES

A list of Councillors' preferences will be circulated to members separately.

i Appointment by poll, of the membership of committees which are over-subscribed on first preference. Each over-subscribed committee to be considered in turn. A poll will be held in which each member may vote for as many candidates as there are committee places (generally 7). Candidates (as self-nominated) will be ranked and places filled in the order of votes cast. In the event of a tie affecting the outcome, a run-off will be held between tied candidates. Substitute members will be drawn from the ranked list in order.

A confirmatory vote to be moved on the conclusion of polling on all committees.

ii Appointment by confirmatory vote, of the membership (and substitute membership) of committees which are fully or under-subscribed on first preference.

Nominations (including self-nomination) to be made at the meeting. A confirmatory vote to be moved on the conclusion of nominations to all under-subscribed committees.

**c. REVIEW OF ARRANGEMENTS, INCLUDING ANY CHARTERS AND AGENCY AGREEMENTS, WITH OTHER LOCAL AUTHORITIES AND REVIEW OF CONTRIBUTIONS MADE TO EXPENDITURE INCURRED BY OTHER LOCAL AUTHORITIES**

To note that there are no agreements in place. The annual contribution of £6,000 from the toilets' income surplus to the costs of the pier footbridge has transferred as a commitment to North Yorkshire Council from 1 April 2023.

**Recommendation:** That the current arrangement be noted.

**d. REVIEW OF REPRESENTATION ON OR WORK WITH EXTERNAL BODIES AND ARRANGEMENTS FOR REPORTING BACK**

A list of those currently appointed is attached

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Nominations (including self-nomination) will be made at the meeting. A confirmatory vote to be moved on the conclusion of nominations to external bodies.

**Recommendation:** (i) That those standing nominated be appointed as representatives on the respective bodies and;  
(ii) That substantive reports, following meetings of the external body be made to the next scheduled meeting of Full Council.

**e. REVIEW OF INVENTORY OF LAND AND ASSETS INCLUDING BUILDINGS AND OFFICE EQUIPMENT**

**Recommendation:** That Asset Register as approved by the Finance Policy and General Purposes Committee on 7 February 2023 (350/22b), be adopted.

**f. CONFIRMATION OF ARRANGEMENTS FOR INSURANCE COVER IN RESPECT OF ALL INSURED RISKS**

**Recommendation:** To note that all insurance cover in respect of the art gallery (and museum building), the councils services and public liability is assigned to Blackwall Green – specialist broker at an annual net cost of £14,599.46 (2023-24). A separate policy covering the public toilets, is renewable in July. The 2022/23 premium was £9,391.70.

**g. REVIEW OF THE COUNCIL'S AND/OR STAFF SUBSCRIPTIONS TO OTHER BODIES**

**Recommendation:** (a) To note that the town council is a member of the Yorkshire Local Councils Associations (& National Association of Local Councils) at an annual subscription (2023/24) of £1,520;  
(b) To note that the town council is a member of the Rural Services Partnership at an annual subscription (2023) of £130;  
(c) To note that the town council is a member of the Yorkshire Society at an annual subscription (2023) of £125; and  
(d) To note that the Clerk and Deputy Clerk are (contractually) members of the Society of Local Council Clerks at an annual subscription (2023) of £652.

**h. REVIEW OF THE COUNCIL'S EXPENDITURE INCURRED UNDER s137 OF THE LOCAL GOVERNMENT ACT 1972** 45

**Recommendation:** To note that, subject to audit, the net expenditure incurred under section 137 of the Local Government Act 1972 in 2022-23 was £1,147.25.

**i. DETERMINING THE TIME AND PLACE OF ORDINARY MEETINGS OF THE FULL COUNCIL UP TO AND INCLUDING THE NEXT ANNUAL MEETING OF FULL COUNCIL.**  
Attached 47

**Recommendation:** That Council adopts the attached calendar of meetings, based on a bi-monthly cycle (option 1).

**10. NOTICE OF MOTION**

**MOVED** by Cllr Mrs Wild, seconded by Cllr Mrs Coughlan

That Whitby Town Council writes to North Yorkshire Council to propose a governance review of the parish to have between 12 and 15 councillors, to bring the council in line with other similar sized towns.

**11. APPROVAL OF EXPENDITURE TO 31 MARCH 2023** 51

Attached a note of expenditure falling in 2022/23 after the items considered at the FP&GP meeting on 4 April – Item 8(a), above, refers.

**12. SHORT-TERM HOLIDAY LETS CONSULTATION** 53

**13. RESPONSE TO NYC STATUTORY PROPOSALS FOR THE AMALGAMATION AND CLOSURE OF ESKDALE SCHOOL** 65

**14. REPORTS FROM REPRESENTATIVES ON EXTERNAL BODIES**

An opportunity for members appointed to represent the town council on named bodies to report on activity since the last meeting.

**15. MAYOR'S REPORT** 77

Civic engagements in the 2022/23 Mayoral Year, undertaken in March and April 2023 and other activities to note.

**16. CLERK'S REPORT** 79

The Clerk's update on issues and correspondence arising since the last meeting.

**17. FLOODING AWARENESS - STANDING ITEM**

Tides above 5.5 metres up until 6 June (presumed next Ordinary Full Council).

- None to note

1. Anyone who wishes to register to participate under Item 3, please contact the Town Clerk (town.clerk@whitbytowncouncil.gov.uk)

# WHITBY TOWN COUNCIL

Minutes of the meeting of **FULL COUNCIL** held in Pannett Art Gallery, Pannett Park, Whitby on Tuesday 7 March 2023 at 6:00pm.

**Present:** Councillors Mrs Wild (Town Mayor), Abbott, Barnett, Mrs Brown, Mrs Coughlan, Croft, Dalrymple, Hinchliffe, Nock, Smith, Mrs Turner and Mrs Wilson.

**Also:** M King, Town Clerk, Mrs A Cowey, Deputy Town Clerk, Councillors N Swannick & P Trumper (NYCC), Ms H King (Anglo American) and 13 members 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**

### **378/22 APOLOGIES FOR ABSENCE**

Apologies were received from Councillors Goodberry, Harston, Harrison, Redfern and Ms Sumner.

**MOVED** by Councillor Nock seconded by Councillor Smith and unanimously

**RESOLVED** that apologies for inability to attend from Councillors Goodberry, Harrison, Harston, Redfern and Mrs Sumner are accepted.

### **379/22 DECLARATION OF INTERESTS & REQUESTS FOR DISPENSATION**

None.

#### **STANDING ORDERS SUSPENDED**

### **380/22 PUBLIC PARTICIPATION**

Three members of the public spoke about the amalgamation of Eskdale School and highlighted their issues and concerns.

#### **STANDING ORDERS REINSTATED**

**MOVED** by Councillor Dalrymple seconded by Councillor Smith

**RESOLVED** unanimously that agenda item 7 is moved forward and discussed next.

### **381/22 PROPOSALS TO AMALGAMATE SCHOOLS**

Councillors expressed their disappointment and concerns regarding the cancellation by the Eskdale School Governors to attend this meeting of the Full Council. Members discussed in full the issues surrounding the proposed amalgamation and the future need of education in Whitby.

**MOVED** by Councillor Barnett, seconded by councillor Nock and unanimously

**RESOLVED** a) that North Yorkshire County Council be called upon to conduct a full review of all educational options in Whitby, with delegated powers given to the Town Clerk to write to County Council to set out councillors' concerns as well as all issues raised in public participation, and  
b) that the Governors of the Whitby Secondary Partnership are

382/22

## **EXTERNAL REPORTS**

### **a. Anglo American**

Ms King offered Mr Parson's apologies and gave a report on his behalf.

- Good progress is being made and it has been announced that polyhalite is due to be mined in 2027.
- Investment in the mine has been made for the next three years
- The tunnel is over half way – 22 km from the Wilton site
- Lockwood Beck site is complete
- The project employs about 1,650 people of which 1,000 are from the local area
- Behind the scene there is a thriving community due to the start-up businesses scheme
- The Liaison Group will be meeting held at Sneaton Village Hall on 26 April 2023 at 11am.

Councillors asked questions and made statements on:

- The Workers Village
- The number of career skilled workers earning over £30K are from Whitby
- The difference and improvement the community funding has made to the local area

### **b. North Yorkshire Police**

No police present

### **c. Scarborough Borough Council**

Apologies were received from Mr Edwards.

### **d. County Councillors**

Councillor Swannick reported on:

- the budget and the proposed constitution. Householders should be receiving their council tax bills soon
- Constitution change – North Yorkshire Council will have a new role with Planning Committees – these will be dealt with on a constituency basis (Scarborough) Cllr Trumper will be Chair of Scarborough's Planning Committee
- Paul Thompson has been appointed director of Ports and Harbours. Parkol has expressed an interest in design and build to overcome the issue of disintegrating sheet piling.
- There is a meeting in the morning (8 March) with the NY Councillors, Town Clerk and Officers from Highways regarding gritting and grit bins.
- Unfortunately with the exception of Sleights CE School there are a number of spare places within the schools which affects the number of pupils attending Eskdale School. It was suggested that the schools are past their sell by date and a new purpose built secondary school should be built to include AS level education

Councillors asked questions and made statements on

- Concern that only 24 days away from unitary and the chain of command is unknown
- Devolved powers to Town/Parish councils - when will we see some details
- The condition of the secondary school buildings

Councillor Trumper reported on:

- The Area Committee held at Scarborough Town Hall
- A copy of the constitution will be circulated
- The VAS speed sign will be installed on Ruswarp Lane this month. He would like to set up 'Speed Watch' on the Carrs with the residents of Ruswarp and Whitby Town Council.
- County Councillors have a locality budget of £10,000 each to spend on the local area – local groups can apply
- All the school buildings are in a poor state of repair – a new secondary school should have been built 12 years ago

Councillors Trumper answered questions on:

- The area planning committee
- Parking issues – there could be another Park and Ride on the agenda
- Pot holes on Guisborough Road
- Neighbourhood speed watch
- Area Committees

#### **e. Borough Councillors**

Councillor Trumper informed members that the Fish Pier will be brought back up to standard this spring.

Councillor Nock had nothing to report as the last two meetings of the Full Council had been cancelled.

Borough Councillors were asked to follow up the on-going issues with the cliff lift

**MOVED** by Councillor Mrs Coughlan, seconded by councillor Jones

**RESOLVED** unanimously that the above reports are received.

383/22

#### **MINUTES**

Amendments were put forward for Full Council Minute No 306 which should read 'Should Eskdale school be amalgamated the Eskdale School site be included in the proposed Neighbourhood Plan'; and Councillor Hinchliffe be included in the list of attendees.

**MOVED** by Councillor Mrs Turner, seconded by Councillor Abbott and

**RESOLVED** unanimously that the amendments be approved.

**MOVED** by Councillor Dalrymple seconded by Councillor Mrs Coughlan and

**RESOLVED** unanimously that the Minutes of the meeting of the Full Council held on 10 January are confirmed including the amendments as an accurate record and signed by the Town Mayor.

**MOVED** by Councillor Barnett, seconded by Councillor Jones and

<b>RESOLVED</b> unanimously to receive <i>en bloc</i> the (draft) minutes of the following committee meetings:	
Human Resources	24 January 2023
Planning	24 January 2023
Pannett Art Gallery	25 January 2023
Event	25 January 2003
Finance Policy & General Purposes	7 February 2023
Planning	14 February 2023
Town Development & Improvement	21 February 2023
Planning	28 February 2023

384/22

**COMMITTEE RECOMMENDATIONS**

c. FP&GP Committee 7 February 2023

**351/22 APPROVAL OF EXPENDITURE**

**RECOMMENDED** that the schedule of expenditure up to 31 January 2023 in the sum of **£82,502.10** (as attached) is approved.

**MOVED** by Councillor Mrs Coughlan, seconded by Councillor Abbott and

<b>RESOLVED</b> unanimously that the schedule of expenditure up to 31 January 2023 in the sum of <b>£82,502.10</b> as recommended by Finance Policy and General Purposes Committee is approved.
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d. Any other matters arising from the minutes noted above  
None.

385/22

**NEIGHBOURHOOD PLAN**

**MOVED** by Councillor Mrs Wild, seconded by Councillor Jones

<b>RESOLVED</b> unanimously that Town Council awards the contract to support the development of Whitby's Neighbourhood Plan to the consultants who submitted proposal A.
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386/22

**CIVILITY AND RESPECT PLEDGE**

**MOVED** Councillor Mrs Turner, seconded by Councillor Dalrymple

<b>RESOLVED</b> unanimously that the Town Council adopts and signs the Civility and Respect Pledge.
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387/22

**REVIEW OF FEES AND CHARGES**

Councillors discussed a review of charges to the public toilets, for allotment gardens, additional fees and Christmas Festival Stalls

**MOVED** by Councillor Mrs Coughlan, seconded by Councillor Mrs Brown

"That the cost to use public toilets is raised from 40p to 50p"

<b>RESOLVED</b> MOTION NOT CARRIED	4 in Favour	8 against
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**MOVED** by Councillor Jones, seconded by Councillor Dalrymple

**RESOLVED** unanimously that the fee for concessionary toilet use by schools is increased to £12.00 per day.

**MOVED** by Councillor Jones, seconded by Councillor Nock

**RESOLVED** that the additional charge for any payment by cheque should be confirmed to be £1.50. 1 Abstention

**MOVED** by Councillor Jones, seconded by Councillor Dalrymple

**RESOLVED** that the allotment rental for 2024-25 be set at a basic fee of £32.00 per full plot. 1 Abstention

**MOVED** by Councillor Barnett, seconded by Councillor Harrison

**RESOLVED** unanimously that the cost of stalls for the Christmas Market are increased by 10% to £220 for gazebos and beach huts - £275 for sheds and £385 for Catering.

388/22

**REPORTS FROM REPRESENTATIVES ON EXTERNAL BODIES**

Councillor Mrs Coughlan reported on the fantastic work being carried out by the Friends of Pannett Park including the theft of two trees.

**MOVED** by Councillor Mrs Wilson, seconded by Councillor Jones

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

389/22

**MAYOR'S REPORT**

The Town Mayor reported on her engagements.

**MOVED** by Councillor Jones, seconded by Councillor Dalrymple

**RESOLVED** unanimously that the Mayor's report is received.

390/22

**CLERK'S REPORT**

The Town Clerk Reported on:

**a) Whitby Swing Bridge – Public Realm Preliminary Discussion**

**MOVED** by Councillor Barnett, seconded by Councillor Mrs Coughlan

**RESOLVED** a) that the Town Clerk submits comments from members on behalf of the Town Council as a whole; and  
b) that the Town Council receives a full presentation from Highways officers as part of any full consultation on the Whitby swing bridge public realm proposals, so members are aware of what is happening. 1 Abstention

**b) Yorkshire Fossil Festival**

**MOVED** by Councillor Mrs Brown, seconded by Councillor Mrs Wilson

**RESOLVED** unanimously that Yorkshire Fossil Festival are made aware that the Town Council has no budget to donate towards this event, but support has been given in kind.

**c) Made In Yorkshire**

Councillors discussed a request from the organisers of Made in Yorkshire to attend April's meeting of Town Improvement and Development Committee. As the contract with Made in Yorkshire has nothing to do with Town Council it was;

**MOVED** by Councillor Mrs Brown, seconded by Councillor Hinchliffe and

**RESOLVED** that the organisers of Made in Yorkshire are not invited to attend a meeting of the Town Improvement and Development meeting to be held in April. 10 in Favour 3 Against

391/22

**FLOODING AWARENESS – STANDING ITEM**

**MOVED** by Councillor Dalrymple, seconded by Councillor Mrs Wilson

**RESOLVED** unanimously that information on tides above 5.5 metres up until 2 May 2023 be received:  
8-10 March  
20-25 March  
7-8 April  
19-22 April

Signature ..... 2 May 2023

# WHITBY TOWN COUNCIL

Minutes of the meeting of the **PANNETT ART GALLERY AND WHITBY MUSEUM JOINT MANAGEMENT** Committee held in the Normanby Room, Whitby Museum on Tuesday 14 March 2023 at 2:00pm.

**Present:** Whitby Town Council: Councillors, J Nock (Chair), Mrs A Brown, Mrs H Coughlan R Dalrymple, G Goodberry, J Harston, A Jones, Mrs L Wild;  
Whitby Literary & Philosophical Society Ms S Booth, Mrs P Cockrill (Sub), C Pyrah, D Rodwell-Cox and Mrs H Wright (sub).

**Also:** M King, Town Clerk, A Cowey Deputy Clerk & Civic Officer and H Berry, PAG Curator.

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

## 392/22 APOLOGIES FOR ABSENCE

Apologies for inability to attend were received from Councillor Mrs N Wilson, Mrs D Gilroy, G Pipe Mrs A Roberts

**MOVED** by Councillor Harston, seconded by Councillor Mrs Wild and unanimously

**RESOLVED** that the apologies be accepted.

## 393/22 DECLARATION OF INTERESTS & REQUESTS FOR DISPENSATION

None.

### STANDING ORDERS SUSPENDED

## 394/22 PUBLIC PARTICIPATION

None.

### STANDING ORDERS REINSTATED

## 395/22 MINUTES OF MEETING HELD ON 13 December 2022.

**MOVED** by Councillor Goodberry, seconded by Councillor Mrs Coughlan and

**RESOLVED** unanimously that minutes of the Pannett Art Gallery and Whitby Museum Joint Management Committee Held on 13 December 2022 having been circulated be taken as read and signed by the Chairman as true record.

## 396/22 PROPOSED MAINTENANCE SCHEDULE

Members went through the proposed maintenance schedule.

**MOVED** by Councillor Mrs Wild, seconded by Councillor Mrs Coughlan, and

**RESOLVED** unanimously that the proposed Maintenance Schedule is approved

**MOVED** by Councillor Dalrymple, seconded by Councillor Mrs Brown and

**RESOLVED** unanimously that the report given by the Literary and Philosophical Society be accepted as a starting point and the Town Clerk and a representative from the Literary and Philosophical Society work together to produce a unified procedure.

397/22

**BUILDING MAINTENANCE EXPENDITURE 2022/23 to date**

The Town Clerk answered questions about the above circulated prior to the meeting.

**MOVED** by Councillor Mrs Wild seconded by Councillor Mrs Coughlan and

**RESOLVED** unanimously that the building maintenance expenditure 2022/23 is received.

398/22

**REPORT ON PROPERTY MATTERS – ISSUES AS RAISED BY LIT & PHIL**

**1) GAS SAFETY**

Gas inspection will take place tomorrow (15.02.23)

**2) ELECTRICAL SAFETY**

Dates to carry out the electrical survey were discussed as the building would have to be closed for 8 days to carry out this work.

**MOVED** by Councillor Goodberry, seconded by Councillor Mrs Wild

**RESOLVED** that the building be closed from the 24 April to 1 May to enable electrical survey be carried out. 1 abstention

**3) HEATING**

Valiant engineers are booked to service the Valiant boilers this month (March)

Arrangements have been made for Comgas to give a site inspection of the ideal boilers which will include the expansion vessels, thermostats, and solenoids.

**4) FLOOR**

The Chairman of the Lit and Phil is pressing the contractor for a date to carry out a survey of the museum floor. It has been suggested that the outside land drains are surveyed as well to ensure there are no external blockages which could impact on the buildings floor.

**MOVED** by Councillor Dalrymple, seconded by Councillor Goodberry and

**RESOLVED** unanimously that a floor and external drain surveys are carried out.

**5) INSURANCE**

The Town Council has received the insurance renewal quotation which will be in place on the 1st April 2023. The quotation is clear with no contentious issues.

**6) ON GOING ISSUES**

**LEGIONELLA TESTING**

Awaiting a quotation to carryout testing

**7) ROOF DRAINAGE**

Ongoing

**MOVED** by Councillor Mrs Wild, seconded by Councillor Mrs Coughlan and

**RESOLVED** unanimously that those property matters identified by WLPS are progressed in accordance with the maintenance schedule resolved upon at item 5 under the established operating procedures of the town council and that progress to date is noted

399/22

**AGREED ACTION POINTS**

Action	Target Date
a) Maintenance items to take forward – MK & HW	
b) Report to members re electrical survey.	May 2023
c) Legionella testing – on going	On going
d) Roof Drainage – on going	On going
e) Heating Boilers	Ongoing

**MOVED** by Councillor Dalrymple seconded by Councillor Harston

**RESOLVED** that the action points are agreed.

Signature ..... 14 March 2023



# WHITBY TOWN COUNCIL

Minutes of the meeting of the **PLANNING** Committee held in the Pannett Gallery on **Tuesday 14 March 2023** at 6.00pm.

**Present:** Councillor R Dalrymple (Chair) with Councillors; R Barnett, G Goodberry, J Harston, S Hinchliffe and J Nock.

**Also:** Mrs A Cowey, Deputy Clerk.

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

**400/22 APOLOGIES FOR ABSENCE**

Apologies for inability to attend were received from Councillor Mrs N Wilson.

**RESOLVED** unanimously that the apologies for absence from Councillor Mrs Wilson is received.

**401/22 DECLARATION OF INTERESTS & REQUESTS FOR DISPENSATION**

No declarations of interest

**402/22 MINUTES**

**MOVED** by Councillor Nock, seconded by Councillor Hinchliffe and

**RESOLVED** unanimously that minutes of the Planning Committee held on 24 January, 14 and 28 February 2023 having been circulated be taken as read and confirmed as a correct record and signed by the Chair

**STANDING ORDERS SUSPENDED**

**403/22 PUBLIC PARTICIPATION**

No public present.

**STANDING ORDERS REINSTATED**

**404/22 PLANNING APPLICATIONS.**

**RESOLVED** that the Planning Applications, as detailed at Annex A, were considered and the Planning Committees recommendations duly recorded and submitted to the Planning Authority

**405/22 LISTED BUILDINGS**

Nothing to report.

**406/22 LICENSING**

Nothing to report

..... 2023





## Planning Applications Considered on 14 March 2023

<b>1</b>	<i>Plan Number</i> <b>23/026</b>	<i>District Reference</i> 22/02500/LB	<i>Road/Street</i> Church Street	<i>Date of meeting</i> 14.03.23
	<i>Applicant</i> Mr Timothy Gray	<i>House Name</i> Poppy Cottage	<i>Road</i> 114 Church Street	<i>Locality</i>
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i> YO224DE	<i>Application date</i> 27/02/23

**Conversation of dwelling to holiday let rooms, with associated internal alterations, Mr Timothy Gray, Poppy Cottage, 114 Church Street, WHITBY, North Yorkshire, YO224DE**

*Comment*

**Refuse - Over development - Capacity of services and infrastructure - Highways and**

<b>2</b>	<i>Plan Number</i> <b>23/027</b>	<i>District Reference</i> 22/02520/HS	<i>Road/Street</i> Westbourne Road	<i>Date of meeting</i> 14.03.23
	<i>Applicant</i> Mr Rodney Belchamber	<i>House Name</i>	<i>Road</i> 8 Westbourne Road	<i>Locality</i>
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i> YO213ND	<i>Application date</i> 01/03/23

**Provision of access drive leading from existing drop kerb to dwelling, along the line of existing path, Mr Rodney Belchamber, 8 Westbourne Road, WHITBY, North Yorkshire, YO213ND**

*Comment*

**Support this application subject to Highway conditions being adhered to**

<b>3</b>	<i>Plan Number</i> <b>23/028</b>	<i>District Reference</i> 23/00231/LB	<i>Road/Street</i> Church Street	<i>Date of meeting</i> 14.03.23
	<i>Applicant</i> Mr Martin Tucker	<i>House Name</i>	<i>Road</i> 2 Blackburns Yard	<i>Locality</i> Church Street
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i> YO224DS	<i>Application date</i> 03/03/23

**Repair of the lean-to wash house and insertion of 2no. Rooflights, Mr Martin Tucker, 2 Blackburns Yard, Church Street, WHITBY, North Yorkshire, YO224DS**

*Comment*

**Support this application**

<b>4</b>	<i>Plan Number</i> <b>23/029</b>	<i>District Reference</i> 22/02513/FL	<i>Road/Street</i> Land off Sandpiper Close	<i>Date of meeting</i> 14.03.23
	<i>Applicant</i> Stonebridge homes Ltd	<i>House Name</i>	<i>Road</i> Land off Sandpiper Close	<i>Locality</i>
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i>	<i>Application date</i> 07/03/23

**Major development of Local Plan housing allocation HA18 for dwellinghouses including landscaping, open space and other infrastructure works, Stonebridge homes Ltd, Land off Sandpiper Close, WHITBY, North Yorkshire**

*Comment*

**Support this application subject to - designing out Crime Officers comments being implemented - liaising with the fire service to provide an increased number of fire hydrants - the priority of the junction adjacent to plot no. 146 runs northwest to southeast - carriage footpaths should be added to the Public Right of Way network - all street naming to come to the Town Council.**

<b>5</b>	<i>Plan Number</i> <b>23/030</b>	<i>District Reference</i> 23/00125/HS	<i>Road/Street</i> Larpool Lane	<i>Date of meeting</i> 14.03.23
	<i>Applicant</i> Mr & Mrs Sheldon	<i>House Name</i> Oaklands	<i>Road</i> Larpool Lane	<i>Locality</i>
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i> YO224NE	<i>Application date</i> 07/03/23

**Demolition of existing single storey annexe and erection of replacement single storey annexe, Mr & Mrs Sheldon, Oaklands, Larpool Lane, WHITBY, North Yorkshire, YO224NE**

*Comment*  
**Support this application**

<b>6</b>	<i>Plan Number</i> <b>23/031</b>	<i>District Reference</i> 23/00190/LB	<i>Road/Street</i> Grape Lane	<i>Date of meeting</i> 14.03.23
	<i>Applicant</i> Martin Evans	<i>House Name</i>	<i>Road</i> 21 Grape Lane	<i>Locality</i>
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i> YO224BA	<i>Application date</i> 08/03/23

**Installation of new staircase and works to internal walls, Martin Evans, 21 Grape Lane, WHITBY, North Yorkshire, YO224BA**

*Comment*  
**Support this application**

# WHITBY TOWN COUNCIL

Minutes of the meeting of the **Harbour** Committee held in Pannett Art Gallery, Whitby, on Tuesday 28 March 2023 at 5pm, prior to a meeting of the Planning Committee.

**Present** Councillor C Riddolls (Chair) and Councillors R Barnett, A Jones, J Redfern and Mrs S Turner (substitute)

**Also** Mrs A Cowey, Deputy Town Clerk with 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.**

## 407/22 APOLOGIES

Apologies for inability to attend was received from Councillors A Abbott, G Goodberry, Mrs L Wild, and Mr C Burrows (Harbour Master)

**RESOLVED** that the above apologies are received.

## 408/22 DECLARATION(S) OF INTERESTS & REQUEST FOR DISPENSATION

There were no declarations of disclosable pecuniary interests, and other interests or dispensation requests.

## 409/22 MINUTES

**MOVED** by Councillor Riddolls, seconded by Councillor Redfern

**RESOLVED** that minutes of the Harbour Committee held on the 26 July 2022 having been circulated be taken as read and approved as a correct record.

## STANDING ORDERS SUSPENDED

## 410/22 PUBLIC PARTICIPATION

A member of the public spoke about public participation at council meetings, and the legal case regarding Whitby Harbour.

## STANDING ORDERS REINSTATED

## 411/22 HARBOUR MASTER

The Harbour Master sent his apologies but submitted his Harbour Master's report which was circulated at the meeting.

Members went through the report and it was agreed that the following questions be submitted to the Harbour Master:

- Is it correct that the Maritime Hub cannot go ahead until the court case is complete?
- How many businesses are signed up to the Maritime Hub? The Town Deal requirement is that it is fully signed up
- Is funding available for the repair of Eskside Wharf or does funding need to be obtained?
- Will Whitby benefit from the offshore windfarms?
- Can contact email address of the Harbour Executive be made available

to Councillors?

- Could an update on the seating issues in the Bandstand be made available?

Councillor Redfern informed members that the Lobster Hatchery had submitted an expression of interest for funding from the Prosperity Fund to improve the fish market building.

**412/22**

**HARBOUR ISSUES**

Concern was raised regarding:

- The issue of feeding the bird life and the disposal of crabbing lines etc near the swing bridge. It was reported that Party Boats have had issues with the number of lines disposed of in the river.  
It was suggested that the rental of buckets and lines be implemented to control the environmental issues which appear to be caused by crabbing on Kiddies Corner, including the installation of a hand pump to fill the buckets.
- Pollution caused by the surface water running straight into the river from the new housing estate.
- Issues regarding the storage of lobster/crab pots as a commercial port the need for an alternative storage area.

**28/03/2023 Harbour Master's Report to Whitby Town Council's Harbour Committee Capt.  
Chris Burrows 28th March 2023**

**1. FISHING**

**1.1 Landings**

Fish landings at Whitby continue to be impacted by the shellfish mortality event which commenced in October 2021. The second half of 2022 experienced a reduction in landings of over 90% when compared to pre-pandemic levels with inshore fishers reporting heavily impacted fishing grounds. During the second half of 2022, 99% of landings consisted of shellfish with the exception of August 2022 where a higher percentage (39%) of white fish was landed. However, indication of just how small shellfish landings had become.

**1.2 Shellfish Mortality Event**

This event continues to impact widely with little movement from Government agencies towards a conclusion. The House of Commons Environment Food and Rural Affairs Committee held a hearing into the issue in October 2022, chaired by Sir Robert Goodwill MP. Following the hearing, Sir Goodwill wrote to the environment secretary Mrs Therese Coffey MP and called for the urgent appointment of an independent expert panel to investigate the mass die offs. The independent panel, chaired by the government's Chief Scientific Advisor, Sir Patrick Vallance and DEFRA's Chief Scientific Advisor Professor Gideon Henderson, published its findings in January 2023. The panel's report ruled out capital dredging, pyridine and algal bloom as possible causes. This was contrary to the original investigation which had blamed an algal bloom for the die offs and the theory from the fishing community that the chemical pyridine was to blame. The report did not come to a conclusive cause and instead theorised that a virus may be the cause but evidence for this was limited. The Environment Secretary has since refused to conduct further analysis despite calls and pressure from a wide variety of industry groups and growing support from local MPs and Councillors. At a recent meeting of North Yorkshire County Council, much discussion was held around the matter with widespread support for further action to be taken. This support covered coastal Members and those further inland.

**1.3 Fishing Safety**

The North East Fishing Safety Forum is now well established although attendance from Whitby Fishers has so far been poor. The forum is designed to give fishers a single group to take forward initiatives to improve safety and covers an area between Whitby and Bridlington. The forum is supported and attended by the Harbour Authority's responsible for Whitby, Scarborough, Filey and Bridlington as well as processors, Whitby Fishing School, the Maritime and Coastguard Agency, the Marine Accident Investigation Branch and fishers themselves.

**2. DREDGING**

Whitby's dredger SANDSEND has worked through the winter where weather conditions allowed to conduct a programme of dredging on the East Side pontoons and pontoon navigable channel. The weather and breakdowns have slowed progress however a reasonable percentage of the planned work has been completed. As the weather improves, the vessel will switch to its summer dredging programme which will include the lower harbour, fish quay, main navigation channel

and harbour entrance. Additionally, the dredger has supported the RNLI with maintaining its lifeboat pen. Dredging within Whitby Harbour is permitted by local legislation however disposal of the dredged spoil at sea requires a marine license issued by the Marine Management Organisation (MMO). Over recent years obtaining a license has become increasingly difficult with ever increasing requirements being placed on Harbour Authorities. The marine license at Whitby is due to expire in January 2024 and presents a risk to continued conservancy operations. The Harbour Authority are aiming to mitigate this risk with ongoing discussions with the MMO.

### **3. PORT MARINE SAFETY CODE**

The annual report of Performance Against the Safety Plan was published to Scarborough Borough Council's Audit Committee in Oct. 2022. The report highlighted incidents which had occurred during the previous year and pleasingly showed a continued low level of incidents. Since the last Harbour Committee meeting four incidents have been recorded. These include one collision between a passenger vessel and yacht, two persons in the water and damage to infrastructure caused by a coach. Sadly, one of the persons in the water resulted in a fatality after a fall from a vessel during icy conditions.

### **4. HARBOUR MAINTENANCE & PROJECTS**

#### **4.1 Eskside Wharf (Parkol Marine Engineering)**

Advanced monitoring continues to be conducted at Eskside Wharf whilst contractors design a scheme to repair the current issues. The Harbour Authority, Local Authority and Parkol Marine continue to work together to maintain safety and impact operations as little as possible.

#### **4.2 Fish Quay Pile Maintenance**

Maintenance on worn timber pilings on the Fish Quay is due to take place in the next month. This will involve replacement of a number of older piles which have now reached the end of their lifespan. Other general repairs to ladders and other infrastructure are also underway.

#### **4.3 Fish Pier Sheet Piling**

A decision will be taken on Friday 31st March by Scarborough Borough Council's Portfolio Holder for Corporate Resources (which includes Harbours) with a recommendation to release funds for repairs to the Fish Pier. Subject to approval, the works will be undertaken ASAP with costs shared with the RNLI. This will be funded by the Harbours reserve account with a contribution from the maintenance budget to make up the required amount of £82,500.

### **5. LOCAL GOVERNMENT REORGANISATION**

#### **5.1 Duty Holder/Designated Person (PMSC)**

Extensive discussion has taken place with regards to who will assume the role of Duty Holder within the new North Yorkshire Council. This has now been determined as Mr Karl Battersby in his role as Corporate Director of Environment. He will be supported by Mr Paul Thompson as the Designated Person in his capacity as Assistant Director. Both Mr Battersby and Thompson have received training on the roles which will also be supplemented in April 2023.

## **5.2 Directorate of Environment**

As we prepare for the establishment of the new Council, it has been determined that Harbours will form part of the Directorate of Environment under the leadership of Mr Battersby and within the sub directorate of Integrated Passenger Transport, Licensing, Countryside Access and Harbours led by Mr Thompson.

## **5.3 Harbour Executive**

Discussions have also taken place with regards to the future of the Harbour Executive, its membership and aims going forward. As such, it has been determined that the Executive will continue in a similar format as pre-vesting day with the addition of two members, increasing the membership to six. These will consist of:

- Mr Karl Battersby, Corporate Director (Chair)
- Mr Paul Thompson, Assistant Director
- Cllr Derek Bastiman, Exec. Member
- Cllr Janet Jefferson
- Mr John Woodhead, Northern Area Engineer
- Mr Alex Richards, Head of Regeneration

The membership will continue to be supported by officers from legal, finance, assets and estates as well as by the Harbour Master and his team. As the new Council finds its feet, a further review will be undertaken of the Harbour Executive.

## **5.4 Harbour User Consultative Group**

The Harbour User Consultative Groups at all three harbour undertakings continue to be a vital method of transferring information to the harbour community and gaining valuable feedback. There is no intention to change the makeup of these groups with the exception of the change of NYC elected member. The community continue to be encouraged to not store issues up for these meetings but rather to make use of the Harbour Masters open door policy and raise any concerns as soon as they arise.

## **6. OTHER BUSINESS**

### **6.1 Emergency Preparedness**

The Harbour Authority is classed as a Category II responder IAW the Civil Contingencies Act and also has responsibility as the primary responder to Oil Pollution within its jurisdiction. As such, a constant regime of drills, exercises and emergency plan reviews/inspections are undertaken. During February 2023, Whitby Harbour successfully completed its 3-yearly Incident Management Exercise to prove its response to a major oil spill. The exercise was observed by the Maritime and Coastguard Agency's Counter Pollution and Salvage Officer and exercised a road tanker spilling 25,000 litres of oil into the lower harbour. Additionally, the Harbour Authority took part in a national flood exercise in November 2022 which simulated the response to a tidal surge, much like those seen in reality in 2013 and 2017. The exercise included the practical activation of the Church Street flood defences and recovery pumps. Throughout the winter, the flood defences have been activated successfully by harbour staff a number of times in response to high spring tides.

### **6.2 Whitby Maritime Training Hub**

The Harbour Authority continues to work closely with the Maritime Hub project which is making steady progress. Discussions have taken place with designers and a consultant undertaking work into potential operators and tenants of the facility, including Whitby and District Fishing School. Ground investigation works have taken place during February and March 2023 with further works scheduled for April 2023.

These investigations are designed to determine the exact location of underground services and obstructions including tie rods for the sheet piled face of the wharf. Engineers continue to work on the design of the building which will be built on a piled platform to support the building rather than the existing surface of the cargo wharf. This method is a common technique within the construction industry.

### **6.3 Offshore Wind**

The Dogger Bank Windfarm project continues to advance with pace and increasing interest is being shown in the utilisation of Whitby Harbour for support vessel operations. The vessel ISLE OF JURA has recently returned to the harbour as she commences a new phase of works on the windfarm and will be operating from Whitby Harbour over the coming months. The work conducted by the consultant on the Maritime Hub is also revealing a keen interest in the port from offshore wind operators with a number now approaching to look at how they might utilise the facilities available.

### **6.4 Maritime Growth Summit**

The Harbour Authority was recently represented by Mrs Linda Wild at a Maritime Growth Summit in Gateshead. The summit discussed the future of the maritime industry and allowed a number of valuable contacts to be made which will greatly assist in moving the port forward. As a result of Mrs Wild's ambassadorship, discussions are now ongoing with a variety of potential partners to grow the prosperity of the port.

### **6.5 Cruise Calls 2023**

The Harbour Authority continues to work with cruise vessel agents and has successfully secured two cruise ship visits for the coming season. Cruise ships REGAL PRINCESS and HEBRIDEAN SKY are due to attend bringing an influx of visitors to the town.

**Capt. Chris Burrows**  
**Borough Harbour Master and Head of Harbours**



# WHITBY TOWN COUNCIL

Minutes of the meeting of the **FINANCE, POLICY AND GENERAL PURPOSES** Committee held in the Pannett Gallery on Tuesday 4 April 2023 at 6:00pm.

**Present:** Councillors Dalrymple (Chair), Mrs Coughlan, Harston, Jones and Mrs Wilson.

**Also:** M King, Town Clerk.

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

### **400/22 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllr Mrs Wild and Cllr Goodberry (Sub.).

**MOVED** by Councillor Mrs Wilson seconded by Councillor Harston and unanimously

**RESOLVED** that Cllr Mrs Wild and Cllr Goodberry's apologies be accepted.

### **401/22 DECLARATION OF INTERESTS & REQUESTS FOR DISPENSATION**

None.

#### **STANDING ORDERS SUSPENDED**

### **402/22 PUBLIC PARTICIPATION**

No Public Participation

#### **STANDING ORDERS REINSTATED**

### **403/22 MINUTES OF MEETING HELD ON 7 FEBRUARY 2023**

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

**RESOLVED** that minutes of the meeting held on 7 February 2023 be approved and signed by the Chair as a correct record.

### **404/22 ACTION OUTSTANDING FROM PREVIOUS MEETINGS**

The Clerk provided a verbal update on items from earlier meetings. It was noted that actions had been taken other than as listed on this agenda. Quotations relating to tablet computers for elected members will be reported to a future meeting.

**MOVED** by Councillor Harston, seconded by Councillor Mrs Coughlan and unanimously

**RESOLVED** that the information be noted.

**405/22 DRAFT PARISH CHARTER CONSULTATION**

Submitted recommended response to the consultation being undertaken by NY(C)C on the content of a proposed charter to establish the relationship between the unitary authority and the parishes in North Yorkshire

**MOVED** by Councillor Harston, seconded by Councillor Mrs Wilson and unanimously

**RESOLVED** that the council's response to the consultation be approved and submitted as presented.

**406/22 APPROVAL OF EXPENDITURE**

Submitted: a schedule of invoices dated from 1 February 2023 to 28 March 2023.

**MOVED** by Councillor Jones, seconded by Councillor Harston and unanimously

**RESOLVED** that the schedule of expenditure up to 28 March in the sum of **£95,466.02** (as attached) is approved and submitted to Full Council.

Signature..... 2023

## APPROVAL OF EXPENDITURE TO 28 MARCH 2023

Date	Tran	Net	Organisation	Detail
01/02/2023	362	71.00	SAGE UK Ltd - Payroll Subscription February 2023	
01/02/2023	367	186.15	Howden Joinery Group - Supplies for Gallery refit	
03/02/2023	363	180.00	Brian Oakley - External window clean - February	
05/02/2023	364	498.73	TotalEnergies Gas & Power - Electricity (PAG & Museum) February	
07/02/2023	356	22.50	Morphy Richards - Kettle in the front kitchen	
07/02/2023	401	12.00	HM Land Registry - Land search - Larpool woods/viaduct	
08/02/2023	379	1,057.94	ENGIE Gas Limited - Gas Charges - February 2022	
09/02/2023	372	325.00	Vinyl Signs of Whitby - To clean down, re-cover and apply	
09/02/2023	373	36,394.90	Tetra Tech Limited - PANNETT ART GALLERY EXTENSION RIBA II Milestone 3	
09/02/2023	374	39.86	Rentokil Initial UK Ltd - Hygiene Services February 23	
09/02/2023	429	191.50	Society of Local Council Clerks - SLCC Enterprises - Manuals	
11/02/2023	402	18.00	Amazon - Heavy Duty Stapler	
12/02/2023	375	673.00	Pitney Bowes - Meter reading and transaction fee based on usage	
14/02/2023	403	458.33	Vaillant Group UK Limited - Boiler servicing	
15/02/2023	376	380.00	Mayoral Expenses	
15/02/2023	387	309.66	Vistech Security Ltd - Park/Museum Patrols - February	
15/02/2023	388	155.15	Document Solutions - January Bill	
16/02/2023	389	295.00	Made By Cooper Ltd. - King Charles Coronation Pin Badge	
20/02/2023	382	5,518.22	Everflow Limited - Water Bill - February	
20/02/2023	384	8.50	Barclays Bank - Commission Charges 13 Jan - 12 Feb	
20/02/2023	390	149.99	Screwfix - 4 tread platform ladder	
21/02/2023	378	13.11	EE Limited - Mobile Phone Charge (February)	
21/02/2023	405	17.65	Amazon - Wire clips for banner wire	
21/02/2023	407	3.33	Yorkshire Trading Company (Whitby) - Office supplies	
21/02/2023	408	2.25	Boyes of Whitby - Office supplies	
27/02/2023	381	71.49	Cathedral Hygiene - Air Freshener Servicing (January)	
28/02/2023	391	666.96	Vistech Security Ltd - Park/Museum Patrols - March	
28/02/2023	398	12.17	Wilf Noble Construction & Plant Hire Ltd - Building Supplies (February)	
01/03/2023	422	13.07	Sapphire Print Solutions - February Invoice - Printing Charges	
01/03/2023	426	228.00	Siemens Financial Services Limited - Telephone lease charge	
02/03/2023	393	1,297.07	Green End Electrical - Supply and install replacement door access system	
02/03/2023	411	18.00	Mayoral Expenses - mileage (40 miles @45p)	
04/03/2023	415	138.60	Hilton Gateshead - Room and car parking	
05/03/2023	394	961.73	TotalEnergies Gas & Power - Electricity (PAG & Museum) March	
09/03/2023	392	71.00	SAGE UK Ltd - Payroll Subscription March 2023	
09/03/2023	395	16.06	Normans Business Solutions - Stationery	
09/03/2023	396	39.86	Rentokil Initial UK Ltd - Hygiene Services March 23	
09/03/2023	397	155.15	Document Solutions - February Bill	
10/03/2023	380	878.17	ENGIE Gas Limited - Gas Charges - March 2023	
15/03/2023	416	181.00	Green End Electrical - Callouts regarding light sensors and door keypad	
15/03/2023	417	1,237.80	Green End Electrical - Supply and install lights, design as agreed.	
15/03/2023	418	50.00	YLCA - Road Safety (S Smith, J Nock)	
16/03/2023	404	18.63	Barclays Bank - Commission Charges 13 Feb - 12 March (accrued)	
18/03/2023	412	105.60	Mayoral Expenses	
18/03/2023	413	66.75	Oakwood Hall Hotel - Accommodation and Breakfast - Keighley Civic Dinner	
18/03/2023	414	64.80	Mayoral Expenses	
18/03/2023	419	3,297.32	Everflow Limited - Water Bill - March	
20/03/2023	410	18.00	Mayoral Expenses - mileage (40 miles @45p)	
20/03/2023	420	156.00	Comgas Heating Limited - Carry out gas safety certificate to pipework only.	
21/03/2023	424	13.11	EE Limited - Mobile Phone Charge (March)	

<b>Date</b>	<b>Tran</b>	<b>Net</b>	<b>Organisation</b>	<b>Detail</b>
22/03/2023	423	66.67	Whitby Area Development Trust - Hire of James Cook Theatre - 22 March 2023	
24/03/2023	409	10.00	Mayoral Expenses	
27/03/2023	427	71.49	Cathedral Hygiene - Air Freshener Servicing (February)	
27/03/2023	428	60.81	Pitney Bowes - Meter reading and transaction fee based on usage	
28/03/2023	421	22.82	Sapphire Print Solutions - March Invoice - Printing Charges	
		<b>56,989.90</b>		
		38,476.12	Confidential Transactions	
		<b>95,466.02</b>		

# WHITBY TOWN COUNCIL

Minutes of the meeting of the **PLANNING** Committee held in the Pannett Gallery on **Tuesday 12 April 2023** at 6.00pm.

**Present:** Councillor Mrs Wilson (Chair) with Councillors; R Dalrymple, J Harston, S Hinchliffe and J Nock.

**Also:** Mrs A Cowey, Deputy Clerk.

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

## 420/22 APOLOGIES FOR ABSENCE

Apologies for inability to attend were received from Councillor G Goodberry.

**RESOLVED** unanimously that the apologies for absence from Councillor G Goodberry is received.

## 421/22 421/23 DECLARATION OF INTERESTS & REQUESTS FOR DISPENSATION

No declarations of interest

as a correct record and signed by the Chair

### STANDING ORDERS SUSPENDED

## 422/22 PUBLIC PARTICIPATION

No public present.

### STANDING ORDERS REINSTATED

## 423/22 PLANNING APPLICATIONS.

**RESOLVED** that the Planning Applications, as detailed at Annex A, were considered and the Planning Committees recommendations duly recorded and submitted to the Planning Authority

## 424/22 LISTED BUILDINGS

Nothing to report.

## 425/22 LICENSING

Councillor Nock reported that an application for a premises licences had been submitted for Crocodile, 33 Flowergate, which would entail the selling of alcohol from 10am – 11pm.

**RESOLVED** that all conditions applied for under this application are sought and Licencing services are asked to display them publicly and that Town and Parish Councils are consulted on all licensing applications.

..... 2023



## Planning Applications Considered on 12 April 23

<b>1</b>	<i>Plan Number</i> 22/184/AMENDED	<i>District Reference</i> 22/01236/FL	<i>Road/Street</i>	<i>Date of meeting</i> 11.04.23
	<i>Applicant</i> Mrs Meena Jalali	<i>House Name</i> Beachwalk Villa	<i>Road</i> 10 Chubb Hill Road	<i>Locality</i>
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i> YO211JU	<i>Application date</i> 29/03/23

**22/184 - Amended plan -  
Conversion of property into 3no flats - Amended plans received**

*Comment*

**Support subject to residential use only and the building should be named Mulgrave Villa as in the pre war census (1901)**

<b>2</b>	<i>Plan Number</i> 23/032	<i>District Reference</i> 23/00342/FL	<i>Road/Street</i> Windsor Terrace	<i>Date of meeting</i> 28.03.23
	<i>Applicant</i> Mr M Smith	<i>House Name</i>	<i>Road</i> 16 Windsor Terrace	<i>Locality</i>
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i> YO211ET	<i>Application date</i> 22/03/23

**Erection of dormer window to front elevation**

*Comment*

**Object - Effect on the character and appearance of the area**

<b>3</b>	<i>Plan Number</i> 23/033	<i>District Reference</i> 23/00383/HS	<i>Road/Street</i> Uppang Lane	<i>Date of meeting</i> 12/04/23
	<i>Applicant</i> Mr & Mrs D & T Brown	<i>House Name</i>	<i>Road</i> 5A Uppang Lane	<i>Locality</i>
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i> YO213DT	<i>Application date</i> 23/03/23

**Erection of new porch to front elevation**

*Comment*

**Support this application**

<b>4</b>	<i>Plan Number</i> 23/034	<i>District Reference</i> 22/02499/FL	<i>Road/Street</i> Church Street	<i>Date of meeting</i> 12/04/23
	<i>Applicant</i> Mr Timothy Gray	<i>House Name</i>	<i>Road</i> 114 Church Street	<i>Locality</i>
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i> YO224DE	<i>Application date</i> 27/03/23

**Conversion of dwelling to holiday let rooms**

*Comment*

**Object - Over development - Capacity of services and infrastructure - Highways and**

**5**    *Plan Number*    *District Reference*    *Road/Street*    *Date of meeting*  
 23/035    23/00405/HS    Abbey Terrace    12/04/23

*Applicant*    *House Name*    *Road*    *Locality*  
 Mrs Amanda Antcliffe    Flat 2    4 Abbey Terrace

*Town*    *County*    *Post Code*    *Application date*  
 WHITBY    North Yorkshire    YO213HQ    28/03/23

**Installation of replacement window in uPVC**

*Comment*  
**Support subject to the use of heritage style windows**

**6**    *Plan Number*    *District Reference*    *Road/Street*    *Date of meeting*  
 23/036    23/00407/TCA    High Street    12/04/23

*Applicant*    *House Name*    *Road*    *Locality*  
 Flat 1 35    High Street    Ruswarp

*Town*    *County*    *Post Code*    *Application date*  
 WHITBY       YO211NH    05/03/23

**Fell T1 - Willow**

**Received: Sun 05 Mar 2023 | Validated: Sun 05 Mar 2023 | Status: Pending Consideration Flat 1 35, High Street, Ruswarp, WHITBY, , YO211NH**

*Comment*  
**Support**

**7**    *Plan Number*    *District Reference*    *Road/Street*    *Date of meeting*  
 23/037    23/00408/TCA    Spring Vale    12/04/23

*Applicant*    *House Name*    *Road*    *Locality*  
 10    Spring Vale

*Town*    *County*    *Post Code*    *Application date*  
 WHITBY       YO211JG    05/03/23

**Mature beech tree - Lateral reduction to reduce overhang to property by approximately 3m 10, Spring Vale, WHITBY, , YO211JG**

*Comment*  
**DEFER require a report from a tree surgeon with information regarding the reduction of the overall tree canopy**

**8**    *Plan Number*    *District Reference*    *Road/Street*    *Date of meeting*  
 23/038    23/00421/HS    Upgang Lane    12/04/23

*Applicant*    *House Name*    *Road*    *Locality*  
 Mrs Debbie Owen    96    Upgang Lane

*Town*    *County*    *Post Code*    *Application date*  
 WHITBY       YO213JW    07/03/23

**Proposed conversion of garage including extensions to front and first floor side to form annexe accommodation and a single storey extension to rear Mrs Debbie Owen, 96, Upgang Lane, WHITBY, , YO213JW**

*Comment*  
**Support subject to residential use only and the concerns from Environmental Health regarding the bedroom over the kitchen are taken into account.**



<b>9</b>	<i>Plan Number</i> 23/039	<i>District Reference</i> 23/00416/LB	<i>Road/Street</i> Ellerby Lane	<i>Date of meeting</i> 12/04/23
	<i>Applicant</i> Mr Darren Hornby	<i>House Name</i>	<i>Road</i> 3 Ellerby Lane	<i>Locality</i> Church Street
	<i>Town</i> WHITBY	<i>County</i>	<i>Post Code</i> YO224DA	<i>Application date</i> 07/03/23

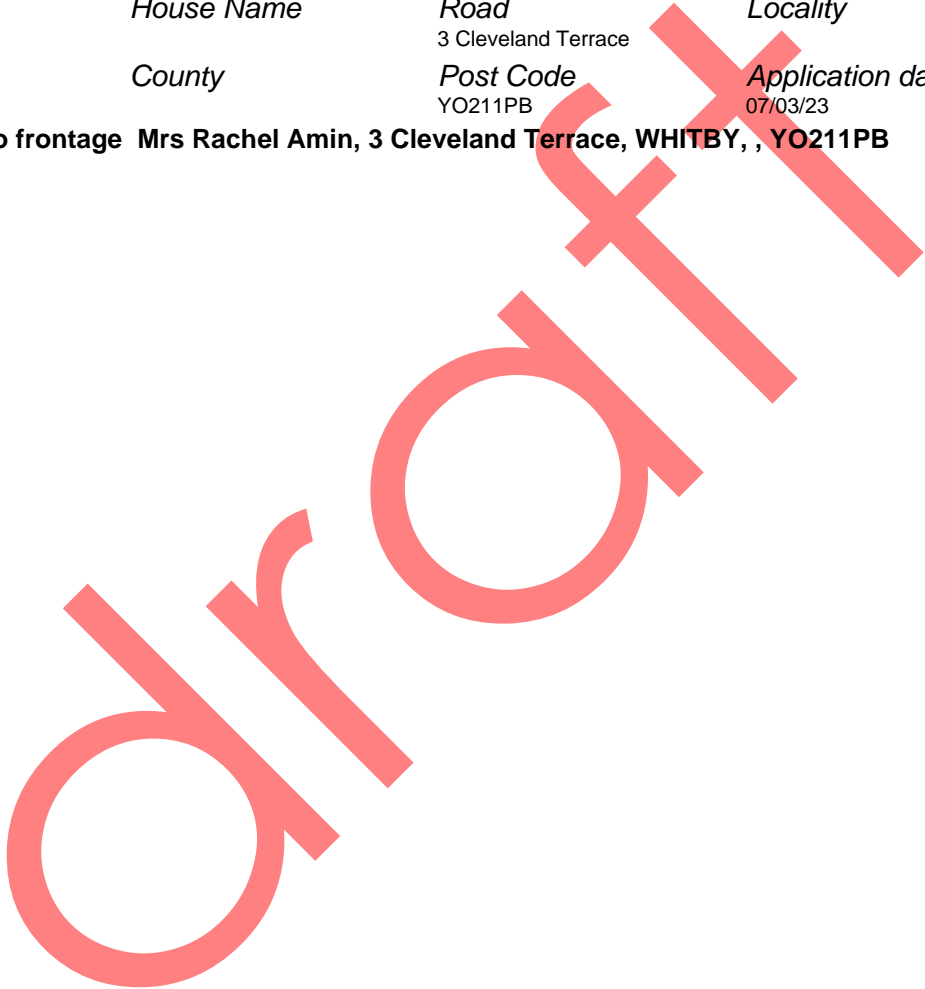
**Replacement windows to front elevation Mr Darren Hornby, 3 Ellerby Lane, Church Street, WHITBY, , YO224DA**

*Comment*  
**Support subject to the use of heritage style windows**

<b>10</b>	<i>Plan Number</i> 23/040	<i>District Reference</i> 23/00420/HS	<i>Road/Street</i>	<i>Date of meeting</i> 12/04/23
	<i>Applicant</i> Mrs Rachel Amin	<i>House Name</i>	<i>Road</i> 3 Cleveland Terrace	<i>Locality</i>
	<i>Town</i> WHITBY	<i>County</i>	<i>Post Code</i> YO211PB	<i>Application date</i> 07/03/23

**Bay window to frontage Mrs Rachel Amin, 3 Cleveland Terrace, WHITBY, , YO211PB**

*Comment*  
**Support**





# WHITBY TOWN COUNCIL

Minutes of the meeting of the **HUMAN RESOURCES** Committee held in the Normanby Room, Whitby Museum, Whitby on Tuesday 18 April 2023 at 2.00pm.

**Present:** Councillors Mrs Coughlan, Dalrymple, Goodberry, and Mrs Wilson.

**Also:** M King, Town Clerk

**NOTICE OF MEETING – Public Notice of the Meeting was given in accordance with Schedule 12, paragraph 10(2) of the Local Government Act 1972. The meeting was convened in accordance with Schedule 12, paragraph 9(1) of the Act.**

## 426/22 APOLOGIES FOR ABSENCE

Apologies were received from Councillors Smith and Mrs Wild.

**MOVED** by Councillor Goodberry, seconded by Councillor Mrs Coughlan and unanimously

**RESOLVED** that apologies for inability to attend from Councillors Smith and Mrs Wild are accepted

## 427/22 DECLARATION OF INTERESTS

There were no declarations of interest.

### STANDING ORDERS SUSPENDED

## 428/22 PUBLIC PARTICIPATION

No public present.

### STANDING ORDERS REINSTATED

## 429/22 MINUTES OF MEETING HELD ON 24 JANUARY 2023

**MOVED** by Councillor Goodberry, seconded by Councillor Mrs Coughlan and unanimously

**RESOLVED** that the Minutes of the meeting held on 24 January 2023 are confirmed as an accurate record and signed by the Chair.

## 430/22 EXCLUSION OF PRESS AND PUBLIC (IN RESPECT OF ITEM 431/22)

**MOVED** by Councillor Dalrymple seconded by Councillor Coughlan

**RESOLVED** That, under the provisions of the Public Bodies (Admission to Meetings) Act 1960 §1(2), the press and public be excluded from the meeting during consideration of the matter referred to at item 431/22 below, due to the confidential nature of the business to be transacted.

**431/22 STAFFING**

The Clerk provided an update on issues affecting individual members of staff.

**MOVED** by Councillor Mrs Coughlan seconded by Councillor Dalrymple

**RESOLVED** That the Clerk draft revised policies and protocols relevant to the use of technology and wearable devices consistent with good health and safety practices for consideration at a future meeting.

Signature ..... 2023

draft

# WHITBY TOWN COUNCIL

Minutes of the meeting of the **TOWN DEVELOPMENT AND IMPROVEMENT** Committee held in the Pannett Gallery on Tuesday 18 April 2023 at 6:00pm.

**Present:** Councillors Harston (Chair), Mrs Brown, Dalrymple, Jones, Nock, Smith and Mrs Wilson.

**Also:** M King, Town Clerk, and unitary councillor P Trumper, as 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**

**432/22 APOLOGIES FOR ABSENCE**

None.

**433/22 DECLARATION OF INTERESTS & REQUESTS FOR DISPENSATION**

None.

**STANDING ORDERS SUSPENDED**

**434/22 PUBLIC PARTICIPATION**

Cllr Trumper spoke in support of the Speed Watch and VAS initiative tabled under item 435/22.

**STANDING ORDERS REINSTATED**

The Chair agreed to rearrange the remainder of the agenda to address this issue in turn.

**435/22 SPEED WATCH & VAS**

Members noted that the previously approved VAS for Ruswarp Lane, facilitated by Cllr Trumper and funded by Anglo American, was to be installed on Thursday 20 April. There was demand for an additional VAS in Ruswarp, within the 20mph zone, and for speed monitoring of Guisborough Road to link to the speed watch group operating in Ruswarp. It was acknowledged that to use the unitary authority member's locality funding, a 'host' parish council was required for each VAS.

**MOVED** by Councillor Mrs Wilson, seconded by Councillor Dalrymple and unanimously

**RESOLVED** that the Council:

- a) agrees to 'host' additional VAS funded through the unitary councillor's locality funds; and
- b) co-ordinates a response from residents of Guisborough Road to the Speed Watch campaign organised by North Yorkshire police.

**436/22 MINUTES OF MEETING HELD ON 21 FEBRUARY 2023.**

**MOVED** by Councillor Jones, seconded by Councillor Smith and unanimously

**RESOLVED** that the minutes of the meeting held on 21 February 2023 be approved and signed by the Chair as a correct record.

**437/22 CLERK'S UPDATE ON MATTERS RAISED PREVIOUSLY**

The Clerk noted that the resolutions of the previous meeting had been actioned and a substantive response was awaited in each case.

**MOVED** by Councillor Jones, seconded by Councillor Dalrymple and unanimously

**RESOLVED** that the information be noted and that follow-up enquires be made.

**438/22 REQUESTS FOR HIGHWAYS IMPROVEMENTS**

A request for North Yorkshire Council had been received to consider the addition of a footway on the side of Guisborough Road from the Park and Ride site. Members noted that there was approval for the Active Travel scheme to install a footpath and cycle lane in this location in 2021.

**MOVED** by Cllr Dalrymple, Seconded by Cllr Nock and unanimously

**RESOLVED** that the Clerk write to Cllr Trumper to request a formal update on the Active Travel scheme for pedestrian and cycling improvements on Guisborough Road, originally approved by NYCC in 2021.

**439/22 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.

**a) Sea Wall/Upgang Ravine** It was noted that use of the sea wall by vehicles, including overnight, has been increasing and that no restrictions are obviously in place or being enforced. There should be control of the access from Upgang Ravine and coordination of restrictions with those operating from the Spa end of the esplanade.

**MOVED** by Cllr Smith, seconded by Cllr Nock and unanimously

**RESOLVED** That the Clerk write to North Yorkshire Council to request that it finds a solution to this problem, now that it is the owner of the access and promenade as well as the highways authority with control of the access from the A174.

**b) Questions for North Yorkshire Council – 1** enforcement wardens should be empowered to cover dog control as well as civil parking and any other relevant enforcement activity for all services of the unitary council.

**c) Questions for North Yorkshire Council – 2** old railings to the east of the RNL station on the promenade are rusted through.

**d) Fence within the Rugby Ground** the boundary is in a poor state of repair and there are two sections missing. These wooden rails are above the low wall which is on the Love Lane - Stakesby Road junction.

**e) Baxtergate** – condition of the shop frontages following recent vacancies is diminishing the look of the shopping area. It would be helpful to establish who the landlords are and whether there is any active impetus from NYC to regenerate the area.

**MOVED** by Cllr Jones, seconded by Cllr Smith and unanimously

**RESOLVED** That the Clerk write to the relevant bodies to request an update on progress to resolving these issues.

..... 2023

draft





**REVIEW AND ADOPTION OF APPROPRIATE STANDING ORDERS AND FINANCIAL REGULATIONS**

Please note that the versions of documents submitted were previously considered and referred for adoption from the meeting of the Finance Policy & General Purposes Committee on 6 December 2022.

**Revised documents are circulated separately for adoption.**



**REPRESENTATIVES OF WHITBY TOWN COUNCIL ON OUTSIDE BODIES 2022/2023**

<b>OUTSIDE BODY OR WORKING PARTY</b>	<b>COUNCILLORS REPRESENTING WHITBY TOWN COUNCIL</b>
<b>Emergency Plan Working Party</b> (Town Development & Improvement)	S Smith, Mrs L Wild, Mrs H Sumner, Vacant
<b>Town Hall &amp; Market Working Group</b> (Finance Policy & General Purposes)	R Dalrymple, J Harston, Mrs H Sumner, Mrs L Wild, J Nock
<b>Whitby In Bloom (4)</b>	R Dalrymple, J Harston, Mrs L Wild, Vacant
<b>Friends of Pannett Park Management Group (2)</b>	Mrs H Coughlan, R Dalrymple
<b>Yorkshire Local Councils Association (2+)</b>	Mrs H Sumner, Mrs L Wild, A Jones
<b>North York Moors Nat Park Coastal Area Parish Forum (2)</b>	Mrs H Sumner, Mrs L Wild
<b>Esk Valley Railway (1)</b>	J Harston
<b>Harbour Users Consultative Group (1)</b>	Mrs L Wild
<b>Woodsmith Project Liaison Group (1)</b>	Mrs L Wild
<b>s106 York Potash Steering Group</b>	S Smith



**Section 137 Transactions**

Start of year 01/04/22

Tn no	Ledger date	Gross	Vat	Net	Payee
2	17/03/22	£290.70	£48.45	£242.25	Made By Cooper Ltd.
23	06/04/22	£100.00	£0.00	£100.00	Whitby Football Club
35	11/05/22	£100.00	£0.00	£100.00	Collective Knowledge Fund
37	11/05/22	£200.00	£0.00	£200.00	North Sea Conservation
90	24/05/22	£110.00	£0.00	£110.00	Keighley Town Council
180	06/09/22	£100.00	£0.00	£100.00	WhizzKids (Charity)
389	16/02/23	£354.00	£59.00	£295.00	Made By Cooper Ltd.
		<b>£1,254.70</b>	<b>£107.45</b>	<b>£1,147.25</b>	<b>Total</b>



**WHITBY TOWN COUNCIL – CALENDAR OF MEETINGS  
2023-2024**

**Option 1: Bi-monthly Cycle**

All meeting to take place at 18:00 at Pannett Art Gallery/Town Council Offices unless indicated otherwise.

<b>MAY</b>	<b>2023</b>	
1		<b>FULL COUNCIL (Annual Meeting)</b>
9		Planning Committee
23		Planning Committee
<b>JUNE</b>		
6		Finance Policy & General Purposes Committee
13		Planning Committee
20		Town Development & Improvement
20	<b>18:45</b>	<b>FULL COUNCIL (AGAR)</b>
27	<b>14:00</b>	Joint Management Committee
27		Planning Committee
<b>JULY</b>		
4		<b>FULL COUNCIL</b>
11	<b>14:00</b>	Human Resources Committee
11		Planning Committee
25		Planning Committee
<b>AUGUST</b>		
8		Finance Policy & General Purposes Committee
15		Planning Committee
22		Town Development & Improvement Committee
29		Planning Committee
<b>SEPTEMBER</b>		
5		<b>FULL COUNCIL</b>
12		Planning Committee
26		Planning Committee
<b>OCTOBER</b>		
3		Finance Policy & General Purposes Committee
10		Planning Committee
17		Town Development & Improvement Committee
24	<b>14:00</b>	Joint Management Committee
24		Planning Committee
<b>NOVEMBER</b>		
7		<b>FULL COUNCIL</b>
14	<b>14:00</b>	Human Resources
14		Planning Committee
28		Planning Committee
<b>DECEMBER</b>		
5		Finance Policy & General Purposes Committee
12		Planning Committee
19		Town Development & Improvement Committee
<b>JANUARY 2024</b>		
9		<b>FULL COUNCIL (Budget Setting)</b>
16		Planning Committee
30		Planning Committee

<b>FEBRUARY</b>		
6		Finance Policy & General Purposes Committee
13		Planning Committee
20		Town Development & Improvement Committee
27	<b>14:00</b>	Joint Management Committee
27		Planning Committee
<b>MARCH</b>		
5	<b>14:00</b>	<b>FULL COUNCIL</b>
12		Human Resources Committee
12		Planning Committee
20		[Annual Town Assembly]
26		Planning Committee
<b>APRIL</b>		
9	<i>(After Easter)</i>	Finance Policy & General Purposes Committee
16		Planning Committee
23		Town Development & Improvement Committee
30		Planning Committee
<b>MAY</b>		
7		<b>FULL COUNCIL (Annual Meeting)</b>

**Option 2: Monthly Cycle**

All meeting to take place at 18:00 at Pannett Art Gallery/Town Council Offices unless indicated otherwise.

<b>MAY</b>	<b>2023</b>	
1		<b>FULL COUNCIL (Annual Meeting)</b>
9		Planning Committee
16		Town Development & Improvement
23		Planning Committee
<b>JUNE</b>		
6	<b>14:00</b>	<b>FULL COUNCIL</b>
13		Planning Committee
20		Finance Policy & General Purposes Committee
27		Joint Management Committee
27		Planning Committee
<b>JULY</b>		
4	<b>14:00</b>	<b>FULL COUNCIL</b>
11		Human Resources Committee
11		Planning Committee
18		Town Development & Improvement
25		Planning Committee
<b>AUGUST</b>		
8		<b>FULL COUNCIL</b>
15		Planning Committee
22		Finance Policy & General Purposes Committee
29		Planning Committee
<b>SEPTEMBER</b>		
5		<b>FULL COUNCIL</b>
12		Planning Committee
19		Town Development & Improvement Committee
26		Planning Committee



<b>OCTOBER</b>		
3 10 17 24 24	<b>14:00</b>	<b>FULL COUNCIL</b> Planning Committee Finance Policy & General Purposes Committee Joint Management Committee Planning Committee
<b>NOVEMBER</b>		
7 14 14 21 28	<b>14:00</b>	<b>FULL COUNCIL</b> Human Resources Planning Committee Town Development & Improvement Committee Planning Committee
<b>DECEMBER</b>		
5 12 19		<b>FULL COUNCIL</b> Planning Committee Finance Policy & General Purposes Committee
<b>JANUARY</b>	<b>2024</b>	
9 16 30		<b>FULL COUNCIL (Budget Setting)</b> Planning Committee Planning Committee
<b>FEBRUARY</b>		
6 13 20 27 27	<b>14:00</b>	<b>FULL COUNCIL</b> Planning Committee Town Development & Improvement Committee Joint Management Committee Planning Committee
<b>MARCH</b>		
5 12 12 19 20 26	<b>14:00</b>	<b>FULL COUNCIL</b> Human Resources Committee Planning Committee Finance Policy & General Purposes Committee <i>[Annual Town Assembly]</i> Planning Committee
<b>APRIL</b>		
9 16 23 30	<i>(After Easter)</i>	<b>FULL COUNCIL</b> Planning Committee Town Development & Improvement Committee Planning Committee
<b>MAY</b>		
7		<b>FULL COUNCIL (Annual Meeting)</b>



**APPROVAL OF EXPENDITURE TO 31 MARCH 2023**

Date	Tran	Net (£)	Organisation	Detail
30/03/2023	430	34,078.74	Tetra Tech Limited - RIBA Stage 2 Completion Report	
		<b>34,078.74</b>		

This is the final invoice received after the approval of the payment schedule by FP&GP (406/22), noted above. The expenditure has been accrued and is offset by the remaining portion of the grant income for this project due from North Yorkshire Council as successor to Scarborough Borough Council, on whom an invoice was raised on 30 March, which has also been accrued.

**Recommendation:** That the payment of £34,078.74, listed, is approved.



**Government Consultation on Planning Controls for Short-term Holiday Lets**

A new Government consultation on short term lets has been launched.

Concern has previously been raised about the increasing number of holiday lets in Whitby. As we know, the planning response has been that It is not a simple matter to address and requires a number of interventions including potential changes to Government planning legislation (a new use class) and registration of units.

This consultation contains proposed changes to the Town and Country Planning (Use Classes Order) 1987, as amended and the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, and the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, as amended. It covers the following areas:

- The introduction of a new use class for short term lets
- The potential introduction of a new permitted development right for the change of use from a dwellinghouse to a short term let
- The potential introduction of a new permitted development right for the change of use from a short term let to a dwellinghouse
- How a flexibility for homeowners to let out their home for a number of nights in a calendar year could be provided through either changes to the dwellinghouse use class or an additional permitted development right
- The introduction of a planning application fee for the development of new build short term lets

The Government consultation sets out its current thoughts on introducing changes to the planning system. It is something to which council may wish to formally respond.

The consultation proposes introducing planning permission for an existing home to start to be used as a short term let. This will help support local people in areas where high numbers of holiday lets are preventing them from finding affordable housing.

The consultation will also consider whether to give owners flexibility to let out their home for up to a specified number of nights in a calendar year without the need for planning permission.

The new proposals come as the Department for Culture, Media and Sport also launches a separate consultation on a new registration scheme for short-term lets. The scheme aims to build a picture of how many short-term lets there are and where they are located, to help understand the impact of short-term lets on communities.

The proposed planning changes would see a planning use class created for short-term lets not used as a sole or main home, alongside new permitted development rights. This will mean planning permission is not needed in areas where councils choose not to use these planning controls.

Both of these measures are focused on short-term lets, and therefore the planning changes and the register will not impact on hotels, hostels or Bed and Breakfasts.

The register of short-term lets is being introduced through the Levelling Up and Regeneration Bill, which is currently going through Parliament. Subject to the outcome of

the consultation, the planning changes would be introduced through secondary legislation later in the year and would apply in England only.

The consultation on the changes to the planning system can be found here:

<https://www.gov.uk/government/consultations/introduction-of-a-use-class-for-short-term-lets-and-associated-permitted-development-rights>

And information on the registration system can be found here:

<https://www.gov.uk/government/consultations/consultation-on-a-registration-scheme-for-short-term-lets-in-england>

The planning consultation runs until 7 June. A draft response to both consultations is attached (appendices A & B). No comments from members have been received to date.

**Recommendation:** That a response (as attached) is made to both consultations on behalf of Whitby Town Council.

*Q.1 Do you agree that the planning system could be used to help to manage the increase in short term lets?*

**Yes**      No      Don't Know

*Please give your reasons*

Planning controls are an appropriate way to address this issue. These will sit alongside the general planning provisions to assure sufficient levels of suitable and affordable housing for people who wish to live in any area.

Whitby Town Council recognises the warnings of the 'hollowing out' of communities, with the viability of local shops, schools and other local services impacted by the lack of a permanent population and properties being left vacant over winter. The proportional growth in second homes and short-term lets has negatively impacted the social dynamics and economic trajectory of Whitby, in part by limiting the available housing stock and pricing residents out of the community. This is also seen as pressure on the housing rental market and, in this town, impacts on neighbours from noise and rowdiness, particularly from the proliferation of so called 'party houses'.

*Q.2 Do you agree with the introduction of a new use class for short term lets?*

**Yes**      No      Don't Know

*Please give your reasons*

The transition from residential use to holiday let is a reduction in the proportional housing stock. Public management of the proportions of buildings in particular use classes helps to maintain balanced and sustainable communities.

*Q.3 Do you agree with the description and definition of a short term let for the purpose of the new use class?*

**Yes**      No      Don't Know

*Please give your reasons.*

The definition covers occasional as well as customary use. It is appropriate. Differences in utilisation can be addressed with the proposed permitted development rights discussed below.

*Q.4 Do you have any comments about how the new C5 short term let use class will operate?*

**Yes**      No      Don't Know

*Please make your comments here.*

The inclusion of 'Second homes' that are additionally let out for part of the year and will fall into the C5 short term let use class where they meet the definition is welcomed.

Q.5 Do you consider there should be specific arrangements for certain accommodation as a result of the short term let use class?

Yes      No      **Don't Know**

Please give your reasons here. If yes, please say what these should be.

The alternative examples are not applicable to the experience in Whitby where short-term letting is entirely related to tourism.

Q. 6 Do you agree that there should be a new permitted development right for the change of use from a C3 dwellinghouse to a C5 short term let (a)

**Yes**      No      Don't Know

Please give your reasons

But only if limitations apply – see below.

Q.7 Do you agree that there should be a new permitted development right for the change of use from a C5 short term let to a C3 dwellinghouse (b)

**Yes**      No      Don't Know

Please give your reasons

This would ease the transition into residential stock.

Q.8 Do you agree that the permitted development rights should not be subject to any limitations or conditions?

Yes      **No**      Don't Know

Please give your reasons

'Evidence of a local issue' is an important test and should be clearly defined as a trigger to limitations or conditions being applied. It is important that the test can be assessed at an ultra-local level, given the clustering of short term holiday lets in many communities, including Whitby.

Q.9 Do you agree that the local planning authority should be notified when either of the two permitted development rights for change of use to a short term let (a) or from a short term let (b) are used?

**Yes**      No      Don't Know

Please give your reasons

It is important the LPA has accurate and up to date data on the proportions of property in each use class to enable sensible decisions to be made against local evidence for those that do require planning permission.



Q.10 Do you have any comments about other potential planning approaches?

Yes No

If so, please provide details here

Whitby Town Council would welcome clarity on the application of an Article 4 direction to remove a permitted development right where there was a systemic imbalance in the provision of residential property and short-term lets.

Q.11 Do you agree that we should expressly provide a flexibility for homeowners to let out their homes (C3 dwellinghouses)?

Yes No Don't Know

Please give your reasons

A limited flexibility would be appropriate and not exert an unreasonable restriction on legitimate use of a primary dwelling.

Q.12 If so, should this flexibility be for: i. 30 nights in a calendar year; or ii. 60 nights in a calendar year; or iii. 90 nights in a calendar year

- i. **up to 30 nights in a calendar year**
- ii. up to 60 nights in a calendar year
- iii. up to 90 nights in a calendar year

Please give your reasons

This flexibility needs to be at a manageable minimum. Beyond 30 nights, the permitted development right may apply, subject to the sensitivity test, limiting its use in areas with evidence of a local issue. More than 30 nights would tip the balance in a community like Whitby.

Q.13 If so, should this flexibility be provided through: i) A permitted development right for use of a C3 dwellinghouse as temporary sleeping accommodation for up to a defined number of nights in a calendar year ii) An amendment to the C3 dwellinghouse use class to allow them to be let for up to a defined number of nights in a calendar year.

A permitted development right

**An amendment to the C3 dwellinghouse use class**

Please give your reasons

This provides clarity and certainty.

Q.14 Do you agree that a planning application fee equivalent to each new dwellinghouse should apply to applications for each new build short term let?

Yes No Don't Know

Please give your reasons

Whitby Town Council believes that the fees are marginal to the developers cost but that, nonetheless, the message is an important one.

Q.15 Do you agree with the proposed approach to the permitted development rights for dwellinghouses (Part 1) and minor operations (Part 2)?

Yes      **No**      *Don't Know*

*Please give your reasons*

Whitby Town Council objects to the application of Part 1 to short term lets. Different consequences arise from the extension of a short-term let compared to a dwelling house. The context of these changes needs to be properly considered by the LPA, particularly where there is sensitivity about the application of design and conservation issues.

Q.16 Do you have any further comments you wish to make on the proposed planning changes in this consultation document?

**Yes**      No

*If yes, please provide comments*

Whitby Town Council would appreciate more detailed explanation about the balance between local and neighbourhood plans in applying these controls.

Q.17 Do you think that the proposed introduction of the planning changes in respect of a short term let use class and permitted development rights could give rise to any impacts on people who share a protected characteristic? (Age; Disability; Gender Reassignment; Pregnancy and Maternity; Race; Religion or Belief; Sex; and Sexual Orientation).

**Yes**      No      *Don't Know*

*Please give your reasons*

Q.18 Do you think that the proposed introduction of the planning changes in respect of a short term let use class and permitted development rights could give rise to any impacts on: a) businesses b) local planning authorities c) communities?

**Yes**      No      *Don't Know*

If so, please give your reasons and specify whether your comments relate to a) businesses, b) local planning authorities, c) communities or a combination.

a) Some business interest may be affected, but the presumed transition of all existing users will ameliorate this, while setting up future controls.

c) Communities such as Whitby will benefit from these controls, which chime with the overwhelming vote at a parish poll in 2022 in favour of controls on the proliferation of second and holiday homes in Whitby and the dearth of affordable residential accommodation for local people.

Question 1: Which approach do you prefer:

**An opt-in scheme for local authorities, with the framework set nationally: this option is a targeted approach, recognising that any negative housing and community effects of short-term lets are felt more in some localities than others. An opt-in scheme would provide for local authorities to decide whether or not to participate in the scheme based on the needs and challenges of their area. However, it would not ensure a level playing field and ensure consistent adherence to existing health and safety regulations across England.**

*An opt-in scheme for local authorities with the framework set nationally, and a review point to determine whether to expand the scheme to mandatory: as above, but with the flexibility to expand the scheme to cover all of England if there is a case to do so following an evaluation.*

*A mandatory national scheme, administered by one of: the English Tourist Board (VisitEngland), local authorities, or another competent authority: this option recognises the need for a level playing field in the guest accommodation sector across England, particularly in respect of the application of existing health & safety regulations. It will also provide data at a local level, which will (i) help to provide local planning authorities with information about which premises are being let out in their area and (ii) support development of policy to address housing and community impacts.*

Reason:

This best reflects the flexibility to address local need.

Question 2: Who should be responsible for administering the registration scheme?

**Local authorities**

*The English Tourist Board (VisitEngland)*

*Another national body*

Reason:

This best reflects the flexibility to address local need.

Question 3: Should there be an analogue version of the registration scheme which would run in parallel with the digital one??

Yes

**No**

Question 4: Should the platforms require a valid registration number in order to list a short-term let?

**Yes**

No

Question 5: Should the registration number be displayed in any advertisement or listing of a short-term let?

**Yes**

No

Question 6: What should the 'unit' of registration be?

owners

**premises/dwellings or part of a dwelling.**

individual accommodation units within a premises/dwelling

other

Question 7: How should the following types of accommodation be treated in respect of the registration scheme?

Accommodation type	Include	Exclude
Caravans on sites or any site which accepts motorhomes or campervans or any other vehicle providing accommodation	X	
Treehouses	X	
Mountain bothies	X	
Shepherd's huts	X	
Cars	X	
Motorhomes	X	
Glamping	X	
Yurts	X	
Boats inc. houseboats, canal boats	X	
House swaps		X
Other - please specify		

Please give reasons for your answers.

House swaps are different in concept and result in reciprocal arrangements in two locations and are unlikely to be commercial or persistent uses.

Question 8: Do you agree with this list of exemptions?

Yes

**No**

Please give reasons for your answers.

Although licensed premises, such as hotels and B&Bs should be excluded, any self-catering properties on their premises should not.

Question 9: Are there any other types of short-term accommodation that you think should be exempt from a requirement to register? If so, please specify.

Yes

**No**

Question 10: How long should registration be valid for?

- a) One year
- b) Two years
- c) Three years**
- d) Four years
- e) Five years

**f) The length of registration should depend on the length/validity of relevant documentation**

g) There should only be a one off registration, with providers able to remove themselves if they no longer provide the STL(s)

Please give reasons for your answers.

An ordinary period of three years is reasonable, but there is an argument for coinciding registration with other regulatory requirements.

Question 11: What information should be collected? (Please tick all that apply).

	To be collected at registration	To be collected annually	Should not be collected
a) Address of the premises/dwelling(s)	X		
b) Name of premises/dwelling owner	X		
c) Address and contact details of premises/dwelling owner	X		
d) Address and contact details of operator/manager, if different	X	X	
e) Whether the premises/dwelling to be let is an dwelling or part of a dwelling, such as a room or outbuilding	X		
f) Self-certification of adherence to relevant regulations (see question 12)	X		
g) Proof (eg. a photograph or electronic upload) of adherence to regulations	X		
h) Detail about the accommodation unit(s) (eg. number of units, number of bedspaces, accessibility)	X	X	
i) If relevant, confirmation that in any rental, lease or other agreement that the responsible person is entitled to use the premises for short-term letting purposes	X		

j) Number of nights per year the premises is available to let	X	X	
k) Number of night the premises was let out for in the last year	X	X	
m) Whether planning permission has been granted or is not required	X		
n) Other - please specify			

Questions 12 – 18 – not directly relevant, on the detail of registration and fees.

Question 19: Do you think that any of the data captured should be shared at all beyond the competent authority administering the scheme, as determined in Question 2?

**Yes**

No

Question 20: If you answered 'Yes', which types of organisations should have access to the data collated by the registration scheme? Please tick all that apply.

Organisation	Should have access to aggregated/anonymised data	Should have access to detailed/individualised data
Local authorities / local planning authorities		X
Enforcement agencies		X
Organisations or individuals for commercial purposes		
Mortgage providers, landlords, freeholders, commonhold associations, resident management companies and neighbours		
English Tourist Board	X	
Central government	X	
Academics	X	
Other - please specify		

Question 21: Should there be a de minimis below which a property can be let for without the requirement to register?

**yes (if so what should the minimum threshold be - please specify)**

*no - all short-term let accommodation should be a requirement to register.*

*Don't know*

*What are the reasons for your answer?*

*This should be developed in step with the proposed planning changes relating to short-term lets and the trigger should be the need to seek planning consent or to register the permitted development right.*

*Question 22: Are there any other issues that you think the government should be considering as part of its work to develop a short-term let registration scheme?*

*No*

*Question 23: Do you have any comments about the potential positive and/or negative impacts that the options outlined in this consultation may have on individuals with a protected characteristic under the Equality Act 2010?*

*Yes*

**No**

*Question 24: In your view, is there anything that could be done to mitigate any negative impacts?*

*Yes*

**No**





**Response To NYC Statutory Proposals for the Amalgamation and Closure of Eskdale School**

The following notice (Appendix A) was (formally) published by North Yorkshire Council on 27 April.

It is stated that, within four weeks from the date of publication of this proposal, any person may object to or make comments on the proposal by sending them to Corporate Director- Children and Young People's Service, North Yorkshire Council, County Hall, Northallerton, DL7 8AD, or by email to [schoolorganisation@northyorks.gov.uk](mailto:schoolorganisation@northyorks.gov.uk) by 5pm on 25 May 2023.

**Recommendation:** That a response (as attached at Appendix B) is made in response to the statutory proposals.



## Statutory proposals

### Part 1 – Eskdale School – Discontinuance

As set out in schedule 2 to the Establishment and Discontinuance Regulations the information below must be included in a proposal to close a school:

#### Contact details

Proposal, published by North Yorkshire Council, County Hall, Northallerton, DL7 8AD, to discontinue Eskdale School, Stainsacre Lane, Whitby, North Yorkshire, YO22 4HS, from 31 August 2024.

Eskdale School is an 11-16 Community Secondary School in North Yorkshire.

#### Implementation

It is proposed to close the school from 31 August 2024.

#### Reason for closure

The Governing Board set out three linked factors as the reasons for their proposal to amalgamate Caedmon College Whitby and Eskdale School: low pupil numbers, significant financial challenges at both schools and an imperative to give the best education and curriculum to the young people of Whitby. More details about these are set out in the consultation document.

#### Pupil numbers and admissions

The numbers (distinguishing between compulsory and non-compulsory school age pupils), age range, sex, and special educational needs of pupils (distinguishing between boarding and day pupils) for whom provision is currently made at the school.

**Number of Pupils on Roll:** 403

**Sex of Pupils:**

197 Female

207 Male

**Pupils with Special Education Needs:**

There are 8 pupils who have Education Health and Care Plans and 47 pupils who receive SEN Support.

The school's age range is 11-16 years, and provision is available for boys and girls. There is no boarding provision.

#### Displaced pupils

A statement and supporting evidence about the need for school places in the area including whether there is sufficient capacity to accommodate displaced pupils.

Details of the schools or further education colleges at which pupils at the school to be discontinued will be offered places, including—

a) any interim arrangements;

- b) the provision that is to be made for those pupils who receive educational provision recognised by the local authority as reserved for children with special educational needs; and
- c) in the case of special schools, the alternative provision made by local authorities other than the local authority which maintain the school.

Details of any other measures proposed to be taken to increase the number of school or further education college places available in consequence of the proposed discontinuance.

- a) No interim arrangements have been necessary. Pupils will be accommodated by the amalgamated school (see Part 2 of this statutory proposal) and there will be sufficient capacity within that school to accommodate all the pupils currently on roll at Eskdale School.
- b) This is a mainstream secondary school, and therefore, not a school that is reserved for providing to pupils with special educational needs. SEND provision within a mainstream setting would be provided for any pupil with an identified SEN at their new school upon the closure of Eskdale.
- c) This is a mainstream school, and therefore, not a special school that is reserved for providing to pupils with special educational needs

## **Impact on the community**

A statement and supporting evidence about the impact on the community of the closure of the school and any measures proposed to mitigate any adverse impact.

In responses to the consultation it was clear that some members of the Whitby community felt very strongly about the position of the school on the east side of the Town and the adjacency to housing developments. It is acknowledged that some pupils will have further to travel to access secondary education. However, the distance to the amalgamated school is not considered to be significant and the benefits of the proposal are considered to outweigh this.

Decisions about the future use of the Eskdale site, including its 3G pitch, would be taken after the determination of the amalgamation proposal. However, the council will work with all groups using the pitch to ensure all information is taken into account when considering the future use of the site and specifically the pitch.

## **Rural primary schools**

Where proposals relate to a rural primary school designated as such by an order made for the purposes of Section 15 (Education and Inspections Act 2006 (EIA), a statement that the local authority or the governing body (as the case may be) considered Section 15(4) EIA.

Not applicable to this proposal.

## **Balance of denominational provision**

Where the school has a religious character, a statement about the impact of the proposed closure on the balance of denominational provision in the area and the impact on parental choice.

Not applicable to this proposal.

## Maintained nursery schools

Not applicable

## Sixth form provision

Not applicable

## Special educational needs provision

The existing provision at Eskdale School is not reserved for pupils with special educational needs. Students receiving special educational provision will continue to receive their provision at the amalgamated school if the decision is taken to implement the proposals.

The Whitby Secondary Partnership has produced a Vision for the newly amalgamated school - A Quality First Education for Whitby. This includes the following regarding Inclusion - SEND/Pastoral:

It is essential that within a larger school environment we do our best to make each student feel a part of the school community and we will provide a high quality pastoral structure to support our students and maintain relationships with parents/carers. We will continue to dedicate time to developing an inclusive approach to education for our students, providing space, staff and resources for students who require additional support using the expanded resources that will be available through the proposed amalgamation.

The pastoral and inclusion structure of the newly amalgamated school will provide a larger team for students to be able to access dedicated members of staff who are responsible for student welfare. It is our aim to establish a student centred inclusive school, where students are individuals and as a school community we all take the time and effort to work together and get to know each other ultimately as one quality first provision. The launch of the Targeted Mainstream Provision in January 2023 will be a significant part of our whole school inclusion approach and will provide significant support for students as well as training for our staff.

Expertise will be utilised from the County Council to provide appropriate SEN support.

## Travel

Details of length and journeys to alternative provision.

The proposed arrangements for travel of displaced pupils to other schools including how the proposed arrangements will mitigate against increased car use.

In accordance with Department for Education guidance the Council provide free school transport to the catchment school or nearest school to the child's home if it is over the following walking distances:

- two miles for children under eight years of age;
- three miles for children aged over eight; or
- where the route to the catchment or nearest school is not safe to walk accompanied by a responsible adult.

Free school transport is available to eligible pupils from the start of reception year until the end of year 11.

The following categories of children from low income families are eligible for free home to school transport:

- Children aged eight, but under the age of 11 who are attending their catchment or nearest school and the distance to that school is more than two miles;
- Children in Years 7-11 who attend one of their three nearest secondary schools and the school is over two miles but less than six miles from where they live;
- Children in Years 7-11 who attend the nearest denominational secondary school, where the distance is over two miles but less than 15 miles from home; or
- Children aged five to eleven who attend the nearest denominational primary school, where the distance is more than two miles but less than five miles from home.

A low income family is where children are entitled to free school meals or whose parent/carer are in receipt of the maximum level of working tax credit.

More information on School Transport can be found here <https://www.northyorks.gov.uk/education-and-learning/school-and-college-transport>

The Council provide assistance with transport to sixth form (or college) to students who meet the eligibility criteria that can be found here: <https://www.northyorks.gov.uk/education-and-learning/school-and-college-transport/transport-sixth-form-or-college>

If the amalgamation went ahead, the transport eligibility would be reassessed for some Eskdale pupils who could be affected. For example, if a child lives less than three miles from Eskdale, but more than three miles from the main Caedmon site. The eligibility for many pupils would be unaffected as they already live more than three miles from either school. The reassessment of eligibility would take place in summer 2024, after a decision on the amalgamation has been made, and as part of the preparations for implementation in September 2024, and be based on the criteria set out above.

There are currently 11 home to school transport services that serve the two schools. Nine of these services are shared and serve both schools. The Council's current assessment is that the proposed amalgamation and technical closure of the Eskdale site would require 10 home to school transport services to serve the amalgamated school.

### **Procedure for making representations (objections and comments)**

Within four weeks from the date of publication of this proposal, any person may object to or make comments on the proposal by sending them to Corporate Director- Children and Young People's Service, North Yorkshire Council, County Hall, Northallerton, DL7 8AD, or by email to [schoolorganisation@northyorks.gov.uk](mailto:schoolorganisation@northyorks.gov.uk) by 5pm on 25 May 2023.

## Consultation

The decision to consult on closure was taken by the Executive Member for Education, Learning and Skills on 7 February 2023 following a request from governors. The following information is available in the appendices contained in the Report to the Executive of 18 April 2023. A consultation document (Appendix 2) was made available on the Council's website at <https://www.northyorks.gov.uk/current-consultations> and consultees (Appendix 3) including parents and staff were notified. Two public meetings have taken place at Whitby Pavilion on 8 March and notes of the meetings are available (Appendix 4A and 4B). By the closing date of 31 March 2023, 463 written consultation responses had been received. In addition, 104 items of consultation correspondence were sent to the Executive Member for Education, Learning and Skills, and 26 items of consultation correspondence were sent to Council Officers (Appendix 5A-5D).

## Part 2 – Caedmon College Whitby – Increase in the published admission number

### School and local authority details

Proposal, published by North Yorkshire Council, County Hall, Northallerton, DL7 8AD, to increase the published admission number of Caedmon College Whitby, Prospect Hill, Whitby, North Yorkshire, YO21 1LA from 1 September 2024.

The current admission number for Caedmon College Whitby is 184 and the proposed admission number for Caedmon College Whitby will be 240. The current number of pupils registered at the school is 787.

Caedmon College Whitby is an 11-18 Community Secondary School in North Yorkshire.

### Description of alteration and evidence of demand

The current admission number for Caedmon College Whitby is 184 and the proposed admission number for the newly amalgamated school will be 240. The current number of pupils registered at the school is 787. The combined Year 7 cohorts for Caedmon College and Eskdale School over the last 5 years have been:

2018/19- 222  
2019/20- 204  
2020/21- 228  
2021/22- 200  
2022/23- 195  
2023/24- currently 217

Although cohorts are forecast to fall over future years it is considered appropriate to set a new PAN of 240 to ensure a sufficiency of places in the area.

## Objectives (including how the proposal would increase educational standards and parental choice)

The Governing Board views the proposal as offering the opportunity to deliver a broader curriculum offer with wider opportunities and development of skills to meet the need of students and the local community. They believe that any strategy to address the low pupil numbers and financial challenges without moving to become one school across two sites would hamper educational and curriculum improvement. Continuing to spend disproportionate amounts of their budget on premises costs across three sites would divert valuable budget away from the delivery of high-quality education.

The School Admissions Code, page 44, explains, the Common Application Form (CAF) is *the form parents complete, listing their preferred choices of schools, and then submit to local authorities when applying for a school place for their child as part of the local co-ordination scheme, during the normal admissions round. Parents must be allowed to express a preference for a minimum of three schools on the relevant common application form as determined by their local authority. Local authorities may allow parents to express a higher number of preferences if they wish.* The consultation proposal does not change parental 'choice' as interpreted in the admissions code. However, it is acknowledged that as a result of this proposal being implemented there would only be one secondary school in Whitby.

There are a number of towns of comparable size across the county and nationwide that only have one secondary school. Indeed, a number of respondents including at the consultation meeting, that did not support this proposal referenced how successful they believed the former Whitby Community College had been historically, when the community college itself was the only provider of education for 14-18 year olds within the town. The Whitby Secondary Partnership's vision is to offer a wider curriculum increasing the choices for pupils, particularly key stage 4 (GCSEs) and preparing them to progress to a range of outcomes at 16+ and 19+. The amalgamated school would be able to provide a wider curriculum offer than currently provided at either school and this should enable more pupils to be successful in the subjects and pathways of their choice.

## The effect on other educational institutions within the area

This proposal is a linked proposal to the proposal to discontinue Eskdale School from 31 August 2024. The proposal to increase the PAN at Caedmon College Whitby is not projected to have significant effect on any other education institutions.

## Project costs and indication of how these will be met, including how long term value for money will be achieved;

Should the proposal proceed, arrangements will be put in place to meet the increased number of pupils and staff on the Normanby site. This will include a review of access arrangements for pedestrians, cyclists, buses and cars, but noting that an increase in transport services is not expected. From an accommodation perspective the initial analysis suggests there would be sufficient teaching spaces to suit the curriculum, but some ancillary modifications may be needed. Further work will be undertaken to confirm the position and any potential capital costs.



## Implementation plan

Transition planning will focus on curriculum planning, staffing structures, finances and ensuring a smooth transition for students, particularly the most vulnerable. It will build on the joint working already established between the two schools. Elements of the curriculum in Eskdale and Caedmon College are already similar, however the proposed amalgamation would provide greater opportunities for curriculum development with a broader, more relevant curriculum being available to all students. The school would be better able to ensure that all students are taught by experienced subject specialist staff who can share and grow their passion and enthusiasm for their subject. It is a key priority of the newly amalgamated school to deliver curriculum pathways that will enable students to continue study through year 7 to year 13, including by establishing clearer progression routes from options at KS4, into KS5 and by offering competitive and relevant subjects with links to not only higher education, but also to apprenticeships and local business providers.

## A statement explaining the procedure for responses: support; objections and comments

Within four weeks from the date of publication of this proposal, any person may object to or make comments on the proposal by sending them to Corporate Director- Children and Young People's Service, North Yorkshire Council, County Hall, Northallerton, DL7 8AD, or by email to [schoolorganisation@northyorks.gov.uk](mailto:schoolorganisation@northyorks.gov.uk) by 5pm on 25 May 2023.

The proposals contained in Parts One and Two are all related.

## Consultation

The decision to consult on closure was taken by the Executive Member for Education, Learning and Skills on 7 February 2023 following a request from governors. The following information is available in the appendices contained in the Report to the Executive of 18 April 2023. A consultation document (Appendix 2) was made available on the Council's website at <https://www.northyorks.gov.uk/current-consultations> and consultees (Appendix 3) including parents and staff were notified. Two public meetings have taken place at Whitby Pavilion on 8 March and notes of the meetings are available (Appendix 4A and 4B). By the closing date of 31 March 2023, 463 written consultation responses had been received. In addition, 104 items of consultation correspondence were sent to the Executive Member for Education, Learning and Skills, and 26 items of consultation correspondence were sent to Council Officers (Appendix 5A-5D).



**Draft Response from Whitby Town Council**

I am writing to express Whitby Town Council's objection to the proposals to amalgamate Caedmon College Whitby and Eskdale School, resulting in the technical closure of Eskdale School and the Eskdale site. It is the council's understanding that the consultation process has been inadequate, and the views of parents and the community have neither been properly considered nor listened to.

Whitby Town Council strongly believes that any decision regarding the future of our local schools should be made with the input of all stakeholders, including parents, teachers, and local residents. Unfortunately, it appears that the consultation process was not sufficiently robust or inclusive and the decision making process of the Local Education Authority was cursory and largely dismissive of the many legitimate objections raised by the community.

There has been very little information provided to parents about the proposed amalgamation, and many have expressed the view that they have not had the opportunity to fully understand the implications of this decision. Furthermore, it seems that the concerns and objections have been largely ignored by those in charge of the consultation process. This is evidenced by the failure of the governing body to accept an invitation to address the town council and the lack of engagement experienced at the two public sessions conducted at Whitby Pavilion on 8 March 2023 – which was the only public consultation event undertaken by the LEA or the Whitby Secondary Partnership.

The town council is aware of legitimate concerns articulated by parents and others over the process that has been followed by the governing body in making its initial request to the local education authority to undertake this amalgamation. The town council believes that a fuller explanation is required of the process followed, whether decisions by the governing body in this regard are properly constituted, whether full and meaningful figures have been disclosed to justify the decision to close the Eskdale site over any other within the Federation based on pupil numbers, utilisation of existing capacity, the extent of remedial works required under the proposals versus a 'do nothing' baseline, the capital value of any land declared surplus and the utilisation of any asset arising from the technical closure of the Eskdale site. The published figures do not show a full analysis of options other than the one proposed, which does not enable a full and proper comparison of the available options to be made.

Statutory guidance states, "Although there is no longer a statutory 'pre-publication' consultation period for prescribed alteration changes, there is a strong expectation that governing bodies and local authorities will consult interested parties in developing their proposal prior to publication, to take into account all relevant considerations..." (Making significant changes ('prescribed alterations') to maintained schools Statutory guidance for proposers and decision makers - January 2023)

This has not occurred.

The town council urges you to reconsider the proposed amalgamation of these two schools, or to request the withdrawal of the proposal by the governing body, and to engage in a more meaningful and transparent consultation process with the local

community. It is important that any decision regarding the future of our schools is made in a way that is transparent, accountable, and addresses the views and needs of all stakeholders. Whitby Town Council calls on North Yorkshire County Council (and henceforth North Yorkshire Council) as local education authority to conduct a full, systemic and independent review of education provision in Whitby, within the catchment of the existing secondary schools, to include nursery, pre-school, early years, infant, primary, secondary and further education facilities and opportunities to ensure that the current and future needs of the Whitby area are properly understood and provided for. Such a consultation should enable all relevant considerations to be reviewed before any specific proposal is made.

There should have been greater efforts to engage with the community and to respond to legitimate questions arising from the consultation.

The Governing Body of the Schools' Federation has ignored repeated requests to attend a meeting of the town council, which is the proper way in which the town council should be engaged as a core consultee in this process.

Until such time as the Governing Body is prepared to meet with the town council, Whitby Town Council will not recognise the legitimacy of this process and will maintain that position publicly.

**MAYORAL ENGAGEMENTS March – April 2023**

<b>MARCH</b>				
Friday 17th	7.00pm	Cedar Court – Huddersfield	Mayor Keithley	Mayors Charity Ball
Monday 20th	1pm	Scarborough Spa	Scarborough Borough Council	Celebratory Lunch
Tuesday 21st	10.45am	Spa, Stakesby Road	Spa	Re-opening of Spa Shop
Thursday 23rd	11.00am	Mayfield Care Home		To open Mayfield Care Home
<b>APRIL</b>				
Saturday 1st	8.00am	Cornish Bakery Marine Parade		Re-opening of the Cornish Bakery
Thursday 13th	10.00am	WTC Offices		Informal visit of the Chair North Yorkshire County
Friday 21st	1pm	Whitby Tennis Courts	Scarborough Borough Council	Tennis Courts – West Cliff

In addition, the Town Mayor attended the Maritime Growth Summit in Gateshead on 2 March, at the invitation of Scarborough Borough Council. The event was described as covering, *the UK maritime innovation ecosystem including high-potential technology companies, researchers, regulators, port operators, shipping companies and more. This ecosystem spreads across regions and is vital to supporting levelling up, building our new trading future and in increasing the export of UK IP to global markets. Addressing the challenges faced in the maritime sector is of global importance, where the UK and our regions have significant and unique capabilities to tackle these challenges and grow our position as a world leader in maritime technology.*

*To unlock and support the growth of this ecosystem, Connected Places Catapult has launched the Maritime Innovation Flagship program, delivered in collaboration with industry. This program is accelerating the realization of investment opportunities through innovation, delivering support to industry in identifying high-potential solutions and supporting innovators to achieve their growth potential.*



**a) Meeting with Highways**

On Wednesday 8 March, I met with Richard Marr and Andrew Santon of Area 3 Highways, in a meeting to discuss the NYCC Winter Service, which had been facilitated by County Councillors Trumper and Swannick. This was a response to the letter requested by the December meeting of the TD&I Committee following the issues experienced in December, when salt bins were empty or depleted in the lead up to the cold spell.

We explored the basic configuration of the Winter Service and the constraints on it, which are mainly financial in the face of the size of the road network across the whole county.

NYCC publish maps on their website which show the gritting routes followed and the location of salt bins for local use to deal with problem areas such as urban junctions and difficult hills.

<https://www.northyorks.gov.uk/salt-bins-and-salt-heaps>

<https://www.northyorks.gov.uk/road-gritting>

The current grit bins in Whitby are:

Town	Road name or number	Location	Bins
Whitby	Fairfield Way	Industrial Estate	5
Whitby	St Peters Court		2
Whitby	Larpool Lane	Junc Eskdale road	1
Whitby	A171	Junc Larpool Lane (Ski Slope)	2
Whitby	Spital Bridge	Service Road	1
Whitby	Green Lane	On Bank	3
Whitby	Captain Cooks Crescent		2
Whitby	Ropery	Each end of Boulby Bank	2
Whitby	Blackburns Yard		1
Whitby	Bottom of 199 Steps		1
Whitby	142R	Glen Esk	4
Whitby	Well Court footpath	Steps from 70 Church Street	1
Whitby	Mickleby Drive		1
Whitby	Dundas Gardens		1
Whitby	Rosemount Road		1
Whitby	Ganton Close		1

Whitby	Rear Hanover Terrace		1
Whitby	Southend Gardens		1
Whitby	Walker Street		1
Whitby	Springhill	Both entrances to hospital	2
Whitby	Springhill Terrace		1
Whitby	Windsor Terrace	Bottom of North Road	1
Whitby	Boghall		3
Whitby	142R	Glen Esk	4
Whitby	Pinewood Close		1
Whitby	Kirkham Close		1
Whitby	Pannett Way		1
Total			46

The assessment form which is used by Highways to assess whether a grit bin is justified was circulated to members.

Highways accept requests for changes by the end of June each year to go live over the following winter. Their own staff – who are HGV drivers drawn from the road maintenance teams and their casual contractors are mobilised when severe weather is forecast. They also use formers and other local sub-contractors to grit suburban areas off the priority routes. At present, they do not have a sub-contractor available to grit estate roads in Whitby. It was suggested that the town council might be instrumental in promoting this and locating potential contractors.

We also discussed the potential to create a community gritting partnership to extend the current number of bins and to spread grit from these as required. It was noted that partnerships that work currently tend to come from villages and smaller communities with less co-ordination required and volunteers associated with a limited number of bins. That's not to say that it isn't possible to establish a successful partnership in a larger town, but that thought would need to be given to how volunteers might be identified, supported and mobilised.

It was floated that there may be a wider role for such volunteers in providing community resilience for civil emergencies, including flooding and the like. It was recognised that volunteer organisations such as the Friends of Pannett Park and Whitby in Bloom may have experience to draw on in terms of recruiting and retaining volunteer groups.

These are ideas that need to be considered by the council. I am exploring the timetable for Highways officers to attend a future meeting – probably of TD&I to explore these issues.

The discussion also covered wider Highways issues, street lighting and parking. NYCC were keen to emphasise that at present, these could be harder to address because of



the overlapping responsibilities of SBC and NYCC, but that from 1 April, under the unitary council, these may become easier to discuss together.

They will help in identifying suitable officers representing lighting and parking to talk to the town council over the coming months.

#### **b) Civility & Respect**

Following Council's decision on 7 March, I signed up to the Civility and Respect Pledge on behalf of the council. Whitby is the 1,053<sup>rd</sup> council to sign the pledge.

#### **c) Closure of the Museum and Gallery in April for electrical work**

Following the decision of the JMC to undertake an electrical survey of the museum and gallery as a matter of urgency, it was agreed that the whole building would close for a week from Monday 24 April to enable the survey to take place. This meant that the meetings of Human Resources and Planning committees scheduled for 25 April were rearranged. We maintained phone cover during the closedown.

#### **d) English Devolution Accountability Framework**

DLUHC published guidance which sets out how areas with devolution deals will be held to account through local scrutiny, by the public and by the government.

The English Devolution Accountability Framework delivers on the Levelling Up White Paper commitment to publish a new accountability framework to apply to all English institutions with devolved powers.

The framework is an element of the broader Local Government Accountability Framework which applies to all councils, including combined authorities.

Guidance:

<https://www.gov.uk/government/publications/english-devolution-accountability-framework>

#### **e) Local government issues arising from the budget**

Minister Lee Rowley MP, Parliamentary Under-Secretary of State for Local Government and Building Safety, wrote to principal council chief executives and leaders following the budget announcements made on Wednesday 15 March. Information shared includes:

- DLUHC has concluded negotiations with the Mayors of Greater Manchester and the West Midlands on "trailblazer" deeper devolution deals, subject to ratification.
- **The government is minded to withdraw central government support for Local Enterprise Partnerships (LEPs) from April 2024. The Government intends for the functions of LEPs to be delivered by democratically elected local leaders, where appropriate in the future. These proposals will be consulted on before a decision is made.**
- DLUHC plans to enter discussions with places to host 12 high growth Investment Zones across the UK. These will be backed by £80 million of funding over five years and include tax incentives, to help bring opportunity into host areas.
- Twenty places will be invited to form Levelling Up Partnerships.

- Since the conclusion of the Levelling Up Fund round two, DLUHC has identified further funding to support regeneration and town centre bids that were made into the Fund.
- The government has announced 30 more projects across the UK that will benefit from the Community Ownership Fund.
- An intention to expand the local retention of business rates to more areas in the next Parliament and to work closely with councils to achieve this.
- To support councils to continue to deliver their existing development plans and bring forward new council housing supply, HM Treasury will be offering a new preferential Public Works Loan Board borrowing rate for council housing activity through the Housing Revenue Account from June 2023.
- The government is providing £11.5m to offer intensive English language courses and employment support to up to 10,000 individuals to support Ukrainians fleeing the war.
- We will announce a call for evidence from affected councils on nutrient neutrality credit scheme opportunities.

Announcement: <https://www.gov.uk/government/news/chancellor-unveils-a-budget-for-growth>

<https://www.gov.uk/government/news/levelling-up-at-heart-of-budget>

Spring Budget policy paper: <https://www.gov.uk/government/publications/spring-budget-2023>

Speech: <https://www.gov.uk/government/speeches/spring-budget-2023-speech>

Summary of Business Rates Review: technical consultation:

<https://www.gov.uk/government/consultations/business-rates-review-technical-consultation>

Digitalising Business Rates policy paper:

<https://www.gov.uk/government/publications/digitalising-business-rates>

Consultation outcome: digitalising business rates:

<https://www.gov.uk/government/consultations/digitalising-business-rates-connecting-business-rates-and-tax-data>

Investment Zones policy prospectus:

<https://www.gov.uk/government/publications/investment-zones>

Levelling Up Partnerships methodology note:

<https://www.gov.uk/government/publications/levelling-up-partnerships-methodology-note>

Community Ownership Funds successful bidders:

<https://www.gov.uk/guidance/community-ownership-fund-first-round-successful-bidders>

## **f) Possible Project Development**

Officers have been involved in preliminary discussions with other bodies in town, facilitated by the Woodsmith Foundation which is seeking to draw together groups and organisations with an environmental & conservation interest to attract external development funding. The gallery and the museum are supporting these discussions with a view to linking to Whitby's history and culture. At this stage, we have started to explore the opportunities to link the allotments and land at California Beck to the footpath and greenspace there and to the saltmarsh developments that have been led by the Yorkshire Wildlife Trust at the Beach Esk project. This is part of a wider link to other

organisations represented at the meeting, including the Eastside Community Centre and the Lobster Hatchery.

### **g) North Yorkshire Council – Vesting Day**

On 1 April, the county council and seven district and borough councils in North Yorkshire became one – North Yorkshire Council.

North Yorkshire Council issued the following information setting out how access to its services would work from 1 April and, more fully, from the opening of office hours on Monday 3 April.

*North Yorkshire Council will be the geographically largest council in England. It is being built with local at its heart and aims to be the most local, large council in the country. Our staff who currently serve residents will continue to provide the services that they deliver now. A main office will be retained in each former district area and will be supported by a further 30 local customer access points in places people go, in the future. There will be one phone number and one website, making sure access to support and services will be easier whilst ending the current confusion that exists over which council does what.*

*By replacing eight councils with one, it gives North Yorkshire Council the best possible chance of protecting our valued services at a time of exceptional financial pressures and high demand. By joining up services and maximising our spending power, we will save between £30 million and £70 million which will then become annual savings. This money can be used to protect some of our most important local services at a critical time when everyone and every organisation is feeling the pressure.*

*North Yorkshire Council will drive for the best possible opportunities for residents and businesses, while protecting and enhancing our landscapes and heritage. Working with our six MPs, the Council will have a strong voice to ensure that national Government understands and acts on the issues that affect residents and businesses here.*

*By having one council we can join up and strengthen our county's cultural offer, lobby for a greater share of funding for arts and culture, and support a year-round visitor economy. It will have a clear economic strategy that plays to our strengths and supports environmentally friendly business growth.*

### **Contacting North Yorkshire Council**

You should continue to contact council officers through their current email address e.g., [firstname.surname@scarborough.gov.uk](mailto:firstname.surname@scarborough.gov.uk). From 1 April, any emails sent to these addresses will be automatically forwarded to a new @northyorks.gov.uk email address.

From 1 April 2023, the main customer phone number is **0300 131 2 131** and the web address is [www.northyorks.gov.uk](http://www.northyorks.gov.uk).

You should continue to use the contact details you have currently for all services, though some will begin to migrate soon. There will be one website for the North Yorkshire Council which will contain information from the current county and district/borough

councils on the services they manage, including Planning. The existing district websites will redirect searches as appropriate.

#### **h) Town Assembly**

Following preparation of the draft minutes of the Annual Town Assembly, which met on 22 March in accordance with Sections 14-22 of Schedule 12 of the Local Government Act 1972, I wrote to the Chief Executive, Executive Member for Education, Learning and Skills, and the Corporate Director of Children's and Young People's Services at North Yorkshire County Council to officially set out the following resolutions of the meeting for their consideration. I wrote in support of the Town Mayor's role as Chair of that meeting and was clear that this was NOT a meeting of the town council.

I received the following responses from Richard Flinton at NYC to the resolutions made at the Annual Town Assembly (the points made in my original email are in black with the responses in red):

The resolutions forwarded were:

1. This meeting write to North Yorkshire (County) Councillor Annabel WILKINSON (Executive Member for Education, Learning & Skills) and Mr Stuart CARLTON (Corporate Director: Children & Young People Services), informing them that Whitby Town Council fully supports Whitby parents/carers in their strenuous opposition to the proposed Amalgamation of Whitby's secondary schools - this formal opposition to be included within the present Consultation process.

*[NB, the Town Council's position – as noted – had been resolved at its meeting on 7 March 2023]*

Thank you. Your point is noted and has been included in the current consultation process. The executive report has now been published which includes all the received objections, support and responses to them. This can be accessed from the following link (Public Pack) Agenda Document for Executive, 18/04/2023 11:00 ([northyorks.gov.uk](http://northyorks.gov.uk))

2. We must have an independent enquiry on education in Whitby.  
There is no plan to have an independent enquiry. The direct responsibility for taking action to improve education outcomes lies with governing bodies and academy trusts. The Council retains many duties and responsibilities with regard to its maintained schools and has a role alongside all schools in relation to safeguarding of children. Diocesan bodies have a distinct role in church schools. There is overlap with all of these parties and the DfE's Regional Directors (formerly Regional Schools Commissioners) who take key operational decisions delegated to them by the Secretary of State for education.
3. This meeting requests North Yorkshire (County) Council to retain the #95 service to what it is pre-April 2023 to retain this essential lifeline for many elderly people, and furthermore to undertake an urgent review into providing a bus service to the parts of Whitby without any service at all.  
Service 95 between Whitby and Sleights is a commercially operated bus route and not under contract to North Yorkshire Council. This means that the route and timetable are set by the bus operator based on how well the service is being used and not by the council.

Bus services in North Yorkshire are facing significant pressure due to fewer passenger travelling following the pandemic and higher fuel and staff costs. This is an unprecedented situation affecting the whole country with many bus routes seeing a reduction in service or being at risk of withdrawal.

Arriva advised us that the changes made recently to Service 95 are based on performance over a number of years. Passenger numbers still haven't recovered to pre-covid 2019 levels and this plus subsequent high cost inflation has meant that changes had to be made to keep the service running. The revised timetable is designed to reduce operating costs and to better balance these against the fares income being taken. NYC are continuing to support the service up to Lealholm which is now called Service 96 and has retained a similar timetable to the previous one.

North Yorkshire Council work closely with all bus companies and understand the challenges they are dealing with at present. We use £1.6m each year of our budget to financially support bus services that would otherwise be withdrawn completely, many of which serve our more rural communities. We are also accessing grants from central government when we can. This is helping to maintain the current bus network but there isn't additional money to fund new services at present.

4. This meeting requests North Yorkshire (County) Council implement immediately *[an SPD planning policy stating]* "Where the number of second homes and holiday lets in any Parish is 20% or over at the last census (2021), the focus shall be on providing for local housing needs through the provision of affordable housing and housing to support local employment opportunities and key services in Parishes affected." The issue of second home ownership and holiday lets is a matter that will need detailed consideration through the new local plan for North Yorkshire. Unfortunately it is not a matter that can be addressed through a supplementary planning document (SPD) as new policies cannot be introduced through an SPD. New policies must be set out in either a local plan or neighbourhood plan, the evidence examined by an appointed inspector with the opportunity for supporters and objectors to set out their case for supporting or opposing such a policy. Adopting such a policy in an SPD would result in a policy that would not be enforceable and could be challenged successfully by opponents such as housing developers.

I understand the concern on this matter and that the proliferation of second homes and holiday lets is a matter which has been considered at length by officers and members of Scarborough Borough Council over the past two years. This resulted in a comprehensive report being considered that set out the current situation (in all parishes) and the options available to seek to address it. At that time there were significant concerns that the introduction of primary residence restrictions on all new homes would adversely affect the delivery of affordable housing; rented and intermediate homes that were solely for the occupation of residents who could not afford to enter the housing market. Such a policy would also not have any impact on any existing homes that were subsequently converted to second homes or holiday lets. The work undertaken at this stage resulted in letters being sent to local Members of Parliament highlighting the perceived issues and limitations of the planning system in addressing this matter; David Walker also met with Whitehall officials (at their request and on the back of publicity surrounding the work we had done and the Whitby referendum). Said

officials intimated that Government was alive to the issue and aware that there were 'hot spots' around the country where it was increasingly of concern and that further options for intervention (fiscal and planning) were being considered.

This is clearly not a simple matter to address and planning restrictions are not the only route that should be fully explored; other options include local taxation changes (already being pursued by NYC) and changes to the national planning use class order to allow a separate classification for holiday lets and second homes – something that is being introduced in Wales.

It should also be noted that the Government has brought in recent legislation (from April 1st 2023) to close the loophole for second home owners that allowed them to avoid paying Council Tax and benefit from the Business Rate exemption. For a homeowner to apply for Business Rates they will now have to provide evidence that their property was let out for a minimum of 70 days and available for a minimum of 140 days. In time, this may have an impact on second home ownership as it will prevent many owners from paying zero business rates and ensure they have to pay the full (and potentially increased) council tax rate for second home owners.

The other option and one that can be implemented within a shorter timeframe is the preparation and adoption of a Neighbourhood Plan for Whitby. I understand that early work has commenced on this and a neighbourhood area was designated and accepted in recent months. NYC planners will be able to guide the Town Council if this is taken forward. Neighbourhood plans have been the principal vehicle used by local communities elsewhere in the country to address the matter, and will certainly be quicker to implement than a county-wide local plan, and would have more status than an SPD.

I trust this provides a clear position on why NYC cannot simply implement a supplementary planning document, however, the matter will be explored further through the preparation of the new local plan.

5. This meeting supports the Town Mayor in writing to North Yorkshire (County) Council to propose a governance review of the Town Council to have between 12 and 15 councillors, to bring the council in line with other similar sized towns. We note your request for a governance review of Whitby Town Council to enable it to have between 12 and 15 councillors. We will refer your request to the Council's Standards and Governance Committee which is responsible for making any recommendations to Council about community governance reviews.

As the next (annual) assembly in the parish will be in 2024. In the interim, I indicated that the town council would be happy to receive and record any response that is made to these resolutions of the electors' meeting.

Separately, I wrote to the Co-Chairs of the Whitby Secondary Partnership Board of Governors to outline the Assembly resolution that:

*This meeting resolves to write to the co-chairs of the Whitby Secondary Partnership Board of Governors call on them to write to the North Yorkshire Council Executive Member for Education, Learning and Skills, and the Corporate Director of Children's and Young People's Services, asking them to:*

- *immediately withdraw the Whitby Secondary Partnership Board of Governors' formal request for the amalgamation of the Whitby secondary schools;*
- *immediately formally appoint an interim Board of Governors for the Whitby Secondary Partnership;*
- *and immediately after, they tender their resignations, along with all other members of the Board of Governors, from the Whitby Secondary Partnership Board of Governors.*

No reply has been received to date.

It was recognised that some of the proposals presented to the meeting were framed as 'this council', but within the statutory definitions, that term holds no meaning for the Assembly. Logically, because the annual parish meeting has a separate existence, any motion agreed **by** the meeting must be a motion **of** the meeting. The wording of the proposals required amendment to properly reflect this and is reflected in the draft minute, which I have used to progress the resolutions.

Any motion of a parish meeting is independent of the parish council, if there is one, and can be persuasive of the parish council or of any other relevant body operating in the parish. The parish meeting can't bind any other body. Any decision needs to be referred to the appropriate decision-making body expediently, and that is what has been done. Clearly not everyone attending the meeting will necessarily understand the distinction, but there is a clear nuance between what the meeting decides and what the council may (or may not) decide.

The wording of the motions is an affirmation that only makes sense if it expresses the resolved view of the meeting. For it to be persuasive of the council (at a subsequent meeting) it would have needed to say that 'This **meeting requests that Whitby Town Council** write to the Co-Chairs of the Whitby Secondary Partnership...' In context, 'this council' isn't correct and would have delayed the message getting to the County Council and the Board of Governors, which was the intention.

The town council's opposition to the amalgamation proposal as presented had already been resolved at its meeting on 7 March, which meant that the first resolution stands as a confirmation of the Assembly of this outcome.

Having the resolutions framed as from 'this meeting', means that the Town Mayor, as Chair of the Assembly, could direct me, on her behalf to forward the resolutions to the relevant bodies. Cllr Wild has confirmed that she advised the Assembly in this regard. In law, the only officer of a parish meeting (Town Assembly in our case) is its chair.

Above all, in discussion with the Town Mayor, it was felt that the resolved view of the meeting was clear and should be passed to NYCC and WSP, as the relevant bodies.

### **i) Proposed Changes to s106 and CIL**

Government has published a further consultation on proposed changes to the planning system, this time on how the proposed infrastructure levy (which it is intended will largely replace Section 106 agreements and the Community Infrastructure Levy) should work in England to make sure developers pay 'a fairer share' for local infrastructure and affordable housing.

Notable suggestions are:

- That the 'neighbourhood share' collected under the new levy should not result in less value being allocated to neighbourhoods than in the existing Community Infrastructure Levy (CIL) system. Under the existing system, 15% of CIL receipts generated must be passed to the relevant parish council rising to 25% where the parish has a neighbourhood plan.
- The consultation also poses the question whether the government should go further "to exceed the level of quantum currently secured by the Neighbourhood Share in CIL charging authorities and equivalent amounts in non-CIL charging authorities. Doing so would mean more revenue is allocated to, for instance, parish councils, for spending on hyper-local needs."
- That the introduction of the levy should be mandatory on local planning authorities, not discretionary as is the case with the CIL. However, its introduction across the country may be phased.

There is more information on these proposals on the DLUHC website:

<https://www.gov.uk/government/consultations/technical-consultation-on-the-infrastructure-levy>

#### **j) Portrait of His Majesty The King for UK public authorities**

Earlier this month (1 April), the government announced that public authorities throughout the United Kingdom will be able to apply for a free portrait of His Majesty The King, as part of a scheme to celebrate the new reign.

Councils, courts, schools, police forces and fire and rescue services will be among the public institutions to be offered a new official portrait photograph.

Official portraits of Queen Elizabeth II are currently on display in many public institutions, and a new official portrait of King Charles III will enable organisations across the UK to carry on that tradition.

The scheme will be opened later this year following the Coronation and the release of the official portraits of His Majesty by the Royal Household. Those public authorities who are eligible will be offered the opportunity to request one free framed portrait once it is released. Further details will be provided in due course.

<https://www.gov.uk/government/news/portraits-of-his-majesty-the-king-for-uk-public-authorities>

#### **k) UK-wide test of Emergency Alerts**

On 6 April, the Cabinet Office announced that the UK-wide test of the public Emergency Alerts system will take place at 3:00pm on 23 April.

Emergency Alerts enable urgent messages to be broadcast to a defined area when there is an imminent risk to life, such as wildfires or severe flooding.

The test of the new Emergency Alerts system will see people receive a message on the home screen of their mobile phone, along with a sound and vibration for up to ten seconds.



The government has produced a toolkit to help councils communicate key messages as part of the Emergency Alerts campaign. This includes some key messages for motorists. An FAQ document has also been created. We promoted this through our website and Facebook in the preceding week.

<https://www.gov.uk/government/news/time-set-for-uk-emergency-alerts-test>

### **l) Personal safety for councillors – presentation**

The Local Government Association (LGA) has hosted a series of webinars on councillor personal safety and handling online abuse and intimidation as part of their Civility in Public Life Programme.

The programme, funded by the government, was devised for councillors who want to improve their awareness of personal safety.

The LGA recently hosted a webinar. The session offered practical advice on the steps that can be taken to manage trolls and cyber-bullies, including an introduction to the legal framework around social media posts. There was also guidance on how to be safe online generally, as well as tips on how to create a positive online presence.

The LGA has made available the presentation for those who were unable to join the webinar.

Presentation:

<https://www.local.gov.uk/events/past-event-presentations/personal-safety-councillors-tuesday-21-february-2023>

### **m) Invitation to workshop meeting with the PFCC**

The Police Fire and Crime Commissioner has called working group meeting with members of the town council to discuss Whitby Town Centre Safety Concerns and plan how local partners will engage with the concerns that have been raised in the survey results going forward.

This has been confirmed that this meeting will take place in person on Wednesday 17 May 2023.

### **n) Neighbourhood Plan**

Rachel Leggett & Associates/Compass Point Planning & Rural Consultants have been appointed to support the development of a neighbourhood plan for the parish of Whitby. The initial stage requires the council to constitute a steering group.

In addition to three councillors – to be nominated by the Planning Committee as the parent body, it is proposed that the steering group should include three members of the community representing a range of interests and viewpoints. It is suggested that an approach is made to Whitby Community Alliance, Whitby Community Network and Whitby Civic Society in the first instance to seek participant from each body. The steering group will seek evidence from a range of groups and individuals in Whitby, including statutory bodies, and may expand through the evidence gathering and policy development phases of the plan.

**o) Town Deal**

Governance of the Whitby Town Deal projects transferred to North Yorkshire Council on 1 April 2023. A request has been made to NYC to provide officer representation to this meeting and to provide a written summary of the progress of the Town Deal programme and of the projects within it.

The response was that there isn't currently a succinct and robust summary of the programme and projects and that, more widely, that it would be difficult for any one officer to adequately cover all of the services that North Yorkshire Council delivers.

The senior management structure and responsibilities can be found on the NYC website (<https://www.northyorks.gov.uk/your-council/our-role-structure-and-objectives>) covering the role, structure and objectives of North Yorkshire Council - where there are issues pertaining to services these should be directed to the appropriate Director.

Karen Atkinson is currently the Locality lead for the Scarborough area as the Stronger Communities Manager and Marie-Ann Jackson is the Stronger Communities Head of Service and any community related issues can be directed to them, a new locality structure will be developed during the summer.

**p) Reminders of information sent separately**

I have forwarded other information received including:

- 20s Plenty for North Yorkshire news and next County ZOOM meeting
- 38576 Surface Dressing North – NYH
- Climate Parish and Town Communications Pack
- Coastal Area Parish Forum - Wednesday, 3 May
- Commissioner Zoë marks International Women's Day
- Commissioner Zoë responds to North Yorkshire Police inspection: 'Our Police Force needs to do significantly better'
- Councillors Discussion Forum
- Have a say on Harrogate and Scarborough town council proposals
- How to deal with the unexpected Webinar - Wednesday, 29 March
- NALC Chief Executive's Bulletin
- NALC Events
- NALC Newsletter
- Open letter for publication relating to Eskdale School
- PCSO's Crime Report
- Planned Road Closure Notification - 38870 High Stakesby Road, 39322 Park Terrace, 39344 Back Street Of Wellington Terrace, 38719 St Marys Crescent Whitby & 38726 High Stakesby Road
- Planned Speed Limit Notification - 38872 Guisborough Road
- Reminder of engagement meeting with Yorkshire and Humber Climate Commission meeting
- Resolutions For Debate by Member Councils and Parish Meetings to the YLCA Joint Annual Meeting 2023
- Scarborough & Whitby Area Constituency Committee 24/03/23
- Swing Bridge Closure dates and times
- Welcome to Rural News March 2023
- YLCA Bulletins
- YLCA Councillors' Discussion Forum
- YLCA Road Safety and Speeding Concerns Webinar

- YLCA Training Programme
- Yorkshire Society - March 2023 Newsletter and Announcements

**Recommendation:** (a) That the information is noted; and  
(b) That an approach is made to Whitby Community Alliance, Whitby Community Network and Whitby Civic Society to seek a participant from each body to the Neighbourhood Plan Steering Group.