



PANNETT PARK | WHITBY | YO21 1RE
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Dear Councillor,

4 January 2024

You are **summoned** to attend the **MEETING** of the **TOWN COUNCIL OF WHITBY** to be conducted at the Pannett Gallery on **TUESDAY 9 NOVEMBER 2024 at 6:00pm**, the agenda for which is set out below.

Michael King
Town Clerk

To: Councillors Abbott, Barnett, Mrs Brown, Mrs Coughlan, 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. APOLOGIES FOR ABSENCE

To receive and resolve upon apologies for inability to attend.

2. DECLARATION OF INTERESTS

To declare any interests which members have in the following agenda items.

3. PUBLIC PARTICIPATION

Standing Orders will be suspended for up to 15 minutes to allow for questions or statements submitted by members of the public¹ (limited to 3 mins per person).

4. APPROVAL OF BUDGET 2024-25

35

To consider the attached draft budget and member proposals to enable council to set a budget for 2024-25 and confirm its precept for submission to North Yorkshire Council.

5. MINUTES

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|------|---|------------------|----|
| a. | To approve , as an accurate record, minutes of the following meetings: | | |
| i. | Council | 7 November 2023 | 3 |
| b. | To receive the (draft) minutes of the following committee meetings: | | |
| i. | Human Resources | 21 November 2023 | 11 |
| ii. | Planning & Licensing | 28 November 2023 | 13 |
| iii. | Finance Policy & General Purposes | 5 December 2023 | 19 |
| iv. | Pannett Art Gallery | 12 December 2023 | 25 |
| v. | Planning & Licensing | 12 December 2023 | 27 |
| vi. | Town Development & Improvement | 19 December 2023 | 33 |

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

- 6. COMMITTEE RECOMMENDATIONS & REFERRALS**
- a) **FP&GP Committee 5 December 2023**
287/23 APPROVAL OF EXPENDITURE
- RECOMMENDED** that the schedule of expenditure up to 31 August in the sum of **£131,548.46** (as attached) is approved. **20**
- b) Any other matters for consideration from the minutes noted above.
- 7. APPLICATION FOR REGISTRATION OF ASSET OF COMMUNITY VALUE** **41**
 To consider a request for the town council to sponsor an application to North Yorkshire Council to register the 3G pitch at Eskdale School and surrounding area as an Asset of Community Value.
- 8. RESPONSE TO EXTERNAL AUDITOR'S REQUEST FOR INFORMATION** **49**
 To consider the attached report and draft response.
- 9. COMMITTEE PLACES** **57**
 To confirm an appointment to the vacancy on the Town Development & Improvement Committee and consider any other committee changes which have arisen.
- 10. CASUAL VACANCY – CO-OPTION TIMETABLE** **63**
 To consider the procedure and timetable for co-option to the casual vacancy in the West Cliff Ward.
- 11. EXTERNAL REPORTS**
- To receive reports on behalf of external bodies if present
- a. North Yorkshire Police
 (written reports previously circulated)
- b. North Yorkshire Council
 (Cllr Swannick's report attached) **65**
- 12. 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.
- 13. MAYOR'S REPORT**
 Civic engagements since 7 November 2023 and other activities undertaken to note.
- 17 November Fishing School Apprenticeship Awards Ceremony
 - 17 November Opening of the Christmas Festival
 - 21 November Nuclear veteran's medal presentation
 - 23 November RNLI AGM
 - 28 November Presentation of a Gideon Bible.
- 14. CLERK'S REPORT** **67**
- 15. FLOODING AWARENESS - STANDING ITEM**
 Tides above 5.5 metres up until 5 March 2024.
- 12-16 January
 - 27-28 January
 - 9-15 February
 - 25-27 February

WHITBY TOWN COUNCIL

Minutes of the meeting of the Town Council of Whitby, duly convened, and conducted in Pannett Art Gallery on Tuesday 7 November 2023 at 6:00pm.

Present Councillor R Dalrymple (Town Mayor) and Councillors, R Barnett, Mrs A Brown, Mrs H R Coughlan, G Goodberry, M Harrison, J Harston, Hinchliffe, A Jones, J Nock, C Riddolls, J Redfern, Mrs S Turner, Mrs L Wild and Mrs N Wilson.

Also M King, Town Clerk, Mrs A Cowey Deputy Clerk, Councillors P Trumper and N Swannick (North Yorkshire Council), Constable A Metcalf (Ryedale and Whitby Division, NY Police), Mr R Marr (Area 3 Highways Manager) and 10 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.

248/23 APOLOGIES

Apologies were received from Councillors Abbot, Smith and Mrs Sumner

MOVED by Councillor Mrs Wilson seconded by Councillor Nock

RESOLVED that the apologies received from Councillors Abbott, Smith and Mrs Sumner are accepted.

249/23 DECLARATION OF INTERESTS

Councillors Redfern, Mrs Turner and Mrs Wild declared an interest in agenda item 9 – all are members of the Whitby Town Deal Board.

250/23 PUBLIC PARTICIPATION

Four members of the public spoke

The first member of the public spoke on behalf of Whitby Community Network regarding the Town Poll and lack of progress on the Neighbourhood Plan.

The Town Clerk informed members that once commenced the Neighbourhood Plan could be delivered in 18 months – a variety of different groups have been approached to be involved, the Whitby Community Net Work has accepted, Civic Society has declined and Whitby Town Council still waits to hear from the other invitees.

The second member of the public spoke about agenda item 4 – Harbourside Public Realm Consultation and asked where the evidence is regarding what type of tourism is of benefit to the town, as not all tourism is of benefit following the overcrowding issues at the recent Goth weekend. Something needs to be done about Tourism and its impact on the town.

The third member of the public expressed concern about losing our historic town which depends on a level of tourism plus the impact of proposals for the Town Hall, historic buildings and the conservation are which are being spoilt

throughout the town.

A fourth member of the public expressed concerns about the recent 'Goth Weekend' which appeared to be out of hand with no policing.

251/23 HARBOURSIDE PUBLIC REALM CONSULTATION

The Area Highways Manager, North Yorkshire Council (AHM) attended. The AHM will obtain information on Tourism and pass it on to the Whitby Town Council. The Goth weekend has been raised with SAG and security and safety will be looked at for future weekends. Unfortunately, there is not an overall organiser to contact.

Drawings of the proposals for the Harbourside Public realm consultation were circulated to all members prior to the start of the meeting which will be going live on the 10 November. AHM spoke about the proposals and the need for people to get involved in the 6-week consultation which will be online and available at the Coliseum. All comments will be published on the NYC website. The consultation is to find ways to reduce the impact of the car, link up both sides of the town and enhance the central area of the town to make it more pedestrian friendly.

Councillors asked questions and made statements:

- They did not want to see the loss of any seating, bins or the iconic phone box
- Concern about the removal of the roundabout proposed for zone 1 which could cause problems with the flow of traffic
- A need for a new and larger bridge – the cost and funding would be enormous
- Signage to keep pedestrians on to the left on the swing bridge – this was tried during covid unsuccessfully but not discounted
- Concerns regarding the volume of people using the swing bridge during Goth weekend were highlighted
- Delays will be caused during construction of Zone 6 and 1 with the removal of the roundabout - work will be carried out on the swing bridge out of season.
- A requirement for another Park and Ride on the West
- Will the consultation be a selection of options of NYC answers or what residents wants to say? - The first consultation phase was options, text boxes will on the next phase. NYC are not looking to manufacture answers
- What is the time span for having the Swing Bridge open to traffic – more permanent signage will be installed to harmonise the restrictions to the traffic regulations which run separately during the summer period and summer holidays.
- A good solid consultation is a requirement and important along with feedback for residents what formats will it be available in? -leaflet drop – consultation days will try and get to everyone one.

- There are problems on the Eastside when the bridge is closed residents feel trapped
- HGV vehicles regularly plough through barriers on the Eastside side causing problems
- The original consultation failed and still went ahead causing trouble and stress

The Area Highways Manager was thanked for attending this meeting.

252/23

EXTERNAL REPORTS

To receive reports on behalf of external bodies if present

c. NORTH YORKSHIRE POLICE

Constable Metcalf attended the meeting and went through the crime figures which were included in the Police report circulated prior to the start of the meeting. The Goth weekend passed without incident. Community Maps is proving to be a good scheme.

Councillors asked questions/made statements on the following:

- How many Police Officers were on duty during the Goth Weekend – there were no additional Police Officers on patrol – the reported abandoned cars had blue badges
- Community Mapping is a good scheme and is a multi-agency system.

MOVED by Councillor Mrs Coughlan seconded by Councillor Goodberry and

RESOLVED unanimously that the Police report is received.

d. NORTH YORKSHIRE COUNCIL

Councillor Swannick reported on the Following issues

- The Scarborough & Whitby Area Constituency meeting which took place in Whitby
- Nothing in the Kings speech regarding Short Term lets.
- The Swing Bridge will be closed for essential repairs and maintenance for two weeks from 20 November 2023. A ferry service will be in place to take people across the river.
- North Yorkshire Council Strategies
- Neighbourhood Plan

Councillor Trumper reported on the following

- Whitby Town Council taking over the parks through devolution
- The NYC Housing Strategy – NYC has a large portfolio of properties
- Neighbourhood – will be of great benefit
- Goth Weekend – a requirement for something in place to make the event safer

Councillors asked questions on the following;

- Traffic issues – swing bridge – roadworks on Fairfield Way/Stainsacre Lane and issues with the traffic lights on Mayfield Road.

- Concerns regarding the condition of the Whitby Leisure Centre
- A legal mechanism has been found to prevent parking on the sea wall which should be in place by Easter
- Cliff Lift – more information should be available in January following the review.
- Grass cutting – how many cuts per year and the clearing of cliff paths
- The requirement for more social housing in Whitby as apposed to affordable housing
- Information on Dundas Gardens and the play park
- Concern regarding the smell from the sewage works

MOVED by Councillor Jones, seconded by Councillor Redfern and

RESOLVED unanimously that the North Yorkshire Council reports by Cllrs Swannick and Trumper are received.

253/23

MINUTES

MOVED by Councillor Nock, seconded by Councillor Hinchliffe and

RESOLVED unanimously that the minutes of the Full Council held on 5 September 2023 having been circulated be taken as read and confirmed as a correct record subject to the minor amendments Minute 174/23 the correct spelling of Cllr Riddolls – Minute 174/23 b, bullet point 6 reads ... in the Economic Growth Strategy ...

MOVED by Councillor Mrs Wilson, seconded by Mrs Coughlan

RESOLVED that the extraordinary meeting of Full Council held on 16 September 2023 having been circulated be taken as read and confirmed as a correct record.

MOVED by Councillor Mrs Wilson, seconded by Councillor Goodberry and

RESOLVED unanimously that the minutes of the following committee meetings are taken *en Bloc* and received

Harbour	19 September 2023
Planning & Licensing	26 September 2023
Extra Ordinary Human Resources	3 October 2023
Finance Policy & General Purposes	3 October 2023
Planning & Licensing	10 October 2023
Town Development & Improvement	17 October 2023
Joint Management	24 October 2023
Planning & Licensing	31 October 2023

254/23

COMMITTEE RECOMMENDATIONS

- a. **FP&GP Committee 3 October 2023**
215/23 APPROVAL OF EXPENDITURE

RECOMMENDED that the schedule of expenditure up to 31 August in the sum of **£64,725.67** (as attached) is approved.

MOVED by Councillor Goodberry, seconded by Councillor Mrs Coughlan and

RESOLVED unanimously that the schedule of expenditure up to 31 August 2023 in the sum of £64,725.67 as recommended by the Finance Policy and General Purposes is approved.

**b. Joint Management Committee 24 October 2023
241/23(b) Quotation for electrical Works**

RECOMMENDED that it is recommended to Full Council that approval be given for these works to be carried out by NTL Electrical Services at a (net) cost of £13,551.25.

MOVED by Councillor Nock, seconded by Councillor Goodberry and

RESOLVED unanimously that approval is given for the works to be carried out by NTL Electrical Services at a (net) cost of £13,551.25.

c. Any other matters for consideration from the minutes noted above

Councillor Riddolls raised concerns about the overruling of an act of Parliament regarding the running of the market.

Moved by Councillor Riddolls, seconded by Councillor Nock

RESOLVED that the Chief Executive of North Yorkshire Council is asked to convey an explanation as to why they agreed to let the market go ahead contrary to Market Act.

Councillor Redfern informed the Council that he missed a Harbour meeting due to miscommunication regarding dates and times.

MOVED by Councillor Jones, seconded by Councillor Mrs Coughlan and

RESOLVED unanimously that the above information is noted.

255/23

COMMITTEE PLACES

MOVED by Councillor Hinchliffe, seconded by Councillor Goodberry

RESOLVED that Councillor Hinchliffe is appointed as substitute on Town Development & Improvement Committee until the next Annual Meeting of the Council

MOVED by Councillor Mrs Wild, seconded by Councillor Mrs Turner

RESOLVED that vacancy on Town Development & Improvement Committee is deferred to the next meeting of Full Council to enable absent

Councillors to put their name forward to fill any vacancies on committees.

MOVED by Councillor Mrs Wild seconded by Councillor Harrison and

RESOLVED that Councillors Mrs Brown, Mrs Coughlan, Goodberry, Hinchliffe and Riddolls are appointed to the Neighbourhood Plan Advisory Working Group.

MOVED by Councillor Mrs Coughlan, seconded by Councillor Goodberry and

RESOLVED that Councillor Mrs Coughlan is appointed to represent Whitby Town Council on the S106 funding Group

256/23

OUTCOME OF TOWN POLL

a. Question 1 on the Poll

MOVED by Councillor Jones, seconded by Councillor Mrs Wild and

RESOLVED a) that Whitby Town Council notes the result of question one of the Town Poll – that out of 310 votes cast, on a turnout of 3.07%, 225 voted 'yes' and 73 voted 'no'.

b. Question 2 on the Poll

MOVED by Councillor Riddolls, seconded by Councillor Barnett

'that Whitby Town Council petition the Department for Levelling Up, Homes and Communities to halt and re-examine the Whitby Town Deal Board project to regenerate the Market Place and to restrict the project to the renovation of the Old Town Hall'

An amendment was

MOVED by Councillor Nocks, seconded by Councillor Mrs Brown

RESOLVED to replace 'Housing' for 'Homes' and to replace the words, 'halt and re-examine the Whitby Town Deal Board project to regenerate the Market Place and to restrict the project to the renovation of the Old Town Hall' with 'draw the Secretary of State's attention to the significance of the views expressed in the Town Poll called by local electors and seeks that he takes appropriate action'.

11 in favour 1 against

The substantive motion was voted on

RESOLVED b) that Whitby Town Council Petitions the Department for Levelling Up, Housing and Communities to draw the Secretary of State's attention to the significance of the views expressed in the Town Poll called by local electors and seeks that he takes appropriate action.

c. Question 3 of the Poll

MOVED by Councillor Nock, seconded by Councillor Mrs Brown and

RESOLVED c) that Whitby Town Council Petitions the Department for Levelling Up, Housing and Communities to draw the Secretary of State's attention to the significance of the views expressed in the Town Poll called by local electors and seeks that he takes appropriate action.

Councillors Redfern, Mrs Turner and Mrs Wild did not vote or take part in the above item relating to the Old Town Hall and Maritime Hub.

257/23 CASUAL VACANCY – CO-OPTION TIMETABLE

MOVED by Councillor Mrs Turner, seconded by Councillor Goodberry and

RESOLVED that the date, timetable and process for the Co-Option is accepted.

258/23 BUDGET PREPARATION TIMETABLE 2024-25

MOVED by Councillor Mrs Wilson, seconded by Councillor Mrs Coughlan

RESOLVED that the Budget Preparation Timetable 2024-2025 is received.

259/23 REPORTS FROM REPRESENTATIVES ON EXTERNAL BODIES

Councillor Mrs Coughlan reported on the issues of vandalism in Pannett Park. The Police are looking to install 2 new cameras near the lily pond.

Councillor Mrs Brown informed members that quotations have been received to upgrade/replace Whitby Town Council website – further information required to identify the makeup/upgrade to improve the site.

Councillor Mrs Wild updated on a meeting with Anglo American who will be bringing a presentation to Whitby Town Council.

Councillor Nock reported on the Costal Area Parish Forum meeting.

MOVED by Councillor Mrs Coughlan, seconded by Councillor Mrs Turner and

RESOLVED unanimously that the above reports received.

260/23 MAYOR'S REPORT

The Town Mayor reported on his civic engagements since 6 September 2023

MOVED by Councillor Mrs Wilson, seconded by Councillor Nock and

RESOLVED unanimously that the civic engagements since 6 September 2023 are noted.

261/23 CLERK'S REPORT

The Town Clerk informed members that he had circulated information from the

Community Governance Review prior to this meeting.

A request has been received from the organisers of the proposed pump track asking if Whitby Town Council would consider hosting it depending on costs.

A request for volunteers was put to members to help marshal the Secular Remembrance Service on Sunday 12 November at 10:30am on Dockend.

MOVED by Councillor Mrs Coughlan, seconded by Councillor Mrs Turner and

RESOLVED that the Clerk's report is received and with the council's 'in principle' support, he explores the cost of hosting the pump track for a future meeting.

262/23 RENEWAL OF ENERGY CONTRACT

MOVED by Councillor Mrs Wilson, seconded by Councillor Goodberry

RESOLVED unanimously that Whitby Town Council renews its electricity contract with Total Energy and looks at the gas supply contract renewal in twelve months (2024).

263/23 FLOODING AWARENESS - STANDING ITEM

MOVED by Councillor Nock seconded by Councillor Mrs Turner and

RESOLVED unanimously that the following Tides above 5.5 metres up until 9 January 2024 are received.
14 – 15 November
26 – 29 November
14 – 16 December

WHITBY TOWN COUNCIL

Minutes of the meeting of the **HUMAN RESOURCES** Committee held in the Normanby Room, Whitby Museum, Whitby on Tuesday 21 November 2023 at 11:00am.

Present: Councillors Mrs Coughlan, Goodberry, Mrs Turner, Mrs Wild and Mrs Wilson.

Also: M King, Town Clerk and Cllr Riddolls (as member of 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. The meeting was convened in accordance with Schedule 12, paragraph 9(1) of the Act.

264/23 APOLOGIES FOR ABSENCE

Apologies were received from Councillors Dalrymple.

MOVED by Councillor Goodberry, seconded by Councillor Mrs Wilson

RESOLVED that apologies for inability to attend from Councillors Dalrymple are accepted.

265/23 DECLARATION OF INTERESTS

There were no declarations of interest.

STANDING ORDERS SUSPENDED

266/23 PUBLIC PARTICIPATION

An issue of procedure relating to the minutes of the extraordinary meeting held on 3 October.

STANDING ORDERS REINSTATED

267/23 MINUTES

MOVED by Councillor Mrs Turner, seconded by Councillor Goodberry

RESOLVED a) that the minutes of the meeting held on 25 July 2023 are accepted as an accurate record.

MOVED by Councillor Mrs Wilson, seconded by Councillor Mrs Turner

RESOLVED b) that the minutes of the extraordinary meeting held on 3 October 2023 are accepted as an accurate record.

268/23 UPDATE ON 2023/24 PAY SETTLEMENT & BUDGET PREPARATION 2024/25

Submitted a report on the national pay award for 2023-24, which had been agreed between the Joint National Committee and the Local Government Association (LGA) acting for the employers' side and backdated to 1 April 2023. It was noted that the net effect of the agreed award is a reduction of 3.4% on the original estimate for 2023-24.

MOVED by Councillor Mrs Wilson, seconded by Councillor Mrs Turner

RESOLVED that information is received.

269/23 EXCLUSION OF PRESS AND PUBLIC (IN RESPECT OF ITEM 270/23)

MOVED by Councillor Mrs Turner seconded by Councillor Mrs Wilson

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 270/23 below, due to the confidential nature of the business to be transacted.

270/23 STAFFING

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

MOVED by Councillor Goodberry seconded by Councillor Mrs Wilson

RESOLVED a) That hours for the post Maintenance Supervisor (MAI-01) are increased to 30 hours per week and recommended to FP&GP for inclusion in the 2024-25 budget;

MOVED by Councillor Mrs Turner seconded by Councillor Mrs Wild

RESOLVED b) That an overtime allowance of 0.6h/week be paid to the posts of Front of House Team Member (PAG 02, PAG-03) for any weekend worked since 1 April 2020 in lieu of lunch-time cover;

MOVED by Councillor Goodberry seconded by Councillor Mrs Turner

RESOLVED c) That the Curator carry out an investigation in respect of the complaint received.

WHITBY TOWN COUNCIL

Minutes of the meeting of the **PLANNING & LICENSING** Committee held in the Pannett Gallery on **Tuesday 28 November 2023** at 5.00pm.

Present: Councillor Mrs N Wilson (Chair) with Councillors R Dalrymple, G Goodberry, M Harrison, J Harston, S Hinchliffe and J Nock.

Also: Mrs A Cowey, Deputy Clerk and two 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.

271/23 APOLOGIES FOR ABSENCE

No apologies received for inability to attend.

272/23 MINUTES

MOVED by Councillor Nock, seconded by Councillor Harston

RESOLVED that the minutes of the Planning Committee held on the 26 & 31 October 2023 having been circulated be taken as read and confirmed as a correct record.

273/23 DECLARATION OF INTERESTS & REQUESTS FOR DISPENSATION

There were no declarations of interest.

274/23 PUBLIC PARTICIPATION

No public present

275/23 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

276/23 LISTED BUILDINGS

UPGANG LANE

MOVED by Councillor Nock, seconded by Councillor Goodberry

RESOLVED unanimously that an update on the situation regarding the mounting block on Upgang Lane (Ref 23/002218/COM) is obtained from North Yorkshire Council, Planning Services

277/23 LICENSING

MOVED by Councillor Nock seconded by Councillor Goodberry

RESOLVED that clarification is sought from Licensing Services whether or not the Town Council will be officially notified of all Licensing applications within Whitby as stated at a recent training session.

278/23

APPEALS

The following appeals were considered and discussed

22/01831/FL - APL/00008/23 Creation of roof terrace with balcony and glazed link. Extension of first floor balcony. Formation of external emergency escape. Replacement of existing stone facade to extension, Abbey Wharf, Market Hall, Market Place, Whitby, North Yorkshire YO22 4DD,

22/01832/LB - APLB/00009/23 Creation of roof terrace with balcony and glazed link. Extension of first floor balcony. Formation of external emergency escape. Replacement of existing stone facade to extension, Abbey Wharf, Market Hall, Market Place, Whitby, North Yorkshire, YO22 4DD, Mr Paul Clemitshaw

RESOLVED unanimously that Whitby Town Council Planning Committee supports the Appellant.

draft

Planning Applications Considered on 28 November 23

1	<i>Plan Number</i> 23/078/AMENDED	<i>District Reference</i> ZF23/00831/FLA	<i>Road/Street</i> Well Close Square	<i>Date of meeting</i> 14.11.23
	<i>Applicant</i> Vision Housing Properties Ltd	<i>House Name</i>	<i>Road</i> 19 Well Close Square	<i>Locality</i>
	<i>Town</i>	<i>County</i> North Yorkshire	<i>Post Code</i> YO213AP	<i>Application date</i> 08/11/23

23/078 - Amended plan Amended Description

Vary the wording of condition 6 (occupancy) in relation to 12/02715/FL to 'The permission hereby granted shall not be used independently of the site known as 19 Well Close Square, Whitby

Comment

OBJECT - the reason for condition 6 is still valid - It appears that this condition is being ignored and should be investigated further and enforced.

2	<i>Plan Number</i> 23/103/AMENDED	<i>District Reference</i> ZF23/01136/HS	<i>Road/Street</i> Sanders Yard	<i>Date of meeting</i> 28.11.23
	<i>Applicant</i> Becka Ford	<i>House Name</i>	<i>Road</i> 1 Sanders Yard	<i>Locality</i> Church Street
	<i>Town</i>	<i>County</i> North Yorkshire	<i>Post Code</i> YO224DU	<i>Application date</i> 16/11/23

23/103 - Amended plan Amended and additional details received.

Comment

Support subject to the use of heritage style windows

3	<i>Plan Number</i> 23/127	<i>District Reference</i> ZF23/01607/LB	<i>Road/Street</i> Kiln Yard	<i>Date of meeting</i> 14.11.23
	<i>Applicant</i> Mrs Michelle Dolan	<i>House Name</i> Kiln Cottage	<i>Road</i> 12 Kiln Yard	<i>Locality</i> Church Street
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i> YO224DF	<i>Application date</i> 27/10/23

Retrospective consent for the replacement of 2no roof lights Mrs Michelle Dolan, Kiln Cottage, 12 Kiln Yard, Church Street, WHITBY, North Yorkshire, YO224DF

Comment

Support this application

4	<i>Plan Number</i> 23/128	<i>District Reference</i> ZF23/01274/FL	<i>Road/Street</i> Bylands Road	<i>Date of meeting</i> 14.10.23
	<i>Applicant</i> The Enquire Learning Trust (Mr Paul Kennedy)	<i>House Name</i>	<i>Road</i> Stakesby Primary Academy	<i>Locality</i> Bylands Road
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i> YO211HY	<i>Application date</i> 31/10/23

Erection of new modular classroom building, The Enquire Learning Trust (Mr Paul Kennedy), Stakesby Primary Academy, Bylands Road, WHITBY, North Yorkshire, YO211HY

Comment

Support this application

5	<i>Plan Number</i> 23/129	<i>District Reference</i> ZF23/01604/FL	<i>Road/Street</i> Market Place	<i>Date of meeting</i> 14.11.23
	<i>Applicant</i> Mr & Mrs Anthony and Joanna Gilpin	<i>House Name</i>	<i>Road</i> First and second floor 1 Market Place	<i>Locality</i>
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i> YO224DD	<i>Application date</i> 07/11/23

Installation of a replacement balcony to the rear and replacement of first floor rear window to a door, Mr & Mrs Anthony and Joanna Gilpin, First and second floor, 1 Market Place, WHITBY, North Yorkshire, YO224DD

Comment

OBJECT - Overdevelopment - out of character with existing building and the area.

6	<i>Plan Number</i> 23/130	<i>District Reference</i> ZF23/01525/FL	<i>Road/Street</i> Stainsacre Lane	<i>Date of meeting</i> 14.11.23
	<i>Applicant</i> East Whitby Primary School	<i>House Name</i>	<i>Road</i> Stainsacre Lane	<i>Locality</i>
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i> YO224HU	<i>Application date</i> 09/11/23

Re-submission of application 23/00137/FL, to allow changes to external materials for single storey extension on Sout and East elevations, East Whitby Primary School, Stainsacre Lane, WHITBY, North Yorkshire, YO224HU

Comment

Support this application

7	<i>Plan Number</i> 23/131	<i>District Reference</i> ZF23/01560/FL	<i>Road/Street</i> Ruswarp Lane	<i>Date of meeting</i> 28.11.23
	<i>Applicant</i> Ali Tahmessebi	<i>House Name</i>	<i>Road</i> 65 Ruswarp Lane	<i>Locality</i>
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i> YO211ND	<i>Application date</i> 09/11/23

Erection of single and three storey extensions to front, link extension to garage and three storey extension to side and rear with ground and second floor rear roof terraces and associated alterations, Ali Tahmessebi, 65 Ruswarp Lane, WHITBY, North Yorkshire, YO211ND

Comment

OBJECT - Overdevelopment - out of character with existing buildings in the area - effect on the character and appearance of an area -

8	<i>Plan Number</i> 23/132	<i>District Reference</i> ZF23/01706/LB	<i>Road/Street</i> Castle View	<i>Date of meeting</i> 28.11.23
	<i>Applicant</i> Miss Nicole Wilson	<i>House Name</i> Castle View	<i>Road</i> 16 High Stakesby Road	<i>Locality</i>
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i> NY211HL	<i>Application date</i> 14/11/23

Creation of utility room, alterations to bathroom, formation of cupboard and installation of en suite, Miss Nicole Wilson, Castle View, 16 High Stakesby Road, WHITBY, North Yorkshire, NY211HL

Comment

Support this application

9	<i>Plan Number</i> 23/133	<i>District Reference</i> ZF23/01613/LB	<i>Road/Street</i> Church Street	<i>Date of meeting</i> 28.11.23
	<i>Applicant</i> Jill Blackburn	<i>House Name</i> Middle Earth Tavern	<i>Road</i> 25-26 Church Street	<i>Locality</i>
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i> YO224AE	<i>Application date</i> 16/11/23

Erection of first floor balcony, Jill Blackburn, Middle Earth Tavern, 25-26 Church Street, WHITBY, North Yorkshire, YO224AE

Comment

OBJECT - Overdevelopment - impact on neighbours - effect on the character and appearance of the area

10	<i>Plan Number</i> 23/134	<i>District Reference</i> ZF23/01754/HS	<i>Road/Street</i> Royal Crescent	<i>Date of meeting</i> 28.11.23
	<i>Applicant</i> Miss Sarah Blackwell	<i>House Name</i> Flat 3	<i>Road</i> 10 Royal Crescent	<i>Locality</i>
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i> YO213EJ	<i>Application date</i> 16/11/23

Installation of replacement windows, Miss Sarah Blackwell, Flat 3, 10 Royal Crescent, WHITBY, North Yorkshire, YO213EJ

Comment

Support this application subject to the use of heritage style windows.

11	<i>Plan Number</i> 23/135	<i>District Reference</i> ZF23/01756/HS	<i>Road/Street</i> Love Lane	<i>Date of meeting</i> 28.11.23
	<i>Applicant</i> Mr Nicholas Dolan	<i>House Name</i>	<i>Road</i> 52 Love Lane	<i>Locality</i>
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i> YO213LJ	<i>Application date</i> 16/11/23

Erection of a two storey side extension with three dormer windows to the front elevation, Mr Nicholas Dolan, 52 Love Lane, WHITBY, North Yorkshire, YO213LJ

Comment

Support this application

12	<i>Plan Number</i> 23/136	<i>District Reference</i> ZF23/01692/FL	<i>Road/Street</i> Abbey Lane	<i>Date of meeting</i> 28.11.23
	<i>Applicant</i> English Heritage (Mr Matt Bishop)	<i>House Name</i> English Heritage Shop at Whitb	<i>Road</i> Abbey Lane	<i>Locality</i>
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i>	<i>Application date</i> 17/11/23

Installation of stainless-steel roofing, roof hatch, solar panels and lightning conductors, English Heritage (Mr Matt Bishop), English Heritage Shop at Whitby Abbey, Abbey Lane, WHITBY, North Yorkshire

Comment

Support this application

13	<i>Plan Number</i> 23/137	<i>District Reference</i> ZF23/01700/HS	<i>Road/Street</i> Silver Street	<i>Date of meeting</i> 28.11.23
	<i>Applicant</i> Mr J Urban	<i>House Name</i> 2 Elders Yard	<i>Road</i> Silver Street	<i>Locality</i>
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i> YO213BY	<i>Application date</i> 21/11/23

Removal of existing rear dormer to be replaced with larger dormer and removal of chimneys, new roof, replacement windows and gutters, Mr J Urban, 2 Elders Yard, Silver Street, WHITBY, North Yorkshire, YO213BY

Comment
Support this application

draft

WHITBY TOWN COUNCIL

Minutes of the meeting of the **Finance Policy & General Purposes** Committee held in Pannett Art Gallery, Whitby, on **Tuesday 5 December 2023** at 6pm.

Present Councillor Mrs L Wild (Chair) and Councillors Mrs H Coughlan, R Dalrymple, J Harston, A Jones, Mrs S Turner and Mrs N Wilson.

Also Mr King, Town Clerk, Councillors Barnet, Mrs Brown and Nock, and eight members of the public.

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

279/23 APOLOGIES

None

280/23 DECLARATION(S) OF INTERESTS & REQUEST FOR DISPENSATION

None

STANDING ORDERS SUSPENDED

281/23 PUBLIC PARTICIPATION

Four people spoke in relation to Item (item 307/23).

STANDING ORDERS REINSTATED

282/23 MINUTES OF MEETING HELD ON 3 OCTOBER 2023.

MOVED by Councillor Dalrymple, seconded by Councillor Mrs Coughlan.

RESOLVED that minutes of the Finance Policy & General Purposes Committee held on the 8 August 2023 are approved as a correct record.

283/23 ACTION OUTSTANDING FROM PREVIOUS MEETINGS

None.

284/23 REVIEW OF GOVERNANCE ARRANGEMENTS

Submitted a timetable to review the council's Standing Orders, Financial Regulations, Policies and Procedures.

MOVED by Councillor Mrs Turner, seconded by Councillor Jones

RESOLVED that a) Questions or suggested amendments to the council's constitution are raised with the clerk no later than Monday 22 January 2024;
 b) A draft constitution, with marked revisions and any proposed amendments arising from a), above, is considered by FP&GP Committee on 6 February 2024; and
 c) A final recommended constitution is submitted to Annual Council on 14 May 2024 for adoption.

285/23 UTILITY CONTRACTS - WATER

Submitted: quotations for renewal of the water supply contracts for the public conveniences, Stakesby Vale allotments and Pannett Gallery & Whitby Museum.

MOVED by Councillor Mrs Coughlan, seconded by Councillor Mrs Turner

RESOLVED that the council's water supply contracts for public conveniences, Pannett Art Gallery and Whitby Museum, and Stakesby Vale Allotment are let to Everflow and that the contract terms run for three years from January 2024.

286/23 INTERNAL AUDIT INTERIM REPORT – 2023-24 ACCOUNTS

MOVED by Councillor Mrs Turner, seconded by Councillor Mrs Wilson

RESOLVED that the independent auditor's report is received.

287/23 APPROVAL OF EXPENDITURE

Submitted: a schedule of invoices dated to 30 November 2023.

MOVED by Councillor Jones, seconded by Councillor Mrs Coughlan

RESOLVED that the schedule of expenditure up to 30 November in the sum of £131,548.46 (as attached) is approved and submitted to Full Council.

288/23 COST CENTRE INCOME AND EXPENDITURE TO 31 OCTOBER 2023

Submitted: a summary of income and expenditure to 31 October 2023, by budget heading.

MOVED by Councillor Jones, seconded by Councillor Mrs Coughlan

RESOLVED that cost centre income and expenditure to 31 August 2023 be noted.

289/23 BUDGET PREPARATION 2024/25

Submitted: an initial draft budget incorporating previously approved inflationary assumptions, known commitments to spend and growth items proposed by members.

MOVED by Councillor Mrs Turner, seconded by Councillor Mrs Wild

RESOLVED that a) the draft budget is circulated to all members for comment;
b) comments on the budget are returned to the Clerk by 24 December; and
c) a revised draft, incorporating members' views is circulated for Council in January, to enable a budget to be set.

draft

Appendix A – APPROVAL OF EXPENDITURE TO 30 NOVEMBER 2023

Date	Tran	Net	Organisation	Details	Heading
05/09/2023	181	£14.68	Barclays Bank	Commission Charges	5000/1/13
12/09/2023	183	£6,100.00	PAS Scaffolding Ltd	Scaffold for external decorating	5001/17
13/09/2023	182	£14,042.57	Mark Hunter - Painter &	Exterior painting - Museum and Gall	5001/17
14/09/2023	114	£67.00	East Coast Fire Services	Call out to fire panel fault - New	5002/2/2
18/09/2023	192	£79.00	SAGE UK Ltd	Payroll Software Subscription - Sep	5000/1/9
21/09/2023	193	£288.00	Siemens Financial	Telephone Lease Charge (Quarterly)	5000/1/5
21/09/2023	194	£1,182.67	TotalEnergies Gas &	Electricity Bill Pannett - September	5001/2
21/09/2023	195	£14.99	EE Limited	Mobile phone monthly - September	5000/1/5
22/09/2023	196	£233.09	ENGIE Gas Limited	Gas Bill Pannett - September	5001/1
25/09/2023	197	£320.00	SurveyMonkey Europe	Advantage Annual Plan	5000/1/9
25/09/2023	198	£36.16	Amazon Services Europe	Tripod, battery and memory card for	5000/1/6/4
25/09/2023	199	£46.90	Imagine Products Ltd	ID Badges	5000/1/6/4
25/09/2023	200	£11.05	Boyes of Whitby	Stationary	5000/1/1
26/09/2023	201	£2,134.76	Everflow Limited	Water Bill Toilets - August	5002/2/1
27/09/2023	180	£71.49	Cathedral Hygiene	Monthly periodic payment (Invoice M	5001/6
27/09/2023	202	£50.68	Pitney Bowes	August Invoice - Finance	5000/1/6/4
28/09/2023	203	£35.00	Information Commissioners	Registration Fee 2023/24	5000/1/14
29/09/2023	204	£155.97	Document Solutions	September Bill	5000/1/5
04/10/2023	205	£176.73	Grenke Leasing	Photocopier Quarterly Lease Charge	5000/1/2
05/10/2023	206	£8.80	Barclays Bank	Commission Charges	5000/1/13
16/10/2023	207	£79.00	SAGE UK Ltd	Payroll Software Subscription - Oct	5000/1/9
23/10/2023	208	£14.99	EE Limited	Mobile phone monthly - October	5000/1/5
23/10/2023	209	£23.99	NextGen Retail Ltd	Union flag	5002/13
24/10/2023	210	£160.53	ENGIE Gas Limited	Gas Bill Pannett - October	5001/1
24/10/2023	211	£1,034.65	TotalEnergies Gas &	Electricity Bill Pannett - October	5001/2
25/10/2023	212	£523.60	Green End Electrical	Replacement emergency lighting as s	5001/17
25/10/2023	213	£226.55	Laughing Whale Print &	Uniform polos & fleeces	5000/1/6/4
25/10/2023	214	£172.25	Morris Vermaport Limited	Lift call out and repair	5001/13
25/10/2023	215	£75.00	Whitby Area Development	Town Meeting (3 September)	5000/2/15
25/10/2023	216	£75.00	Whitby Area Development	Town Meeting (18 September)	5000/2/15
25/10/2023	217	£762.23	Vistech Security Ltd	August Security	5001/7
25/10/2023	218	£11,747.83	Nordic Forsaking &	Toilets Insurance 2023-24	5002/2/2
25/10/2023	219	£42.33	Rentokil Initial UK Ltd	Service Period 30/09/2023 - 29/10/2	5001/6
25/10/2023	220	£35.00	East Coast Fire Services	Call out to fire panel fault - New	5002/2/2
25/10/2023	221	£10,182.45	Blachere Illumination UK	Whitby Town Council - Bio-print	5002/4
25/10/2023	222	£488.82	Comgas Heating Limited	Replace leaking galvanised cold fee	5001/16
25/10/2023	223	£70.00	Dan Close CCTV & Fire Ltd	1 x Standard Call Out Whitby Area	5001/17
25/10/2023	224	£125.00	Vinyl Signs of Whitby	To print/supply 3 x new pvc banners	5002/19
25/10/2023	225	£714.60	Vistech Security Ltd	September Security	5001/7
25/10/2023	226	£42.33	Rentokil Initial UK Ltd	Service Period 30/10/2023 - 29/11/2	5001/6

Minutes

Item 5b(iii)

Date	Tran	Net	Organisation	Details	Heading
25/10/2023	227	£50.00	Society of Local Council	Water Compliance and Legionella Con	5000/1/18
25/10/2023	228	£376.67	Society of Local Council	National Conference 2023	5000/1/18
25/10/2023	229	£434.20	Comgas Heating Limited	Install mixer valves in toilets	5001/17
25/10/2023	230	£180.00	Brian Oakley	Window cleaning - Gallery & Museum	5001/11
25/10/2023	231	£135.20	Wilf Noble Construction	August & September invoices	5001/17
25/10/2023	232	£798.87	Business Stream	Pannett Gallery and Whitby Museum -	5001/3
25/10/2023	233	£173.00	Business Stream	Water supply 24 June to 23 September	5002/1/4
25/10/2023	234	£242.00	ADT Fire & Security PLC	Work on fire system due to faulty e	5001/10
25/10/2023	235	£344.72	ADT Fire & Security PLC	Work on fire system due to false al	5001/10
26/10/2023	236	£2,051.09	Everflow Limited	Water Bill Toilets - September	5002/2/1
27/10/2023	237	£89.17	Pitney Bowes	September Invoice - Finance	5000/1/6/4
27/10/2023	238	£71.49	Cathedral Hygiene	Monthly periodic payment (Invoice M	5001/6
31/10/2023	239	£155.15	Document Solutions	October Bill	5000/1/5
06/11/2023	TBC	£8.50	Barclays Bank	Commission Charges	5000/1/13
07/11/2023	TBC	£1,860.00	Maybank Buildings Surveyors	Museum Floor	5001/17
07/11/2023	TBC	£298.96	Vinyl Signs of Whitby	Signage	5001/17
07/11/2023	TBC	£630.00	Wellers Law Group	Legal Work	5000/1/14
07/11/2023	TBC	£217.76	Green End Electrical	Replacement isolator switch	5001/17
08/11/2023	TBC	£354.00	Whitby Advertiser	Christmas Festival Advertising	5002/19
15/11/2023	TBC	£2,199.46	Everflow Limited	Water Bill Toilets - October	5002/2/1
16/11/2023	TBC	£94.80	SAGE UK Ltd	Payroll Software Subscription - Nov	5000/1/9
21/11/2023	TBC	£1,261.33	TotalEnergies Gas &	Electricity Bill Pannett - November	5001/2
21/11/2023	TBC	£11.99	EE Limited	Mobile phone monthly - November	5000/1/5
21/11/2023	TBC	£938.08	ENGIE Gas Limited	Gas Bill Pannett - November	5001/1
22/11/2023	TBC	£168.00	Grenke Leasing	Photocopier Termination Charge	5000/1/2
23/11/2023	TBC	£19.99	eBay	CCTV Camera	5001/17
23/11/2023	TBC	£41.98	Amazon Services Europe	Union flag (2 off)	5002/21
23/11/2023	TBC	£159.99	Amazon Services Europe	Portable loop	5000/1/14
23/11/2023	TBC	£181.96	Amazon Services Europe	Christmas tree Lights (4 off)	5002/19
23/11/2023	TBC	£28.99	Amazon Services Europe	Bankers Boxes	5002/19
23/11/2023	TBC	£24.80	Boyes of Whitby	Stationery	5002/19
23/11/2023	TBC	£65.00	Hedleys Book Shop	Prizes	5002/19
27/11/2023	TBC	£3,372.80	Everflow Limited	Water Bill Toilets - November	5002/2/1
27/11/2023	TBC	£85.79	Cathedral Hygiene	Monthly periodic payment (Invoice M	5001/6
30/11/2023	TBC	195.73	Document Solutions	November Bill	5000/1/5
		£62,561.30	Confidential Transactions		
Total		£131,548.46			

WHITBY TOWN COUNCIL

Minutes of the meeting of the **PANNETT ART GALLERY** Committee conducted on **Tuesday 12 December 2023** at 2:00pm in the Normanby Room, Whitby Museum, Whitby.

Present: Councillors Mrs L Wild (Chair) with Councillors, Mrs H Coughlan, A Jones, J Nock, C Riddolls and Mrs N Wilson.

Also: Mrs A Cowey - Deputy Clerk, Mrs H Berry – Curator and Councillor

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

290/23 APOLOGIES FOR ABSENCE

Apologies for inability to attend were received from Councillors Mrs A Brown, R Dalrymple (Ex Officio) and Mrs S Turner (substitute).

MOVED by Councillor Mrs Wilson, seconded by Councillor Nock

RESOLVED that apologies for inability to attend received from Councillors Mrs Brown, Dalrymple (Ex-Officio) and Mrs Turner (Substitute) are accepted.

291/23 DECLARATION OF INTERESTS & REQUESTS FOR DISPENSATION

There were no declarations of interest.

292/23 PUBLIC PARTICIPATION

No public participation

293/23 CURATORS REPORT

The Curator went through her report. Councillors Mrs Wilson, Mrs Wild, Jones, Nock and Mrs Coughlan volunteered to help gather information from visitors to the Pannett Art Gallery.

MOVED by Councillor Jones seconded by Councillor Nock

RESOLVED unanimously that the Curators Report is received.

294/23 FINANCE

MOVED by Councillor Jones, seconded by Councillor Riddolls

RESOLVED unanimously that the payments and receipts to the 5 December 2023 are approved and received.

295/23 SOPER COLLECTION

The following donations relevant to the Soper Collection have been offered to the Pannett Art Gallery:

- A painting entitled 'A Family of Otters' by Eileen Soper
- A box of pottery by Eva Soper
- An Oak sign of the Soper Trust

MOVED by Councillor Mrs Wild seconded by Councillor Mrs Wilson

RESOLVED unanimously that the donations listed above are accepted and become part of the PAG Soper Collection

296/23

SHARED PROSPERITY FUND

The Curator reported on the Pannett Art Galleries application to the Shared Prosperity Fund and the requirement for 50% match funding.

MOVED by Councillor Mrs Coughlan, seconded by Councillor Nock

RESOLVED unanimously that an additional £7,500.00 is contributed from the PAG account towards match funding for the Shared Prosperity Funding application.

297/23

ACCREDITATION

See Curator's Report.

298/23

DATE OF NEXT MEETING

The next meeting of the Pannett Art Gallery meeting will take place on Tuesday 19 March 2024.

draft

WHITBY TOWN COUNCIL

Minutes of the meeting of the **PLANNING & LICENSING** Committee held in the Normanby Room, Whitby Museum on **Tuesday 12 December 2023** at 5.00pm.

Present: Councillor Mrs N Wilson (Chair) with Councillors, 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.

299/23 APOLOGIES FOR ABSENCE

Apologies for inability to attend were received from Councillors R Dalrymple, G Goodberry and M Harrison

RESOLVED that the apologies received from Councillors R Dalrymple, G Goodberry and M Harrison are accepted.

300/23 MINUTES

MOVED by Councillor Hinchliffe, seconded by Councillor Nock

RESOLVED that the minutes of the Planning Committee held on the 28 November 2023 having been circulated be taken as read, confirmed as a correct record and signed by the Chair.

301/23 DECLARATION OF INTERESTS & REQUESTS FOR DISPENSATION

Councillor Nock declared an non-prejudicial and non-pecuniary interest in planning applications:

ZF23/01549/RG4 – erection of 4no. dwelling houses Homestead, Stainsacre Lane, YO22 4HU and

ZF23/01882/FL – Retrospective application for conversion of upper floors to holiday let apartments, 39 Flowergate YO21 3BB

302/23 PUBLIC PARTICIPATION

No public present

303/23 PLANNING APPLICATIONS.

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

RESOLVED b) that Barclays Bank Whitby is contacted regarding the retention of the historic brass plaque within the premises which is relevant to Whitby's history.

304/23

LISTED BUILDINGS

UPGANG LANE

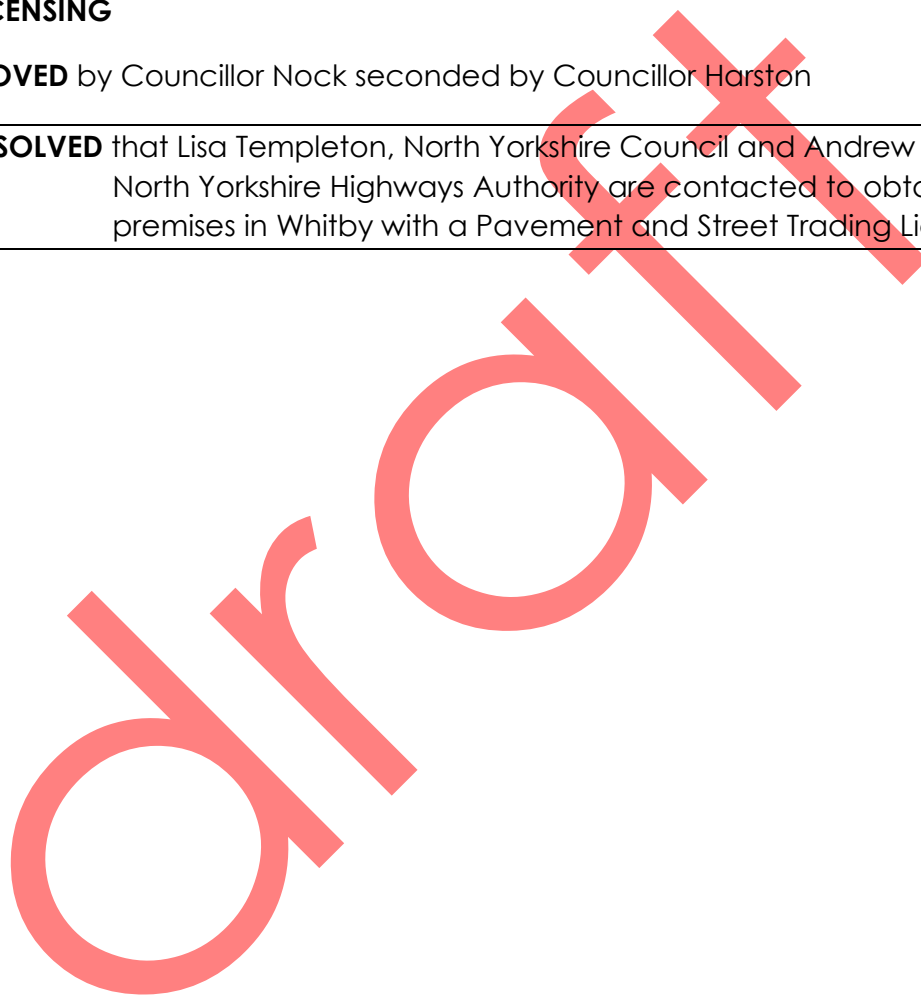
RESOLVED unanimously that the email received from the Area Planning Manager regarding the mounting block on Upgang Lane is received.

305/23

LICENSING

MOVED by Councillor Nock seconded by Councillor Harston

RESOLVED that Lisa Templeton, North Yorkshire Council and Andrew Stanton North Yorkshire Highways Authority are contacted to obtain a list of premises in Whitby with a Pavement and Street Trading Licence.



Planning Applications Considered on 12 December 2023

1	<i>Plan Number</i> 23/138	<i>District Reference</i> ZF23/01524/LB	<i>Road/Street</i> Grape Lane	<i>Date of meeting</i> 12.12..23
	<i>Applicant</i> Maria Aparicio	<i>House Name</i> Captain Cook Memorial Museum	<i>Road</i> 16 Grape Lane	<i>Locality</i>
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i> YO224BA	<i>Application date</i> 23/11/23

Floor strengthening and insertion of new structural stud walls, Maria Aparicio, Captain Cook Memorial Museum, 16 Grape Lane, WHITBY, North Yorkshire, YO224BA

Comment
Support this application

2	<i>Plan Number</i> 23/139	<i>District Reference</i> ZF23/01549/RG4	<i>Road/Street</i> Stainsacre Lane	<i>Date of meeting</i> 12.12..23
	<i>Applicant</i> Mr M Miller	<i>House Name</i> Homestead	<i>Road</i> Stainsacre Lane	<i>Locality</i>
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i> YO224HU	<i>Application date</i> 23/11/23

Erection of 4 no dwelling houses, Mr M Miller, Homestead, Stainsacre Lane, WHITBY, North Yorkshire, YO224HU

Comment
Support this application

3	<i>Plan Number</i> 23/140	<i>District Reference</i> ZF23/01799/HS	<i>Road/Street</i> Castle Road	<i>Date of meeting</i> 12.12.23
	<i>Applicant</i> Mrt & Mrs Phil Dearnley	<i>House Name</i> Fernhill Cottage	<i>Road</i> Castle Road	<i>Locality</i>
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i> YO213QP	<i>Application date</i> 23/11/23

Erection of extension to front elevation, extension to side and rear dormer window, Mt & Mrs Phil Dearnley, Fernhill Cottage, Castle Road, WHITBY, North Yorkshire, YO213QP

Comment
Support this application

4	<i>Plan Number</i> 23/141	<i>District Reference</i> ZF23/01780/HS	<i>Road/Street</i> Uppang Lane	<i>Date of meeting</i> 12.12.23
	<i>Applicant</i> Mr Stephen & Mrs Lynn Fielding	<i>House Name</i>	<i>Road</i> 77 Uppang :Lane	<i>Locality</i>
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i> YO213HZ	<i>Application date</i> 23/11/23

Single storey extension and first floor extension to rear elevation with dropped kerb to carriageway, Mr Stephen & Mrs Lynn Fielding, 77 Uppang :Lane, WHITBY, North Yorkshire, YO213HZ

Comment
Support this application subject to adhering to Highway Authority conditions

5	<i>Plan Number</i> 23/142	<i>District Reference</i> ZF23/01824/FL	<i>Road/Street</i> Bxatergate	<i>Date of meeting</i> 12.12.23
	<i>Applicant</i> Barclays Bank PLC	<i>House Name</i> Barclays	<i>Road</i> 21 Baxtergate	<i>Locality</i>
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i> YO211BW	<i>Application date</i> 24/11/23

Removal of existing signage, ATM and CCTV. Barclays Bank PLC, Barclays, 21 Baxtergate, WHITBY, North Yorkshire, YO211BW

Comment
Support this application

6	<i>Plan Number</i> 23/143	<i>District Reference</i> ZF23/01844/HS	<i>Road/Street</i> Spital Bridge	<i>Date of meeting</i> 12.12.23
	<i>Applicant</i> Mr Lee Bradley	<i>House Name</i> Glen Holme	<i>Road</i> Spital Bridge	<i>Locality</i>
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i> YO224EF	<i>Application date</i> 27/11/23

Installation of balcony in the roof, Mr Lee Bradley, Glen Holme, Spital Bridge, WHITBY, North Yorkshire, YO224EF

Comment
OBJECT - Out of character with existing building

7	<i>Plan Number</i> 23/144	<i>District Reference</i> ZF23/01816/HS	<i>Road/Street</i> High Stakesby Road	<i>Date of meeting</i> 12.12..23
	<i>Applicant</i> Mr T Measures	<i>House Name</i> Ilex House	<i>Road</i> High Stakesby Road	<i>Locality</i>
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i> YO211HL	<i>Application date</i> 28/11/23

Erection of detached single storey annexe comprising garage, gym and store, Mr T Measures, Ilex House, High Stakesby Road, WHITBY, North Yorkshire, YO211HL

Comment
Support this application

8	<i>Plan Number</i> 23/145	<i>District Reference</i> ZF23/01691/HS	<i>Road/Street</i> Larpool Lane	<i>Date of meeting</i> 12.12.23
	<i>Applicant</i> Mr Sean Broadley	<i>House Name</i>	<i>Road</i> 38 Larpool Lane	<i>Locality</i>
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i> YO224JE	<i>Application date</i> 04/12/23

Erection of rear first floor extension and enlargement of garage, Mr Sean Broadley, 38 Larpool Lane, WHITBY, North Yorkshire, YO224JE

Comment
Support this application

9	<i>Plan Number</i> 23/146	<i>District Reference</i> ZF23/01753/HS	<i>Road/Street</i> Royal Crescent	<i>Date of meeting</i> 12.12.23
	<i>Applicant</i> Mrs D Clarke	<i>House Name</i>	<i>Road</i> 7 Royal Crescent	<i>Locality</i>
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i> YO213EJ	<i>Application date</i> 05/12/23

Replacement of existing timber door with composite door, Mrs D Clarke, 7 Royal Crescent, WHITBY, North Yorkshire, YO213EJ

Comment

Support this application

10	<i>Plan Number</i> 23/147	<i>District Reference</i> ZF23/01903/FL	<i>Road/Street</i> Stainsacre Lane	<i>Date of meeting</i> 12.12.23
	<i>Applicant</i> Sainsbury's Supermarket Ltd	<i>House Name</i> Sainsburys	<i>Road</i> Stainsacre Lane	<i>Locality</i>
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i> YO224NL	<i>Application date</i> 05/12/23

Construction of retail pod (Use Class E(a)) on existing car park, Sainsbury's Supermarket Ltd, Sainsburys, Stainsacre Lane, WHITBY, North Yorkshire, YO224NL

Comment

Support this application

11	<i>Plan Number</i> 23/148	<i>District Reference</i> ZF23/01904/AA	<i>Road/Street</i> Stainsacre Lane	<i>Date of meeting</i> 12.12.23
	<i>Applicant</i> Sainsbury's Supermarket Ltd	<i>House Name</i> Sainsbury's	<i>Road</i> Stainsacre Lane	<i>Locality</i>
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i> YO224NL	<i>Application date</i> 05/12/23

Installation of 3no. Internally illuminated fascia signs and 10no. Non-illuminated panel signs to proposed retail pod, Sainsbury's Supermarket Ltd, Sainsbury's, Stainsacre Lane, WHITBY, North Yorkshire, YO224NL

Comment

Support this application

12	<i>Plan Number</i> 23/149	<i>District Reference</i> ZF23/01882/FL	<i>Road/Street</i> Flowergate	<i>Date of meeting</i> 12.12.23
	<i>Applicant</i> Mr Toby Taylor	<i>House Name</i>	<i>Road</i> 39 Flowergate	<i>Locality</i>
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i> YO213BB	<i>Application date</i> 05/12/23

Retrospective application for conversion of upper floors to holiday let apartments, Mr Toby Taylor, 39 Flowergate, WHITBY, North Yorkshire, YO213BB

Comment

OBJECT -Retrospective application - Highways and Access - Health and Safety Issues, very concerned regarding the restricted exit in case of fire and/or emergency

13	<i>Plan Number</i> 23/150	<i>District Reference</i> ZF23/01855/FL	<i>Road/Street</i> Khyber Pass	<i>Date of meeting</i> 12.12.23
	<i>Applicant</i> Mr Richard Dowson	<i>House Name</i> Land to the North of Full of B	<i>Road</i> Khyber Pass	<i>Locality</i>
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i> YO213PZ	<i>Application date</i> 05/12/23

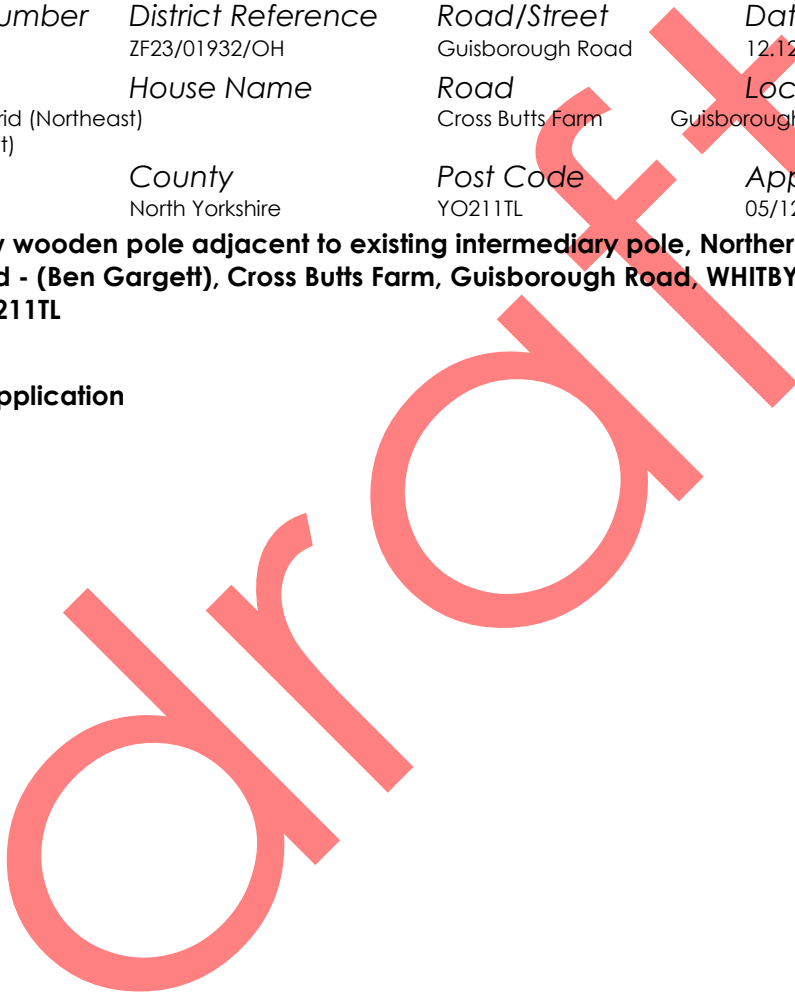
Erection of sculpture of Henry Freeman, Mr Richard Dowson, Land to the North of Full of Beans Coffee, Khyber Pass, WHITBY, North Yorkshire, YO213PZ

Comment
Support this application

14	<i>Plan Number</i> 23/151	<i>District Reference</i> ZF23/01932/OH	<i>Road/Street</i> Guisborough Road	<i>Date of meeting</i> 12.12.23
	<i>Applicant</i> Northern Powergrid (Northeast) Ltd - (Ben Gargett)	<i>House Name</i>	<i>Road</i> Cross Butts Farm	<i>Locality</i> Guisborough Road
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i> YO211TL	<i>Application date</i> 05/12/23

Proposed new wooden pole adjacent to existing intermediary pole, Northern Powergrid (Northeast) Ltd - (Ben Gargett), Cross Butts Farm, Guisborough Road, WHITBY, North Yorkshire, YO211TL

Comment
Support this application



WHITBY TOWN COUNCIL

Minutes of the meeting of the **TOWN DEVELOPMENT AND IMPROVEMENT** Committee held in the Pannett Gallery on Tuesday 19 December 2023 at 6:00pm.

Present: Councillors Harston (Chair), Dalrymple, Jones, Nock and Wild.

Also: M King, Town Clerk, and eight 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

306/23 APOLOGIES

Apologies were received from Councillors Mrs Brown and Mrs Coughlan. Councillor Jones substituted.

MOVED by Cllr Dalrymple, seconded by Cllr Harston.

RESOLVED that the apologies of Councillors Brown and Mrs Coughlan are accepted.

307/23 DECLARATION OF INTERESTS & REQUESTS FOR DISPENSATION

None.

STANDING ORDERS SUSPENDED

308/23 PUBLIC PARTICIPATION

None.

STANDING ORDERS REINSTATED

309/23 MINUTES OF MEETING HELD ON 17 OCTOBER 2023

MOVED by Cllr Nock, seconded by Cllr Dalrymple.

RESOLVED that the minutes of the Town Development & Improvement Committee held on the 17 October 2023 are approved as a correct record.

310/23 CLERK'S UPDATE ON MATTERS RAISED PREVIOUSLY

The Clerk reported a response from NYC on the request for a pedestrian crossing on Castle Road.

MOVED by Cllr Jones, seconded by Cllr Dalrymple

RESOLVED That the position be noted.

311/23 RESPONSE TO HARBOURSIDE PUBLIC REALM CONSULTATION

Submitted: a draft response to the North Yorkshire Council consultation on the Whitby Harbourside Public Realm redevelopment.

MOVED by Cllr Jones, seconded by Cllr Dalrymple

RESOLVED The revised response (Appendix A) is submitted.

312/23 REQUEST

Submitted: a request by a resident of Meadowfields Court, Pannett Way, to apply to NYC for a disabled bay outside the property and seeking the town council's support.

MOVED by Cllr Mrs Wild, Seconded by Cllr Dalrymple

RESOLVED that the request from a resident for a disabled bay outside Meadowfields Court, Pannett Way is endorsed and referred to North Yorkshire Council Highways.

313/23 REFERRAL FROM PANNETT ART GALLERY COMMITTEE

Submitted: a request from the Gallery to ensure that the Park-and-Ride bus makes a scheduled stop at Pannett Park.

MOVED by Cllr Mrs Wild, Seconded by Cllr Jones

RESOLVED that the request that the Park-and-Ride bus makes a scheduled stop at Pannett Park is endorsed and referred to North Yorkshire Council Passenger Transport.

314/23 MATTERS OF REPAIR AND MAINTENANCE REQUIRED IN TOWN

The following areas of concern were identified to be brought to the attention of the appropriate body.

- a) **Street lighting** – Lack of progress in resolving the issues on New Quay Road was noted.
- b) **Street gullies** – It was noted that Beck Yard (34/35 Baxtergate) was unresolved and that there are similar problems in Vipond Yard/Vipond's Lane (13/14 Baxtergate).
- c) **Yards** – Darins in yards are routinely blocked and many yards require power-washing.
- d) **Lights around Capt. Cook statue and Whalebones on West Cliff** – these lights are not working and require attention.
- e) **Routine gully cleansing** – request an update on the comprehensive programme of street cleansing discussed over summer 2023.
- f) **Benches on Brunswick Street** – seek information on whether the benches at the top of Brunswick Street are to be replaced.

MOVED by Cllr Nock, seconded by Cllr Mrs Brown

RESOLVED That issues be progressed by the Clerk through the NYC portal and with the relevant officers.

**WHITBY TOWN COUNCIL
COUNCIL MEETING – 9 JANUARY 2024**

APPROVAL OF BUDGET 2024-25

1. Introduction

- 1.1. This report sets out the draft budget and tabled amendments to enable council to approve its budget and precept demand for 2024-25.

2. Budget Preparation Timetable

- 2.1. Preparation of the budget has followed a structured review of all current income, expenditure and investment and considered options put forward to meet current and future requirements.
- 2.2. Based on the budget principles agreed at the council meeting in November, the FP&GP Committee meeting examined submissions for growth or reduction in the context of known national controls and predicted funding levels. Further to the resolution of the FP&GP Committee at its meeting on 5 December 2023, a revised draft, incorporating members' views is circulated for Council, to enable a budget to be set (289/23).

3. Savings Proposals

- 3.1. The draft budget is set out at Appendix A.
- Column A represents the 2023-24 (current year) approved budget.
 - Column B shows the effect of inflation and known variations in suppliers' costs, in line with the principles established by Council in November.
 - Column C shows the specific growth proposals made in response to unplanned external pressures and items put forward by members.
 - Columns D & E show the potential savings proposed by members following circulation of the draft initially considered by FP&GP in December. Where variations are proposed, these are shown as minimum and maximum figures, which are cumulative reading left to right. The notes to these proposals (Column F) are detailed in section 4, below.
 - Column G shows the cumulative draft budget, taking all member proposals into consideration.

4. Notes on Proposals

- 4.1. Propose amendments to the baseline budget made by members are summarised below. Each has been proposed by at least one of the members responding to the draft budget consulted on by FP&GP.

- 1. Administration** – a saving of 5% on 'office expenses' (taken as the sum of baseline Administration) £2,127

2. **Audit** – reduce provision for auditor fees in relation to objections raised by elector(s) (2023/24 and 2024/25) by £2,000 to £10,000
3. **Website** – remove provision for redesign of the town council website - £2,500
4. **HR Advisory Service** – remove provision of independent legal cover and advice to the council as an employer £2,000
5. **Mayor's Allowance** – reduce the allowance to the average expenditure of the past three years, or by half £400 to £1,000
6. **Elections/Polls** – reduce provision for parish poll costs to two polls at £6,000 or one at £7,500. NYC Electoral Services has now confirmed the cost of the October poll is £6,041.35 £3,000 to £7,500
7. **Security Patrols** – remove provision for the external patrols of the Gallery and Museum in Pannett Park £10,000
8. **Repairs and Maintenance** – remove growth to improve the acoustics of the Gallery for meetings £5,000
9. **Christmas Lights** – (linked income item) reduce expenditure to the £10,000 grant funded by NYC or to zero and sacrifice the income £15,000
10. **Climate Emergency Engagement** – remove provision £1,000
11. **Neighbourhood Plan** – reduce provision to anticipated income £10,000
12. **Unitary Engagement** – remove provision £12,500
13. **Christmas Festival** – (linked to income) either reduce expenditure by £3,500 and remove provision for fireworks or cancel the event outright and forgo the associated income (budgeted net surplus £2,500). £3,500 to -£2,500
14. **Toilets Income** – in addition to projected additional income for a rise from 40p to 50p, increase price to 60p £25,000

5. Conclusion

- 5.1. Council is free to consider how to resolve on these proposals. Members may wish to move the proposals outlined above singly or in combination, using the initial budget (Columns B & C) as the baseline.

Recommendation – That the council sets a budget and consequent precept demand for the financial year 2024-25.

Michael King
Town Clerk & RFO

Appendix A

	A	B	C	D	E	F	G	H
	2023/24	2024/25 baseline + fixed inflation	Growth Items	Proposed Reductions	Additional Reductions (Max)	Note	Cumulative 2024/25	Change
	(£)	(£)	(£)	(£)	(£)		(£)	
TOWN COUNCIL EXPENDITURE								
Staff Costs								
Gross Salaries, plus on-costs	246,000	258,040					258,040	4.89%
Staffing Contingency	-						0	
Staff Training	1,075	1,100					1,100	2.33%
Administration				-2,127		1	-2,127	
Stationery	550	575					575	4.55%
Photocopying	600	625					625	4.17%
Adverts (not elections)							0	
Postage	450	475					475	5.56%
Telephones/broadband/email	3,000	3,000					3,000	0.00%
Office Equipment	1,000	1,000					1,000	0.00%
Audit	1,700	1,700	20,000	-2,000	-8,000	2	11,700	588.24%
Subscriptions	2,750	2,900					2,900	5.45%
IT/hosted applications	4,500	4,625					4,625	2.78%
Website	400	400	2,500	-2,500		3	400	0.00%
Computer Maintenance	200	200					200	0.00%
Insurance	20,000	24,000					24,000	20.00%
Bank Charges	200	200					200	0.00%
Health & Safety	300	300					300	0.00%
Petty cash Misc.							0	
Data Protection Annual Subscription	35	35					35	0.00%
HR Advisory Service	1,800	2,000		-2,000		4	0	-100.00%
Travel training	500	500					500	0.00%
Civic & Councillors								
Mayors Allowance	2,000	2,000		-400	-600	5	1,000	-50.00%
Councillors Training	500	550					550	10.00%

	A	B	C	D	E	F	G	H
	2023/24	2024/25 baseline + fixed inflation	Growth Items	Proposed Reductions	Additional Reductions (Max)	Note	Cumulative 2024/25	Change
	(£)	(£)	(£)	(£)	(£)		(£)	
Civic Regalia	500	500					500	0.00%
Elections/Polls	-	0	15,000	-3,000	-4,500	6	7,500	
Mayoral Board	100	100					100	0.00%
Honorary Citizenship	200	100					100	-50.00%
Annual Report/newsletter	100	0					0	-100.00%
Plaques/pennants/gifts	200	100					100	-50.00%
Hospitality	500	500					500	0.00%
Contingencies	-						0	
Free Resource (Section 137)	150	150					150	0.00%
Events	2,000	2,000					2,000	0.00%
Legal Costs	500	600					600	20.00%
Building Management								
Gas	5,000	4,000					4,000	-20.00%
Electricity	9,000	10,000					10,000	11.11%
Water Rates	1,000	3,000					3,000	200.00%
Refuse Collections	500	500					500	0.00%
Rates							0	
Hygiene contracts	1,800	2,000					2,000	11.11%
Security Patrols	10,000	10,000		-10,000		7	0	-100.00%
Fire, Alarms callouts							0	
ADT Contracts	6,000	6,500					6,500	8.33%
ADT (R&M)	2,500	2,500					2,500	0.00%
Repairs & Maintenance	12,000	13,000	5,000	-5,000		8	13,000	8.33%
Cleaning/Hygiene Supplies	1,500	1,500					1,500	0.00%
Fixtures & Fittings	1,000	1,000					1,000	0.00%
Maintenance Reserve	500	0					0	-100.00%
Air Conditioning	6,000	6,300					6,300	5.00%
Heating System	5,000	5,250					5,250	5.00%

	A	B	C	D	E	F	G	H
	2023/24	2024/25 baseline + fixed inflation	Growth Items	Proposed Reductions	Additional Reductions (Max)	Note	Cumulative 2024/25	Change
	(£)	(£)	(£)	(£)	(£)		(£)	
Other Services								
Allotments	2,500	2,600					2,600	4.00%
Allotment Fence Stakesby	-						0	
Allotment Fencing Cala Beck	1,000	1,000					1,000	0.00%
Cholmley Allotment Caedmon's Trod Project	1,000	0					0	
Modern apprentice	3,500	3,500					3,500	0.00%
Grants	-						0	
Christmas Lights	25,000	25,000		-15,000	-10,000	9	0	-100.00%
Notice board	150	150					150	0.00%
Public conveniences	5,000	5,000					5,000	0.00%
Public conveniences (Water Charges)	15,000	43,000					43,000	186.67%
Spital Bridge - Residents Parking site							0	
Footbridge extension	-						0	
Contribution to Reserves							0	
War Memorial	250	250					250	0.00%
Harbour Story Board (R&M)	500	500					500	0.00%
Twining	100	100					100	0.00%
Welcome To Whitby sign maintenance	-						0	
Climate Emergency Engagement	1,000	1,000		-1,000		10	0	-100.00%
Victoria Spa Well maintenance	1,000	1,000					1,000	0.00%
Neighbourhood Plan	15,000	15,000		-10,000		11	5,000	-66.67%
Unitary engagement	12,500	12,500		-12,500		12	0	-100.00%
Christmas Festival	50,000	50,000		-3,500	-46,500	13	0	-100.00%
	487,110	534,425	42,500	-69,027	-69,600		438,298	-9.10%
TOWN COUNCIL INCOME								
Heading								
Other refunds misc.	4,000	4,200					4,200	5.00%
Other refunds PAG	4,000	4,200					4,200	5.00%
Allotments	1,300	1,400					1,400	7.69%

	A	B	C	D	E	F	G	H
	2023/24	2024/25 baseline + fixed inflation	Growth Items	Proposed Reductions	Additional Reductions (Max)	Note	Cumulative 2024/25	Change
	(£)	(£)	(£)	(£)	(£)		(£)	
PPM Office rental	2,500	2,500					2,500	0.00%
PPM Office telephone refund							0	
Christmas Lighting NYC	10,000	10,000		0	-10,000	9	0	-100.00%
WTC Bank Interest & Loyalty Reward	150	150					150	0.00%
PAG Commission	600	600					600	0.00%
Refunds Lit & Phil	10,000	10,500					10,500	5.00%
Art Galley/Museum - 60% Admissions	45,000	47,250					47,250	5.00%
Capital/Heritage Grants	5,000	5,000					5,000	0.00%
Armed Forces WP income							0	
Christmas Festival income	50,000	52,500			-52,500	13	0	-100.00%
Transfers from reserves							0	
Neighbourhood Plan	10,000	5,000					5,000	-50.00%
Community Donation Toilets	6,000	6,000					6,000	0.00%
Residents Parking							0	
Public Toilets	55,000	15,000	25,000		25,000	14	65,000	18.18%
Total	203,550	164,300	25,000	0	-37,500		151,800	-25.42%

	2023-24 (£)	Baseline 24-25 (£)		Cumulative 24/25 (£)	
Net Expenditure	487,110	576,925		438,298	
Net Income	203,550	189,300		151,800	
Precept to balance	283,560	387,625	36.70%	286,498	1.04%
Tax Base	4,947.97	4,972.10	0.49%	4,972.10	0.49%
Band D Equivalent Increase	£ 57.31	£ 77.96	£20.65 39p per week	£ 57.62	£0.31 0.5p per week

**WHITBY TOWN COUNCIL
COUNCIL MEETING – 9 JANUARY 2024**

APPLICATION FOR REGISTRATION OF ASSET OF COMMUNITY VALUE

1. Introduction

- 1.1. The town council has been approached to submit a bid to make an application to North Yorkshire Council to register the 3G pitch at Eskdale School and surrounding area including car park and access as an Asset of Community Value.

2. Request Received

- 2.1. The town council has been approached by a representative of the company, Social Enterprise International (ESI), which has been working with Eskdale school and 170 of its students teaching them about social and eco businesses and helping them with their own plans which included building their own ECO centre. ESI had granted the school £36,000 to help them with this work and students and teachers attended their Shared Wealth conference in Croatia in 2023 presenting their ideas including the vision of their own Eco Centre.
- 2.2. ESI had positive discussions with a national funder who could consider a grant given that Eskdale was within a disadvantaged ward and identified other funding sources they could approach. Furthermore ESI linked this with Fairbnb with whom they have a Social Licence Agreement - and agreed with them that if they launched in Whitby, thus bringing in sustainable tourism to the town, Fairbnb would make the school enterprises a beneficiary and would bring in a healthy and growing income that would contribute to the viability of for example a student inspired Eco Centre.
- 2.3. At the beginning of 2023 ESI also had informal discussions with the Sports Officer from North Yorkshire Council (SBC prior to 1 April). Amid indications from elsewhere that the land around Eskdale school may be under threat, ESI decided, as a locally based Not for Profit Company with a proven record of working in Whitby, that they were eligible to submit a request to make the pitch an Asset of Community Value. They consulted with a number of people and had a site visit before drawing up the map attached which was submitted with the application (Appendix A). North Yorkshire Council dismissed the request on the grounds that clauses in ESI's constitution indicated that its overall objectives were international and not local.
- 2.4. At a recent meeting of the Whitby Community Network it was suggested that the application should be made again through the Town Council. Consequently, ESI have made a formal approach to the council.

3. Registration Process and Consequences

- 3.1. An Asset of Community Value is defined as: A building or other land is an asset of community value if its main use has recently been or is presently used to further the social wellbeing or social interests of the local community and could do so in the future. The Localism Act 2011 states that 'social interests' include cultural, recreational and sporting interests.
- 3.2. Assets of Community Value need to be registered with a Local Planning Authority by a voluntary or community body with a local connection (for example a Parish

Council). Once listed, if an Asset of Community Value comes up for sale, the community have an opportunity to make a bid to purchase the asset. Initially there will be a period in which communities can express an intention to bid for an asset, this is followed by a period during which communities can prepare their bid. The owner cannot dispose of the asset during this time. The owner is under no obligation to accept the bid – the provisions do not restrict who an owner can sell their property to or at what price and communities bidding have no right of first refusal.

3.3. The parish (town) council is an eligible body to make an application. The process of registering a community asset places no obligation on the registrant other than it becomes the body that would be notified if the asset were to be put up for sale.

3.4. The community bid led by Social Enterprise International was dismissed by North Yorkshire Council on grounds that would not prevent a parish council led application. The town council has now been approached to submit a supplementary application on behalf of the community. That bid can utilise the same arguments as submitted (appendix A) and may also raise arguments about retaining a significant community asset, which has received recent grant funding for the young people of Whitby as a sports facility.

4. Conclusion

4.1. Representative of ESI will attend the meeting to respond to any questions raised by councillors.

Recommendation – That the council agrees to submit a bid to register the 3G pitch at Eskdale School and surrounding area including car park and access as an Asset of Community Value.

Michael King
Town Clerk & RFO

Previous application – extract

Section 2: About the asset**Section 2A: Basic details**

Please provide basic details about the asset

Type of land/building (for example, pub, shop)	Football pitch
Name of the premises	Eskdale 3G Pitch
Address of the premises	YO21 4HS

In addition to the above information, please attach a clear plan which identifies the land/buildings you wish to nominate with a line drawn around the boundary of the area you wish to nominate. This could be a Title Plan from Land Registry, or any other map which gives us enough detail to identify the site.

Section 2B: Ownership

Please provide details about the asset's ownership, if it is known to you

Name of the owner	North Yorkshire County Council
Address of the owner	North Yorkshire County County Hall, Northallerton, North Yorkshire DL7 8AD .
Contact details for the owner	Tel 03001312131
Name of any other occupier	Eskdale school
Name of any other person with an interest in the premises	120 students involved in the Speed project and several teachers
Address of any other person with an interest in the premises	Eskdale School
Contact details for any other person with an interest in the premises	Through the school

Section 2C: The premises as an Asset of Community Value

Please explain why you feel the land/premises meets the definition of an Asset of Community Value. Provide as much information as possible. Please note, it is likely that these comments will be shared with the asset owner.

ACV Definition

A building or other land in a local authority’s area is considered land of community value if, in the opinion of the authority:

- (a) an actual current use of the building or other land – that is not an ancillary use – furthers the social wellbeing or social interests of the local community; and
- (b) it is realistic to think that there can continue to be a non-ancillary use of the building or other land which will further (whether or not in the same way) the social wellbeing or social interests of the local community.

If there is no current use:

- (c) The definition is extended to land which has furthered the social wellbeing or social interests of the local community in the recent past, and which it is realistic to consider will do so again during the next five years.

How does the current main use of the building/land – or a use in the recent past – further the social interests or social well-being of the local community?

Social Enterprise International is company limited by guarantee, founded in 1994 and promotes businesses that are ethical, have social purpose, inclusive decision making and share their wealth fairly. For the past three years we have been running a European programme with schools in other European countries learning to set up and develop Shared Wealth Social Enterprises.

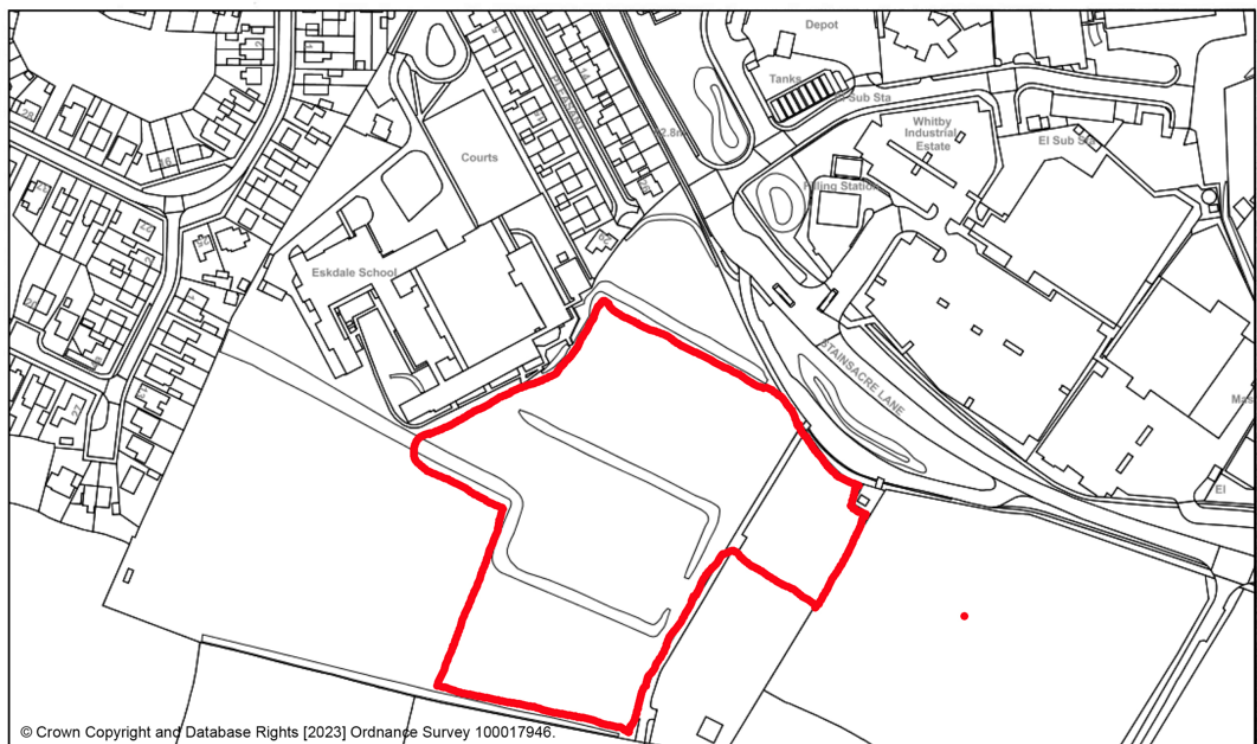
We chose Eskdale to the lead school and over the time of the project we have paid the school €36,000 to support their efforts as a partner in the project. We also organised a conference earlier this year in Croatia where students from Eskdale participated and show cased their progress and ideas.

From the project the main idea to emerge from the students has been to build their own Eco centre to house their enterprises and to support future generations wishing to do the same. Discussions with officers from the Council’s Sports department would initiate that there is an opportunity here to complement their own ideas of creating a Beth Mead centre on the 3G pitch at Eskdale.

We have set up Whitby Shared Wealth Social Enterprise Ltd as the legal vehicle to take the students’ enterprises and ideas forward. We have also signed a contract with Fairbnb whereas a percentage of fees from their holiday lets would be given to maintain the centre and also have set up a Our Community Store with another Shared Wealth Social Enterprise; LocoSoco PLC. Thus we have secured a revenue stream for the centre and have now submitted a number of bids between £650,000 and £150,000 to build the centre. We are very disappointed with the decision to close the school and are alarmed at the possibility that the land including the Sports field may be sold. We are there submitting this application to make the field a Community Asset of Value in in order to protect the investment we have made with the young people of Eskdale and keep their aspirations alive

How does the current main use of the building/land – or a use in the recent past – further the social interests or social well-being of the local community?

Limited use – see Eskdale School and Council Sports Department



Please explain how there can continue to be a main use of the building/land which will further the social interests or social wellbeing of the local community, whether or not this is in the same way as before.

1. The Future of Humanity - is what the students have called their projects. The enterprises are built on the successful Eco Club started by Geography teacher Rachel Winspear. Young people in Whitby are very concerned about the environment and climate change and worry about their future. The Eco Centre is a way of housing and fostering their Eco Projects (such as the refill station) and involving other young people and the community

2. Better way of doing business. The students have embraced the Shared Wealth Social Enterprise idea - understanding that ethics and social purpose as well as fair wealth sharing is the way forward to create a sustainable future. Such businesses create motivated workers, loyal customers and incentivised investors. Such companies create a fairer supply chain, creating wealth for ethical suppliers and communities rather than obscene profits for the owners of other supply chain controllers such as Amazon. Through SEi Eskdale students have been inspired by meeting CEOs of such successful companies from other European countries, Africa, Asia and South America.

3. Holiday Let and Second Home crisis: The partnership with Fairbnb is the young people taking an initiative in solving an enormous and growing problem in Whitby. SEi persuaded Fairbnb to launch in the UK in York and Whitby. Itself a Shared Wealth Social Enterprise Fairbnb supports the sustainability of communities threatened by over tourism by only accepting locally owned Hosts with only one property. They are decentralised and will pay local people to support their work, they donate 25% of their fees to a local project which will be the Eco Centre when built; their market research predicts an annual income for the centre of over £30,000 in the first year growing in following years. Supporting the centre will also support young people to find innovative solutions (learnt in the Speed project) to the problems of over tourism in Whitby and surrounding villages.

4. Leadership. The whole thrust of the Speed project run by SEi across Europe was around the potential for young people to become leaders in their community. Moreover Eskdale was earmarked to become a leading school in the UK showing how students could set up their own social enterprises. All of this has been undermined by the decision to close the school. The idea of creating a Beth Mead Eco centre salvages that idea.

5. Beth Mead and Sports. The tie in with the Council Sports department bring in additional benefits around sports facilities especially for young girls now inspired by the like of Beth and her fellow Lionesses. It also makes the centre more viable as we widen the range of revenue and funding sources. Collaboration with the Council in creating a major centre of National significance will go somewhere in repairing the self inflicted damage to the council by making a poor decision to close the school following a badly run consultation process.

Please explain how there can continue to be a main use of the building/land which will further the social interests or social wellbeing of the local community, whether or not this is in the same way as before.

6. The Music Event. The Students have been working with an Events organiser brought in by SEi to create a high profile music event to celebrate the innovation and social enterprise of the young people of Whitby. They have created a pitch and Sponsors are being approached. The proposed pitch and Eco centre would be a perfect venue for the event and could be used to launch the Eco Centre

If not currently used for the purposes listed above, is it realistic to think that within five years the building/land can be brought back into a use that furthers the social interests or wellbeing of the local community, whether or not in the same way as before?

With active Council, Sport Bodies support and collaboration with:

The young people of Whitby
Sei and the partner companies (LocoSoco PLC, Media Culture, Fairbnb, Beyond green, Whitby Shared Wealth SE)

We should be able to raise the funds and build the centre within a year and look to a launch in 2024 that mitigates against the damage and loss of faith in the Council caused by the decision to close the school.

**WHITBY TOWN COUNCIL
COUNCIL MEETING – 9 JANUARY 2024**

RESPONSE TO EXTERNAL AUDITOR'S REQUEST FOR INFORMATION

1. Introduction

- 1.1. As part of the limited assurance review of the 2022-23 accounts and annual governance and accountability return (AGAR), PKF Littlejohn, the council's appointed external auditor, has requested a formal response to part of one of twelve objections originally raised by an elector of the parish.

2. Background

- 2.1. During the period of public inspection, following publication of the council's annual accounts, Section 27 of the Local Audit and Accountability Act 2014 (the 2014 Act) provides that local government electors for an area may object to the Council's accounts concerning a matter in respect of which the auditor could:
- make a public interest report under paragraph 1 of Schedule 7 of the 2014 Act. Paragraph 1 of Schedule 7 of the 2014 Act provides that auditor must consider whether, in the public interest, they should make a report on any matter coming to their notice during the audit and relating to the Council or an entity connected with the Council, so it can be considered in accordance with Schedule 7 of the 2014 Act or brought to the public's attention; and/or
 - make an application to the court for a declaration that an item of account is contrary to law under section 28 of the 2014 Act.
- 2.2. Section 27 requires that objections must be made in writing and copied to the Council.
- 2.3. Regulation 14 of the Accounts and Audit Regulations 2015 (the 2015 Regulations) provides that objections may only be made in a single 30-day period of which notice has been given under Regulation 15 of the 2015 Regulations.
- 2.4. Regulation 17 of the 2015 Regulations provides that a notice of objection under Section 27 of the 2014 Act must specify:
- the facts on which the local government elector relies;
 - the grounds on which the objection is being made; and
 - so far as is possible, particulars of any item of account which is alleged to be contrary to law; and any matter in respect of which it is proposed that the auditor could make a public interest report under section 24 of and paragraph 1 of Schedule 7 to the 2014 Act.
- 2.5. Furthermore in March 2023, in exercise of the power in paragraph 9 of Schedule 6 of the 2014 Act, the National Audit Office, on behalf of the Comptroller and Auditor General, issued Auditor Guidance Note 4: Auditors' Additional Powers and Duties (AGN 04). Paragraphs 19 to 28 of AGN 04 provide guidance on determining whether an objection is eligible. We must have regard to that guidance.
- 2.6. Under these provisions, an elector of the parish has raised objections to the 2022-23 accounts and AGAR.

3. Overview of the objection process, timescales and costs

3.1. The auditor has provided a brief explanation of the objection process for information:

- Step 1 – eligibility:
 - Receipt of objections;
 - Assessment of objections against eligibility criteria;
 - Notification of eligibility decisions – copied to Council (this email); and
 - Confirmation of objector's electoral status.
- Step 2 – acceptance:
 - Assessment of eligible objections against acceptance criteria; and
 - Notification of acceptance decisions – copied to Council.
- Step 3 – consideration & decision:
 - Request for information including formal response from Council in respect of accepted objections (copied to objector);
 - Analysis of accepted objections and information received from Council;
 - Request for further clarification/information from objector and/or Council if required (copied to objector/Council);
 - Collation and redaction of material documents as appropriate;
 - Sharing of material documents if not previously shared with objector;
 - Analysis of comments received on material documents;
 - Determination of accepted objections;
 - Decision letter including statement of reasons issued to objector (copied to Council);
 - Statutory reporting issued to Council if appropriate (copied to objector); and
 - Appeal period if our decision is not to apply to the Courts regarding an alleged unlawful item of account (21 days).
- Following completion of the challenge work:
 - Completion of our limited assurance review of the AGAR
 - External auditor report, including any challenge related reporting matters, and certificate on 2022/23 AGAR issued to Council along with invoice for the limited assurance review and the additional work as a result of challenge correspondence received.

3.2. The auditor is required to make best endeavours to complete Step 1 within a week of receipt, then Step 2 within a further month, then Step 3 within a further six months. Where they are not able to decide the objection within six months, they will inform the objector and the authority. If they have not been able to conclude in the meantime, they will provide further updates on progress every three months until the objection is decided.

3.3. All the costs of any additional work that the auditor carries out as a result of challenge correspondence received are met by the Council (and therefore the local taxpayers through increased council tax). The costs are set by Smaller

Authorities Audit Appointments Ltd (SAAA) and such work is carried out by an engagement lead at a cost to the authority of £355 per hour plus VAT, i.e. £2,485 per day plus VAT. In the original response to the objector in July 2023, it was pointed out that if they wished, "to withdraw any or all of your objections to the AGAR, this can be done at any point in the process. We will still consider whether in our view the withdrawn objections have an impact on the 2022/23 AGAR or on our report on the AGAR before completing our limited assurance review of the AGAR; however, the additional reporting stages of the process will be avoided and so the costs to the Council will be lower." The objector did not choose to withdraw any of the original objections.

4. Progress to Date

- 4.1. Receipt of the twelve objections was acknowledged on 26 July 2023.
- 4.2. Step 1 was completed, and an acknowledgement sent by the auditor on 23 August 2023. Three objections and part of one other were ruled ineligible at this stage.
- 4.3. Step 2 was completed, and an acknowledgement sent by the auditor on 6 December 2023. This identified part of one objection as accepted for further consideration. The remaining eight objections were not accepted. The town council has now been invited to consider its response at a meeting of full council. As the identity of the objector is not for publication, it may be necessary to exclude the public and press from any discussion of this item which might otherwise identify the objector.
- 4.4. Members will note that in respect of any supplementary submissions by the objector, the auditor has said they will consider "whether any of the information brought to our attention has an impact on the AGAR or on our report on it before completing our work". It is important to note that these, "have not been accepted for further investigation". They may ask for further specific information, but these would need to go through a similar process.
- 4.5. The attached draft formal response has been prepared to objection 2c – note that the auditor's instruction is to respond only to the accepted objection.
- 4.6. As instructed, this applies relevant guidance to the "detailed concerns raised by the objector in their original objections" insofar as these relate to 2c for council's consideration.

5. Conclusion

- 5.1. Council is requested to consider its formal response to the auditor's request (appendix A).

Recommendation – That draft response attached (appendix B) is approved and submitted to the external auditor.

Michael King
Town Clerk & RFO

Extract of email received from PKF Littlejohn 6 December 2023

Further to our email below, please could you collate and take to a full Council meeting for approval the Council's formal response to the accepted objection along with relevant supporting documentation (or links to it). The accepted objection is as follows:

Objection 2: You object to the response given to Assertion 3 of the 2022/23 AGAR in respect of the Council's processing of FOIA requests which you assert is not compliant with the terms of the Act.

Comments: We note that this objection relates to the response given in Assertion 3 of the Annual Governance Statement and includes the following elements:

- a. that the Clerk/RFO's email disclaimer is ultra vires in relation to FOIA requests and inappropriate;
- b. that the Council's disclosure log is not located on the website although it is listed on the Council's publication scheme; and
- c. that the Council's FOIA responses must be published.

We do not accept parts a and b of this objection for further consideration. In our view, the email disclaimer is clear and precise and refers to unintended recipients of the email. We note that there is no disclosure log on the website, but also that this is not a statutory requirement.

In respect of part c of the objection, we note that the ICO model publication scheme for local councils includes the following extract:

'As a public authority, you must publish under your publication scheme any dataset you hold that has been requested, together with any updated versions, unless you are satisfied that it is not appropriate to do so. So far as reasonably practicable, you must publish it in an electronic form that is capable of re-use.'

We have not found such information on the Council's website, nor a link to such information on an external website and wish to investigate this further with the Council.

Conclusion: We accept only part c of this objection for further consideration.

Within the response, and **in respect of the accepted objection only**, please address the detailed concerns raised by the objector in their original objections (attached). Please note that if approval of the formal response is carried out in a public session, the objector's identity must be protected in discussion and redacted in the agenda papers.

Please submit this response and supporting evidence to us (copied to the objector) by email by **28 February 2024**; this date can be flexed if necessary to fit in with the Council's meeting schedule.

Response

In principle, the council's position is based on the Information Commissioner's Office (ICO) guidance on reproducing datasets released in response to Freedom of Information Act 2000 (FOIA) requests being specific to 'datasets' as defined in S11(5) of the FOIA. The requests made under FOIA to which the objector refers do not fit that definition and therefore the relevant guidance has been followed.

The guidance quoted does not require that the council publishes its response to every FOIA request, simply that it publishes, "*any **dataset** you hold that has been requested, together with any updated versions*".

There is no evident requirement that individual requests are published, merely that a disclosure log is maintained as part of the publication scheme. Insofar as any dataset is requested, it would be published under the relevant heading of the publication scheme. It should be noted that the FOIA requests relating to the objections raised were not made during 2022-23 and did not include information covered by the dataset definition. The council has no record of any FOIA request for information meeting the definition of a dataset.

Detail of the relevant part of the objection raised:

In the relevant part of the objection raised on 'Freedom of Information Compliance' and in relation to the standard email disclaimer, the objector asserts that:

To suggest that FOIA responses could be "intended for the addressee only" is perverse. You will be aware that FOIA responses must be published into the public domain.

The town council can find no substantiation for this assertion in law or relevant statutory guidance.

The external auditor has noted that in respect of part c of the objection, the ICO model publication scheme for local councils includes the following extract:

'As a public authority, you must publish under your publication scheme any dataset you hold that has been requested, together with any updated versions, unless you are satisfied that it is not appropriate to do so. So far as reasonably practicable, you must publish it in an electronic form that is capable of re-use.'

The following is taken from the relevant ICO guidance on datasets within the terms of the FOIA 2000 (<https://ico.org.uk/media/for-organisations/documents/1151/datasets-foi-guidance.pdf>).

The dataset provisions contain no additional right to obtain information that is not otherwise accessible under FOIA. They are about providing the information in a re-usable form and making it available for re-use, *if it is a dataset*.

A dataset is a collection of factual information in electronic form to do with the services and functions of the authority that is neither the product of analysis or interpretation, nor an official statistic and has not been materially altered.

A re-usable form means that the dataset is in a machine-readable form and based on open standards.

The term “dataset” is defined in subsection 11 (5) of FOIA. This definition contains a number of elements.

(5) In this Act “dataset” means information comprising a collection of information held in electronic form where all or most of the information in the collection

(a) has been obtained or recorded for the purpose of providing a public authority with information in connection with the provision of a service by the authority or the carrying out of any other function of the authority

(b) is factual information which

(i) is not the product of analysis or interpretation other than calculation

(ii) is not an official statistic (within the meaning given by section 6(1) of the Statistics and Registration Service Act 2007)

(c) remains presented in a way that (except for the purpose of forming part of the collection) has not been organised, adapted or otherwise materially altered since it was obtained or recorded.

In section 106 of the datasets FOIA guidance noted above, it states: ‘If the information is not exempt from disclosure, then the public authority should check whether it is or forms part of a dataset as defined in section 11 (5). **If it does not meet that definition, then the FOIA duties relating to datasets do not arise.** If it is a dataset, FOIA requires public authorities to provide it in a form capable of re-use.’

**WHITBY TOWN COUNCIL
COUNCIL MEETING – 9 JANUARY 2024**

COMMITTEE PLACES

1. Introduction

- 1.1. Following the decisions of previous meetings, the current composition of committees is set out at Appendix A.
- 1.2. Cllr Abbott has confirmed that he is willing to be nominated to the vacancy on TD&I.

2. Filling of Vacancies

- 2.1. A vacancy has arisen on the Town Development & Improvement Committee.

Recommendation – That nominations be taken to fill any vacancies.

Michael King
Town Clerk & RFO

PLANNING COMMITTEE 7 MEMBERS (quorum 4) (Subs 2 training required)
Cllr R Dalrymple
Cllr G Goodberry
Cllr J Harston
Cllr S Hinchliffe
Cllr J Nock
Cllr Mrs N Wilson
Vacant
Sub. vacant
Sub. vacant

PANNETT ART GALLERY & WHITBY MUSEUM JOINT MANAGEMENT COMM. 9 MEMBERS (quorum 6) (Subs 2)
Cllr Mrs A Brown
Cllr Mrs H Coughlan
Cllr R Dalrymple
Cllr A Jones
Cllr J Nock
Cllr C Riddolls
Cllr S Smith
Cllr Mrs L Wild
Cllr Mrs N Wilson
Sub. Cllr Mrs S Turner
Sub. vacant

HUMAN RESOURCES 7 MEMBERS (quorum 4)
Cllr Mrs H Coughlan
Cllr R Dalrymple
Cllr G Goodberry
Cllr J Harston
Cllr Mrs S Turner
Cllr Mrs L Wild
Cllr Mrs N Wilson

PANNETT ART GALLERY COMMITTEE 7 MEMBERS 7 OF 9 FOR JOINT MANAGEMENT (quorum 4) (Subs 2)
Cllr Mrs A Brown
Cllr Mrs H Coughlan
Cllr R Dalrymple (Ex Officio)
Cllr A Jones
Cllr J Nock
Cllr C Riddolls
Cllr Mrs L Wild
Cllr Mrs N Wilson
Sub. Cllr Mrs S Turner
Sub. vacant

FINANCE POLICY & GENERAL PURPOSES COMMITTEE 7 MEMBERS (quorum 4) (Subs 3)
Cllr Mrs H Coughlan
Cllr R Dalrymple
Cllr J Harston
Cllr A Jones
Cllr Mrs S Turner
Cllr Mrs L Wild
Cllr Mrs N Wilson
Sub. Cllr A Abbott
Sub. Cllr G Goodberry

TWINNING SUBCOMMITTEE (Finance & General Purposes) 6 MEMBERS
Cllr A Abbott
Cllr Mrs H Coughlan
Cllr R Dalrymple
Cllr A Jones
Cllr Mrs L Wild
Cllr Mrs N Wilson
Sub. Cllr J Harston
Sub. Cllr J Redfern

EVENTS SUBCOMMITTEE (Finance & General Purposes) 6 MEMBERS
Cllr R Dalrymple
Cllr Mrs Coughlan
Cllr P Croft
Cllr Mrs H Sumner
Cllr Mr L Wild
Cllr Mrs N Wilson
Sub. Cllr J Harston
Sub. Cllr S Hinchliffe

TOWN DEVELOPMENT & IMPROVEMENT COMMITTEE 7 MEMBERS (quorum 4)(Subs 3)
Cllr Mrs A Brown
Cllr Mrs H Coughlan
Cllr R Dalrymple
Cllr J Harston
Cllr J Nock
Cllr Mrs L Wild
Vacancy
Sub. Cllr A Jones
Sub. Cllr S Hinchliffe

CHRISTMAS LIGHTS SUBCOMMITTEE (Town Development & Improvement) 6 MEMBERS
Cllr Mrs A Brown,
Cllr Mrs H Coughlan
Cllr P Croft
Cllr S Smith
Cllr Mrs L Wild
Cllr Mrs N Wilson

ALLOTMENTS SUBCOMMITTEE (Town Development & Improvement) 6 MEMBERS
Cllr Mrs A Brown
Cllr R Dalrymple
Cllr A Jones
Cllr C Riddolls
Cllr M Harrison
Sub. Cllr J Harston
Sub. Cllr Mrs S Turner

HARBOUR COMMITTEE 7 MEMBERS (quorum 4) (Subs 2)
Cllr R Dalrymple
Cllr G Goodberry
Cllr A Jones
Cllr J Redfern
Cllr C Riddolls
Cllr Mrs S Turner
Cllr Mrs L Wild
Sub. Cllr A Abbott
Sub. Cllr P Croft

Vacancy To Be Filled by Co-option

As reported by email to members at the beginning of December, no applications for co-option were submitted by the deadline set for receipt.

It was decided, in consultation with the Town Mayor, that the extraordinary meeting which was to be held on Tuesday 5 December should be cancelled.

Council must now consider its next steps to co-opt to the vacancy.

It is suggested that the vacancy is readvertised. Once valid nominations are received these will be submitted to the next ordinary meeting of full council for consideration. There will therefore be a rolling cut-off date of noon on the Tuesday preceding council, starting with the March meeting. If required, nominations would re-open on 6 March, subject to approval by Council.

The timetable would be:

Advertise the vacancy	10 January
Nominations close (temporary if required)	27 February (noon)
Full Council	5 March

Recommendation – that the timetable for co-option is approved.

Report of Councillor Neil Swannick, representing Whitby Streonshalh on North Yorkshire Council (NYC) to Whitby Town Council (WTC), Tuesday 9 January 2024.

- 1) Recently selected to join NYC Waste Harmonisation Task and Finish Group due to past waste management experience. Initial task to advise Executive Member on integration of Waste Collection across all former districts.
- 2) Received briefing on the Alpamare facility in Scarborough following the water park operator going into administration.
- 3) Met with parents of children at Eskdale and Caedmon schools concerned about the preparations for merger in September 2024.
- 4) Encouraged residents to take part in consultation on Harbourside Public Realm proposals commissioned by Whitby Town Deal Board. Was interviewed on BBC Look North and successfully pressed NYC officers to make the consultation more accessible by providing display boards to East Side Community Centre, Green Lane Centre and Marton Court, and further staffed consultation sessions at Whitby Leisure Centre in December.
- 5) At Scarborough and Whitby Constituency Consultative Committee in December, was able to quiz representative of Yorkshire Water on the state of water quality in Whitby harbour and learned of £1.3M to be spent in Whitby on separating storm water from sewage system. Asked the relevant NYC director about dredging of Whitby harbour.
- 6) Attended my first meeting of North East Inshore Fishing Conservation Authority in Beverley in December as representative of NYC. Reported to them that NYC had still not received a reply from the Secretary of State for DEFRA to NYC's letter calling for a Public Enquiry into the crustacean die-offs and compensation for the fishing communities.
- 7) Received briefing on the current NYC Budget proposals. Further meetings to take place through January and February to decide level of Council Tax and discuss savings to be made to address cumulative shortfalls of £33M in 24/25, £60M in 25/26 and £83M in 26/27.

I am happy to take questions on these and any other relevant issues in the part of the WTC Full Council meeting allocated to NYC Councillor reports,

Councillor Neil Swannick

a) Remembrance

The community Act of Remembrance at the war memorial, Dock End took place on Sunday 12 November. Councillors assembled before the event at 10:45 with the parade of Air cadets and Veterans onto Dock End. The two minutes' silence was at 11:00, followed by the formal wreath laying. At the end of the ceremony, the Veterans and Air Cadets marched onto Endeavour Wharf.

The religious Service of Remembrance took place at St Mary's Church at 14.30.

b) Christmas Festival

The annual Christmas Festival took place on the Marina Front Car Park from the evening of Friday 17 November, including the Christmas Lights switch on. The market traders were in attendance throughout. There was a firework display on the Saturday evening and entertainment across all three days of the festival.

c) Outcome of Town Poll

A letter was sent to Jacob Young, the Parliamentary Under Secretary of State with responsibility for local growth funding delivery, including the Whitby Town Deal, setting out that Whitby Town Council has considered the outcome of the town poll called by electors of the parish of Whitby and conducted by North Yorkshire Council on 6 October 2023. The conclusion of that poll, on a turnout of 3.07% from an electorate of 10,103, was (as published by NYC). The letter concluded that, in response, at its meeting on 7 November 2023, Whitby Town Council resolved to petition the Department for Levelling Up, Housing and Communities to draw the Secretary of State's attention to the significance of the views expressed in the Town Poll called by local electors and seek that he takes appropriate and proportionate action.

d) Double Devolution

NYC forwarded an outline business case template to be completed for evaluation by its officers as part of progressing the project. As the template relies heavily on information on the scope and costs of current services which can only be provided by NYC, an initial meeting with NYC officers was arranged to work out what information they have and how that might relate to populating the business case. We need a first cut of this information so that the town council can take a view on what its objectives ought to be and what opportunities there may be in progressing double devolution.

From what we have learnt about the development of services under NYC, I anticipate that, given assured and steady funding for the parks service, the improvements from local control ought to come from shorter lines of communication to local people, better use being made of the first hand knowledge of the gardeners and procurement from local suppliers.

NYC officers are continuing to identify relevant information and a further meeting is planned for January.

e) Council Taxbase 2023 in England published

Further to the notification of the 2024 council taxbase for Whitby from NYC), DLUHC published current [data on the number of properties liable for Council Tax in 2023 in England](#).

The report gives summary totals of the number of dwellings, the number that are exempt from Council Tax, and the number liable for Council Tax. It also provides details on the number of dwellings that receive council tax discounts, premiums, and exemptions.

f) Swing Bridge

Other than the press release previously forwarded, there has been no official word from North Yorkshire Council about any proposed new dates for the Swing Bridge works to take place. Any enquiries from the public have been directed to the Unitary Authority and to Councillors Swannick and Trumper.

Confirmation of the NYC Executive Director, Mr Battersby's availability is awaited.

g) Public Toilets

It has been confirmed by Danfo that the Pier Road cashless machine is now up & running and that they will continue to monitor the network connection in the area.

h) Electrical Work

The repairs and maintenance work to the electrical circuits and outlets in the gallery and museum began in the week commencing 5 December and is largely complete. The museum and gallery are both closed to the public in December and January.

i) Public Sector Equality Duty: guidance for public authorities

The Government Equalities Office has published guidance for all public authorities, including councils, regarding the Public Sector Equality Duty in their policies, programmes and services

The general duty requires public authorities, in the exercise of their functions, to have due regard to the need to:

- eliminate unlawful discrimination, harassment, victimisation and any other unlawful conduct prohibited by the act.
- advance equality of opportunity between people who share and people who do not share a relevant protected characteristic.
- foster good relations between people who share and people who do not share a relevant protected characteristic.

These are sometimes called the 3 aims of the duty.

The relevant protected characteristics are:

- age
- disability
- gender reassignment
- pregnancy and maternity
- race
- religion or belief

- sex
- sexual orientation

Someone has the protected characteristic of gender reassignment if they are proposing to undergo, are undergoing or have undergone a process or part of a process to reassign their sex by changing physiological or other attributes of sex. Authorities should take care to undertake their assessment by reference to the protected characteristics set out in the act.

j) Information sent separately

- £1.3m Whitby investment
- 20mph matters for Vision Zero zoom w Speakers: Thur 4th Jan 7pm - preregister Jeremy Leach & a City of York Council Officer
- 20s Plenty Reminder
- A Basic Understanding of the Planning System Webinar - Tuesday, 14 November
- Adoption of the North York Moors Dark Skies Supplementary Planning Document
- Analysis of parish precepts 2023/2024
- Appointing, Structuring and using Committees for Council Work Webinar - Wednesday, 22 November
- Biodiversity Webinar - Wednesday, 10 January
- Breakthrough Communications Webinar Training Sessions December 2023 to March 2024
- Budget Proposals
- CANCELLATION - Extraordinary Council - 5 December
- Celebrate Waste Reduction Efforts in your Area this #BuyNothingNewMonth
- Chairing Skills Part 1 & 2 Webinar Sessions - January 2024
- Coastal Health Needs Assessment
- Council Vacancies Webinar - Tuesday, 5 December
- D Day 80 - letter and information from the Pageantmaster, Bruno Peek
- East Marine Plan Statement of Public Participation (SSP) consultation
- Extraordinary Council - Change of Date
- Finance and Budgeting Webinar - Tuesday, 28 November
- Friends of Pannett Park Notes
- Future of seaside towns: Government response
- Help with employability workshops and mock interviews at Eskdale School
- Introductory Webinar for the North Yorkshire & York Local Nature Recovery Strategy (LNRS)
- Late night economy/CIZ, Saturday 16/12
- Marine Planning Newsletter Autumn 2023
- Meetings of HR and Pannett Art Gallery Committees
- Merry Christmas from Commissioner Zoë Metcalfe and her team at The Office of the PFCC
- NALC Chief Executive's Bulletin
- NALC EVENTS
- NALC NEWSLETTER
- NALC STAR COUNCIL AWARDS 2023
- NALC/SLCC MODEL AND TEMPLATE CONTRACTS OF EMPLOYMENT (for new employees)
- New schedule to be drawn up for Whitby Swing Bridge renovation
- Nimble E-Learning
- North Yorkshire and York LNP Update
- North Yorkshire Council - Draft Statement of Community Involvement
- Parish Online mapping and website sessions

- PLANNED 40mph NOTIFICATION - 42806 Banial Flats Whitby
- PLANNED ROAD CLOSURE NOTIFICATION - 18818 North Terrace
- PLANNED ROAD CLOSURE NOTIFICATION - 42819 High Stakesby Road
- PLANNED ROAD CLOSURE NOTIFICATION - emergency 18760 Silver Street
- PLANNED ROAD CLOSURE NOTIFICATION - emergency 43016 Abbots Walk
- Police Council Reports
- Resolutions of the Annual Town Assembly – Response on Community Governance Review Request
- RMTG Area Profiles
- Spoof emails
- Tell Commissioner Zoë how much you think should be invested in policing and fire and rescue services in North Yorkshire and York
- Ticket #1804963: Parish Meeting
- Tim Forber named as preferred candidate for North Yorkshire Police Chief Constable
- Town Assembly - 19 December 2023
- Town Assembly Meeting - 19th December 2023
- URGENT - Re: WHITBY TC - OBJECTIONS TO 2022/23 AGAR - ACCEPTANCE DECISIONS
- Various Finance Related Webinar Training Courses
- Visitor economy to be promoted with launch of new partnership
- WCN Meeting Agenda Monday 20th November
- WEBINAR INVITE: Northern Powergrid's Transparency in Network Planning
- Welcome to the latest council news from North Yorkshire
- Welcome to your December issue of Rural News
- Whitby harbourside public realm - further exhibition dates, and consultation materials in community centres
- Whitby RNLI Minutes 2023
- WHITBY TC - OBJECTIONS TO 2022/23 AGAR - ACCEPTANCE DECISIONS
- WHITBY TC - OBJECTIONS TO 2022/23 AGAR - REQUEST FOR INFORMATION FROM COUNCIL
- White Rose Bulletin - 17 November
- YLCA A Basic Understanding of the Planning System Webinar
- YLCA Councillors Discussion Forum - Thursday, 14 December
- YLCA Finance and Budgeting Webinar - Tuesday, 28 November
- YLCA Information Training Bulletin 4-14 December
- YLCA Law & Governance Bulletin December 2023
- YLCA November Law and Governance Bulletin
- YLCA WEBSITE
- YLCA White Rose Bulletins
- Yorkshire Society - Season's greetings, news and some important announcements
- Yorkshire Society - November newsletter and important announcements