



PANNETT PARK | WHITBY | YO21 1RE
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Dear Councillor,

9 May 2024

You are **summoned** to attend the **ANNUAL MEETING** of the **TOWN COUNCIL OF WHITBY** to be conducted Pannett Gallery on **Tuesday 14 May 2024 at 6:00pm**, the agenda for which is set out below.

Michael King
Town Clerk

To: Councillors Abbott, Barnett, Brown, Coughlan, Dalrymple, Goodberry, Harrison, Harston, Layman, Nock, Mulheran, Redfern, Riddolls, Smith, Sumner, Turner, and Wild

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

AGENDA

1. **ELECTION OF TOWN MAYOR FOR THE MUNICIPAL YEAR 2024-25**
2. **ELECTION OF DEPUTY TOWN MAYOR FOR THE MUNICIPAL YEAR 2024-25**
3. **APOLOGIES FOR ABSENCE**
To receive and resolve upon apologies for inability to attend.
4. **DECLARATION OF INTERESTS**
To declare any interests which members have in the following agenda items.
5. **PUBLIC PARTICIPATION**
Standing Orders will be suspended for up to 15 minutes to allow for questions or statements submitted by members of the public¹ (limited to 3 mins per person).
6. **EXTERNAL REPORTS**
To receive reports on behalf of external bodies if present
 - a. North Yorkshire Police
 - b. North Yorkshire Council
7. **MINUTES**
 - a. To approve, as an accurate record, minutes of the following meetings:

i. Council	5 March 2024	7
ii. Extraordinary Council	7 May 2024	13

b.	To receive the (draft) minutes of the following meetings:		
i.	Human Resources	12 March 2024	17
ii.	Pannett Art Gallery	19 March 2024	19
iii.	Planning & Licensing	26 March 2024	21
iv.	Finance Policy & General Purposes	9 April 2024	25
v.	Planning & Licensing	16 April 2024	29
vi.	Town Development & Improvement	23 April 2024	33
vii.	Extraordinary Human Resources	30 April 2024	35
viii.	Planning & Licensing	30 April 2024	37
ix.	Extraordinary Human Resources	7 May 2024	41

8. COMMITTEE RECOMMENDATIONS

**a. Finance, Policy & General Purposes Committee
433/23 APPROVAL OF EXPENDITURE**

RECOMMENDED that the schedule of expenditure up to 29 February 2024 in the sum of **£43,689.47** (as attached) is approved. 26

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

9. ITEMS FOR REVIEW AT THE ANNUAL MEETING OF THE TOWN COUNCIL 43

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

Recommendation: a) That the revised Standing Orders, Financial Regulations, Policies, Procedures, Scheme of Delegation and Terms of Reference of Committees, forming the town council's constitution and approved by Council on 5 March 2024 (394/23), be adopted;
b) That further revisions to Financial Regulations arising from the 2024 Model Document circulated by YLCA on behalf of NALC are referred to Finance Policy & General Purposes Committee for consideration and recommendation to Council for approval and adoption in July 2024.

b. APPOINTMENT OF MEMBERS TO EXISTING COMMITTEES 45
A list of Councillors' preferences is attached.

i **Appointment by poll, of the membership of committees which are over-subscribed** (Finance Policy & General Purposes and Human Resources). The over-subscribed committee to be considered in turn. A poll will be held in which each member may vote for as many candidates as there are committee places (7). Under Standing Order 8b), where there are two or more vacancies to be filled, the name of the person having the lowest number of votes shall be struck off the list and a fresh vote taken until the number of candidates equals the number of vacancies. A tie in votes may be settled by the casting vote exercisable by the Chair of the meeting.

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

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

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

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

Recommendation: That the current arrangement be noted.

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

A list of those currently appointed is attached

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

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

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

Recommendation: That Asset Register as approved by Council on 5 March (393/23b), be adopted.

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

Recommendation: To note that all insurance cover in respect of the art gallery (and museum building), the councils services and public liability is assigned to Gallagher – specialist broker at an annual net cost of £14,362.22 (2024-25). A separate policy covering the public toilets, is renewable in July. The 2023-24 premium was £10,846.29.

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

Recommendation: (a) To note that the town council is a member of the Yorkshire Local Councils Associations (& National Association of Local Councils) at an annual subscription (2024-25) of £1,589.00 ; and
(b) To note that the Clerk and Deputy Clerk are (contractually) members of the Society of Local Council Clerks at an annual subscription (2024) of £546.67.

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

Recommendation: To note that, subject to audit, the net expenditure incurred under section 137 of the Local Government Act 1972 in 2023-24 was £0.00.

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

Attached

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Recommendation: That Council adopts the attached calendar of meetings.

10. NOTICES OF MOTION

MOVED by Cllr Layman, seconded by Cllr Riddolls

- a. The Council seek funding for, and identify a suitable location for, the installation of disabled toilet facilities on the East side of town and to provide the facilities in a timely manner.

MOVED by Cllr Layman, seconded by Cllr Riddolls

- b. With the impending closure of Barclays and Halifax banks, the number of free-to-use Automated Teller Machines (ATMs) in the main area of the town will be reduced to 5 with just 2 available to the public outside of normal business hours. The Council to actively engage with the banking industry to secure more out-of-hours accessible ATMs with particular attention to the East side of town.

11. APPROVAL OF EXPENDITURE TO 31 MARCH 2024

51

Attached a note of expenditure falling in 2023-24 after the items considered at the FP&GP meeting on 4 April – Item 8(a), above, refers.

12. APPROVAL OF QUOTATION FOR REPLACEMENT BOILER

53

To approve the quotation received for replacement of the ideal boilers heating the Museum extension, under an extension of the maintenance contract with the council's existing heating contractor.

13. ESKDALE SCHOOL 3G PITCH

55

To consider representation made by interested parties in relation to the proposed registration of the Eskdale School 3G Pitch as an Asset of Community Value.

14. PLANNING APPLICATION

To consider a response to Planning Application ZF24/00491/RG3 - Erection of a three-storey building for marine based activities with associated car parking, vehicle and pedestrian access roads, footpaths and limited soft landscaping; Endeavour Wharf Langborne Road Whitby North Yorkshire YO21 1YN

<https://planning.scarborough.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=SB0FMWNS0F600>

- 15. REFERRALS FROM TOWN ASSEMBLY** 57
- 16. REPORTS FROM REPRESENTATIVES ON EXTERNAL BODIES**
An opportunity for (outgoing) members appointed to represent the town council on named bodies to report on activity since the last meeting.
- 17. MAYOR'S REPORT**
Civic engagements in the 2023-24 Mayoral Year, undertaken in March and April 2023 and other activities to note.
- 18. CLERK'S REPORT** 59
The Clerk's update on issues and correspondence arising since the last meeting.
- 19. FLOODING AWARENESS - STANDING ITEM**
Tides above 5.5 metres up until 2 July (presumed next Ordinary Full Council).
- None to note

1. Anyone who wishes to register to participate under Item 5, please contact the Town Clerk (town.clerk@whitbytowncouncil.gov.uk)

WHITBY TOWN COUNCIL

Minutes of the meeting of the Town Council of Whitby, duly convened, and conducted in Pannett Art Gallery on Tuesday 5 March 2024 at 6:00pm.

Present Councillor R Dalrymple (Town Mayor) and Councillors, A Abbott, R Barnett, Mrs A Brown, Mrs H R Coughlan, M Harrison, J Harston, A Jones, Ms J Lyman, Mrs E Mulheran, J Nock, C Riddolls, Mrs S Turner, Mrs L Wild and Mrs N Wilson.

Also M King, Town Clerk, Mrs A Cowey Deputy Clerk, with Councillor N Swannick (North Yorkshire Council), Mr M Parsons, Ms H King (Anglo American) PC Metcalf and PSCO Hornsby (North Yorkshire Police) and 3 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.

383/23 APOLOGIES

Apologies were received from Councillors Goodberry, Redfern and Mrs H Sumner

MOVED by Councillor Mrs Turner, seconded by Councillor Jones and

RESOLVED that the apologies received from Councillors Goodberry, Redfern, and Mrs Sumner are accepted.

384/23 DECLARATION OF INTERESTS

There were no declarations of interest.

385/23 PUBLIC PARTICIPATION

Three members of the public spoke regarding:

- Tidal awareness
- Inclusion of green space within the Neighbourhood Plan
- Increase in the number of Council Meetings
- Fight for Whitby
- Request that the Town Council contacts NYC regarding the increase in human excrement in the town
- The need for evidence of the type of tourism to be encouraged in Whitby
- Whitby Town Council
- The Old Town Hall and work on the market place

386/23 EXTERNAL REPORTS

ANGLO AMERICAN

Mr Parsons reported on the work carried out on the shafts and tunnel. Full production should start following the initial 5 million tons mined in 2030. 2000 people are employed by the mine with 1400 being from the local area, as well as 14 apprenticeships. Members were also informed about the various funding opportunities available to the area through the mine, including 73 new businesses set up through the 'Start up Foundation'. Community engagement will take place on the 20 March at the Coliseum - drop-in sessions between 4 and 6.30pm, and at Sneaton village Hall on 25 April at 8pm.

Mr Parsons was asked what and where are the start up businesses, this information will be sent with the report.

NORTH YORKSHIRE POLICE

PC Metcalf reported on the Police Report which was circulated prior to the meeting including the crime figures. A meeting will be held with retailers to encourage shop owners to become part of 'Shop Watch' which is a radio system linked to Scarborough CCTV and other shops in town, this works well and successful in other areas.

PC Metcalf answered members questions regarding:

- Shop Watch
- Policing and Policing numbers
- Concerns regarding people urinating in the streets – this issue as well as the one raised in Public Participation to be brought up at the next MAPS meeting.

NORTH YORKSHIRE COUNCIL

Apologies for inability to attend were received from Councillor Trumper.

Councillor Swannick reported on the following issues:-

BUDGET – all parts of North Yorkshire will be paying a similar level of Council tax. Final Assent from Government came too late to enable premium council tax to be included on second homes, this will be incorporated into next year's Council tax.

HARBOUR – Applications are being sought for a new Harbour Master following his retirement, the deputy Harbour Master is acting up until the replacement has been appointed. Dredging of the Upper Harbour is being carried out. The Swing Bridge will be closed to vehicles from the 11 March, pedestrians will still be able to walk over it. Capital is available for repair work on the Lighthouse and sheet piling on Eskside Wharf. Following the consultation on the Maritime Hub it appears that more than half of the public that took part are in favour, planning application will be submitted next month.

TOWN HALL – Mid May is a possible start date for the work to be carried out on the Town Hall.

Councillors asked questions on:-

- Budget
- Cliff Lift
- Upgang Raveen
- Second Homes
- Education – an update was requested on the Eskdale/Caedmon situation.

MOVED by Councillor Jones, seconded by Councillor Mrs Wild and

RESOLVED that the external reports are received.

387/23 MINUTES

MOVED by Councillor Nock, seconded by Councillor Mrs Coughlan and

RESOLVED that the minutes of the meeting of Full Council held on 9 January 2024 and the extraordinary meeting of Council held on the 13 February 2024, having been circulated be taken as read and confirmed as a correct record.

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

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

Planning & Licensing	30 January 2024
Allotment Sub	6 February 2024
Planning & Licensing	13 February 2024
Harbour	13 February 2024
Town Development & Improvement	20 February 2024
Joint Management Committee	27 February 2024
Planning & Licensing	27 February 2024

Councillor Mrs Wild asked that her request why certain councillors abstained from voting on the minutes is recorded.

388/23 COMMITTEE RECOMMENDATIONS

Councillor Riddolls sought clarification/update on Minutes No:

- 360 This is being processed and will be reported on in two months
- 318/8 Information on an acoustic specialist has been received and to be Progressed.
- 337 The Mounting block on Upgang Lane is not listed.
- 374 Estimates for a replacement lift will be sought in the new financial year

389/23 APPLICATION FOR CO-OPTION

MOVED by Councillor Nock, seconded by Councillor Mrs Brown

RESOLVED that Council waves the process against both vacancies and will consider both applications for co-option.

Standings Orders were suspended to allow the two candidates to speak and reinstated once questions had been asked.

MOVED by Councillor Nock, seconded by Councillor Mrs Brown

RESOLVED that Elizabeth Mulheran is Co-opted as a Town Councillor to fill the vacancy on West Cliff Ward.

MOVED by Councillor Mrs Coughlan, seconded by Councillor Nock

RESOLVED that Jacqui Serenity Anne Lyman is Co-opted as a Town Councillor to fill the vacancy on Stakesby Ward.

Both Councillor Mrs Mulheran and Ms Lyman signed the Declaration of Acceptance of Office and joined the meeting.

(Councillor Abbott left meeting at 7.30pm following the above item)

390/23 NOTICE FOR MOTION

MOVED by Councillor Barnett, seconded by Councillor C Riddolls

That in consideration of the council's need to take utmost advantage of the opportunities afforded by devolved powers, we should, in line with the majority of Town Councils in North Yorkshire, revert to the more usual and better practice of holding meetings of Full Council on a monthly basis.

MOTION NOT CARRIED	6 in favour, 8 against
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MOVED by Councillor Mrs Brown, seconded by Councillor Nock

That the Town Council maintains a rota to enable all Town Councillors to attend fortnightly MAPS meetings and take a lead in reporting information from the meeting to Full Council.

MOTION NOT CARRIED	on the casting vote of the Town Mayor, 4 in favour, 4 against, 6 abstentions
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391/23 COMMITTEE PLACES

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

RESOLVED that Councillor Mrs Mulheran is appointed to the Planning Committee, and Councillor Harston is appointed to Neighbourhood Plan Steering Group until the next Annual Meeting of the Council.

392/23 REQUEST TO USE LAND AT CALIFORNIA ROAD

MOVED by Councillor Mrs Wilson seconded by Councillor Nock and

RESOLVED that delegated power is given to the Town Clerk to investigate the proposal further, taking into account the concerns raised by Councillors.
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393/23 REVIEW OF INTERNAL CONTROLS**a) RISK REGISTER**

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

RESOLVED that the Risk Register is approved.

b) ASSET REGISTER

MOVED by Councillor Nock, seconded by Councillor Mrs Coughlan and

RESOLVED that Asset Register is approved.
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394/23 REVIEW OF GOVERNANCE DOCUMENTS

Members discussed the Governance Documents circulated prior to the meeting. It was agreed that the following should be added to:

Policies and Procedures: Co-option Procedure

2.5 c) Confirm any membership or affiliation to any body whose functions include the influence of public opinion; and

Standing Order 3 (BB) page 6

'Apologies must be submitted in writing to the Clerk or Deputy Clerk prior to the meeting.'

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

RESOLVED unanimously that the Governance Documents with the above amendments are approved and presented to the Annual Meeting for adoption.

395/23 APPROVAL OF EXPENDITURE

MOVED by Councillor Mrs Coughlan, seconded by Councillor Nock and

RESOLVED unanimously that the schedule of expenditure up to the 31 December 2023 is approved.

396/23 EXPENDITURE TO END OF QUARTER THREE

MOVED by Councillor Mrs Coughlan, seconded by Councillor Nock and

RESOLVED that the Expenditure to end of quarter three is approved.

397/23 MEDIUM TERM FINANCIAL PLAN

MOVED by Councillor Mrs Coughlan, seconded by Councillor Harston and

RESOLVED that the medium-term financial plan is approved.

398/23 RESERVE REVIEW

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

RESOLVED that the month ten position and recommended movements are noted.

399/23 REPORTS FROM REPRESENTATIVES ON EXTERNAL BODIES

Councillor Mrs Coughlan reported on the work carried out by the Friends of Pannett Park.

MOVED by Councillor Mrs Turner, seconded by Councillor Jones and

RESOLVED unanimously that the above report is received.

400/23 REPORT OF WHITBY NEIGHBOURHOOD PLAN STERRING GROUP

MOVED by Councillor Mrs Coughlan, seconded by Councillor Mrs Turner

RESOLVED that the Report of the Whitby Neighbourhood Plan Sterring Group is received.

401/23 MAYOR'S REPORT

The Town Mayor reported on his civic engagement at the Lobster Hatchery

MOVED by Councillor Mrs Coughlan seconded by Councillor Mrs Wilson and

RESOLVED unanimously that the civic engagements since 9 January 2023 are noted.

402/23 CLERK'S REPORT

Due to the unavailability of the Coliseum on Wednesday 20 March 2024 to hold the Town Assembly it was

MOVED by Councillor Harston, seconded by Councillor Mrs Coughlan and

RESOLVED that an alternative date is sought to hold the Town Assembly.

MOVED by Councillor Mrs Wilson seconded by Councillor Nock and

RESOLVED unanimously that the Clerk's report circulated prior to the meeting with the agenda is received.

403/23 FLOODING AWARENESS - STANDING ITEM

MOVED by Councillor Mrs Wild seconded by Councillor Mrs Brown and

RESOLVED that the tides above 5.5 metres up until 7 May 2024 are noted:
9-14 March
26 March
7-12 April
6-10 May

Signed..... 14 May 2024

WHITBY TOWN COUNCIL

Minutes of the Extraordinary meeting of the Town Council of Whitby, duly convened, and conducted in Pannett Art Gallery on Tuesday 7 May 2024 at 6:00pm.

Present Councillor R Dalrymple (Town Mayor) and Councillors A Abbott, Mrs A Brown, Mrs H R Coughlan, J Harston, M Harrison, Ms J Layman, Mrs E Mulheran, J Nock, C Riddolls, S Smith, Mrs S Turner and Mrs L Wild.

Also M King, Town Clerk and 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.

466/23 APOLOGIES

Apologies were received from Councillors Goodberry and Redfern.

MOVED by Councillor Mrs Coughlan, seconded by Councillor Abbott

RESOLVED that the apologies received from Councillors Goodberry and Redfern are accepted.

467/23 DECLARATION OF INTERESTS & REQUESTS FOR DISPENSATION

There were no declarations of interests.

STANDING ORDERS SUSPENDED

468/23 PUBLIC PARTICIPATION

No members of the public present.

STANDING ORDERS REINSTATED

469/23 NOTICES OF MOTION.

MOVED by Cllr Riddolls, seconded by Cllr Abbott

- a) That Council establishes a working group of five members to review the operation of the council's toilet contract with Danfo to include: a history of recent events, the variation in revenue, the share of the increase in entrance fees, and the state of the toilets especially West Cliff Toilets. The working group to make recommendations to Council on i) improvements to be made to current contracted operations by the July full council meeting and ii) subsequently a draft form of contract for reletting, commencing July 2027.

An amendment was **MOVED** by Cllr Harston, seconded by Cllr Nock

To remove the text, "establishes ... July 2027." and replace it with, "...notes the Finance Policy and General Purposes Committee regularly reviews all outside contracts as part of its normal procedures."

A vote was taken on the amendment first which was **CARRIED**.

A vote was then taken on the substantive motion:

RESOLVED that Council notes the Finance Policy and General Purposes Committee regularly reviews all outside contracts as part of its normal procedures.

MOVED by Cllr Riddolls, seconded by Cllr Abbott

- b) That from the Annual Meeting (14 May 2024), when the committees are first selected no Councillor can stay on any committee for more than three consecutive years (then cannot join again for two more years). If there are vacant positions after the first selection then anyone can put their name forward to fill a position, however long they have been on a committee.

An amendment was **MOVED** by Cllr Harston, seconded by Cllr Nock

To remove the text, "from the Annual Meeting ... been on a committee." and replace it with, "... the Clerk prepares a procedure to move to a preference list system for appointments to committee – to be implemented from the 2025 Annual Meeting."

A vote was taken on the amendment, which was **CARRIED** (a recorded vote was requested).

<i>For the Amendment</i>	<i>Against the Amendment</i>	<i>Abstentions</i>
Cllr Brown	Cllr Abbott	
Cllr Coughlan	Cllr Layman	
Cllr Dalrymple	Cllr Riddolls	
Cllr Harrison	Cllr Smith	
Cllr Harston		
Cllr Nock		
Cllr Turner		
Cllr Wild		

A vote was then taken on the substantive motion

RESOLVED that the Clerk prepares a procedure to move to a preference list system for appointments to committee – to be implemented from the 2025 Annual Meeting.

MOVED by Cllr Riddolls, seconded by Cllr Abbott

- c) That the Council devises and approves a mechanism for keeping a record of all those present in the Museum and Gallery building or council office who are on council business including staff, contractors, Councillors and visitors to WTC, at any time.

An amendment was **MOVED** by Cllr Harston, seconded by Cllr Wild

To remove the text, "devises ... at any time." and replace it with, "... notes that it keeps a record of attendance for visitors and contractors."

A vote was taken on the amendment, which was **CARRIED**.

A vote was then taken on the substantive motion:

RESOLVED that Council notes that it keeps a record of attendance for visitors and contractors.

MOVED by Cllr Abbott, seconded by Cllr Riddolls

- d) That the Clerk (RFO) prepares a quarterly report for each cost centre showing the quarterly costs and the cumulative totals for the financial year to date and to include proportionate staffing costs to each set of operational cost centres.

The motion was **WITHDRAWN** by Councillor Abbott.

MOVED by Cllr Abbott, seconded by Cllr Riddolls

- e) That the Council holds preliminary discussions to see what the councillors feel about how committees work and how they report back to the full council to allow for full discussion on a topic brought to council so all councillors have a full understanding of any matter arising, so that a motion is ready to be put to full council once the six month rule is up and so no further delay is necessary in enacting a new policy.

The motion was **WITHDRAWN** by Councillor Abbott.

MOVED by Cllr Abbott, seconded by Cllr Riddolls

- f) That the Council instructs a task force of 3 people to recommend revisions to the constitutions of the Pannett Art Gallery and Whitby Museum Trust (529697), and the Pannett Park (Custodian) Charity (523442) to explain how these work and to prevent confusion, to report in September.

An amendment was **MOVED** by Councillor Harston, seconded by Councillor Mrs Turner

To remove the text, "instructs ... in September." and replace it with, "... "notes its solicitors are currently reviewing documents relating to Whitby Town Council, Pannett Art Gallery and Whitby Museum Trust, and Pannett Park Trust to include clarification and explanation of the structures".

A vote was taken on the amendment, which was **CARRIED**.

A vote was then taken on the substantive motion:

RESOLVED that Council notes its solicitors are currently reviewing documents relating to Whitby Town Council, Pannett Art Gallery and Whitby Museum Trust, and Pannett Park Trust to include clarification and explanation of the structures.

WHITBY TOWN COUNCIL

Minutes of the meeting of the **HUMAN RESOURCES** Committee held in the Normanby Room, Whitby Museum, Whitby on Tuesday 12 March 2024 at 2:00pm.

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

Also: M King, Town Clerk

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

404/23 APOLOGIES FOR ABSENCE

Apologies were received from Councillor Mrs Wilson.

MOVED by Councillor Mrs Turner, seconded by Councillor Dalrymple

RESOLVED that apologies for inability to attend from Councillor Mrs Wilson are accepted.

405/23 DECLARATION OF INTERESTS

There were no declarations of interest.

406/23 PUBLIC PARTICIPATION

None.

407/23 MINUTES

MOVED by Councillor Goodberry, seconded by Councillor Dalrymple

RESOLVED a) that the minutes of the meeting held on 21 November 2023 are accepted as an accurate record.

408/23 REVIEW OF GOVERNANCE DOCUMENTS

Submitted revised HR Policies to be recommended to the Annual Meeting of Council for adoption. There was discussion of the costs of DBS checks for members generally or, specifically for those who may meet vulnerable adults and children. Reference to SBC in the Child Protection Policy to be updated to NYC.

MOVED by Councillor Mrs Turner, seconded by Councillor Goodberry

RESOLVED that the documents are recommended to Annual Council, as amended, and that the Clerk identifies the costs and process for members to undertake DBS checks.

409/23 EXCLUSION OF PRESS AND PUBLIC (IN RESPECT OF ITEM 410/23)

MOVED by Councillor Mrs Wild seconded by Councillor Mrs Turner

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 410/23 below, due to the confidential nature of the business to be transacted.

410/23

STAFFING

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

MOVED by Councillor Mrs Turner seconded by Councillor Goodberry

RESOLVED a) That the Clerk respond to the auditor and report the internal costs of responding alongside any costs charged by PKF Littlejohn in respect the 2022-23 external audit challenge work.

MOVED by Councillor Mrs Turner seconded by Councillor Goodberry

RESOLVED b) That a disciplinary panel comprising councillors Mrs Wild, Mrs Turner and Mrs Coughlan be set up to consider the recommendation of the investigation.

draft

WHITBY TOWN COUNCIL

Minutes of the meeting of the **PANNETT ART GALLERY** Committee conducted on **Tuesday 19 March 2024** at 2:00pm in the Staithes Gallery, Pannett Park, Whitby.

Present: Councillors Mrs L Wild (Chair) with Councillors, Mrs A Brown, Mrs H Coughlan, R Dalrymple (Ex-officio), A Jones, J Nock, C Riddolls and Mrs N Wilson.

Also: Mrs A Cowey - Deputy Clerk, Mrs H Berry – Curator, Councillor Mrs S Turner (Substitute) and Mrs C Hunt (Accreditation Manager).

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

411/23 APOLOGIES FOR ABSENCE

There were no apologies for absence.

412/23 DECLARATION OF INTERESTS & REQUESTS FOR DISPENSATION

There were no declarations of interest.

413/23 PUBLIC PARTICIPATION

No public participation

MINUTES

MOVED by Councillor Nock, seconded by Councillor Mrs Coughlan and

RESOLVED that minutes of the meeting of the Pannett Art Gallery held on 12 December 2023 having been circulated be taken as read and signed by the Chair subject to the amendment.

414/23 CURATORS REPORT

The Curator introduced the Accreditation Mentor – Mrs Clare Hunt informed members of her background in art history, her employment past and present and she had recently obtained accreditation for the National Museum of the Royal Navy.

The Curator went through her report and answered Councillors questions .

MOVED by Councillor Mrs Wilson, seconded by Councillor Nock and

RESOLVED unanimously that PAG contributes £400.00 towards the development of the joint Disaster Plan Management Plan with Whitby Museum.

MOVED by Councillor Mrs Wild, seconded by Councillor Nock and

RESOLVED unanimously that PAG Committee supports the possibility of loaning artwork from the Soper Collection to Gainsborough House for an exhibition in principle and delegates power to the Curator to progress this and report back to the Committee.

Councillor Mrs Coughlan asked if the Art Gallery Museum is still advertised on the P & R bus, and whether or not this bus will be dropping off outside the entrance to Pannett Park

RESOLVED that NYC are contacted regarding the above.

MOVED by Councillor Mrs Coughlan seconded by Councillor Mrs Brown and

RESOLVED unanimously that the Curators Report is received.

415/23 FINANCE

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

RESOLVED unanimously that the payments and receipts to the 29 February 2024 are approved and received.

416/23 COLLECTION

The following works of art have been donated to the Pannett Art Gallery

- Entering the Harbour, (Staithes 1911) by Sydney Lee – woodcut print
- Staithes Fisher Lady by Laura Knight

MOVED by Councillor Mrs Wilson seconded by Councillor Mrs Brown

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

417/23 SHARED PROSPERITY FUND

The Curator reported that the Pannett Art Galleries application to the Shared Prosperity Fund had been successful (see Curators report)

MOVED by Councillor Mrs Coughlan, seconded by Councillor Nock

RESOLVED unanimously that the Chair of PAG – Cllr Mrs Wild, the Town Mayor – Cllr Dalrymple sign the legal acceptance documents on behalf of the Town Council to be witnessed by the Town Clerk

The Curator was congratulated and thanked by members for her work in obtaining this funding.

418/23 ACCREDITATION

Members were made aware that submission for accreditation is by the 1 August 2024. It was agreed that an interim PAG meeting be held on the 21 May 2024

419/23 DATE OF NEXT MEETING

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

WHITBY TOWN COUNCIL

Minutes of the meeting of the **PLANNING & LICENSING** Committee held in the Pannett Art Gallery on **Tuesday 26 March 2024** at 6.00pm.

Present: Councillor Mrs N Wilson (Chair) with Councillors, R Dalrymple, G Goodberry, J Harston and Mrs Mulheran.

Also: Mrs A Cowey, Deputy Clerk

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

420/23 APOLOGIES FOR ABSENCE
No apologies for absence.

421/23 DECLARATION OF INTERESTS & REQUESTS FOR DISPENSATION
Councillor Mrs Mulheran declared an interest in planning application ZF24/00255/HS, 58 Mulgrave Road, YO21 3JL

422/23 PUBLIC PARTICIPATION
No public present.

423/23 PLANNING APPLICATIONS.

RESOLVED that the Planning Applications, as detailed at Appendix A, were considered and the Planning & Licensing Committee's recommendations duly recorded and submitted to the Planning Authority.

Councillor Mrs Mulheran did not vote on planning application ZF24/00255/HS

424/23 LISTED BUILDINGS
Concern was raised about the condition of the roof window at 15 St Hilda's Terrace which appears to have fallen out.

425/23 LICENSING
No applications received.

Planning Applications Considered on 26 March 2024

1	<i>Plan Number</i> 23/116/AMENDED	<i>District Reference</i> ZF23/01126/FL	<i>Road/Street</i>	<i>Date of meeting</i> 26.03.24
	<i>Applicant</i> Mr Kris Blake	<i>House Name</i> Aelfleda Terrace	<i>Road</i> East Side Church Street	<i>Locality</i>
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i>	<i>Application date</i> 18/03/24

**23/116 - Amended plan Mr Kris Blake, Aelfleda Terrace, East Side Church Street, WHITBY, North Yorkshire
REVISED SCHEME PROPOSING AN ALTERNATIVE DESIGN AND MATERIAL**

Comment

OBJECT - overdevelopment - Impact on a conservation area - impact on neighbours - visual impact - plans deviate from the existing building line.

2	<i>Plan Number</i> 24/016	<i>District Reference</i> ZF23/01839/FL	<i>Road/Street</i> St Mary's Crescent	<i>Date of meeting</i> 26.03.24
	<i>Applicant</i> Mr Colin Cain	<i>House Name</i>	<i>Road</i> 48 St Mays Crescent	<i>Locality</i>
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i> YO224ER	<i>Application date</i> 21/02/24

Change of use from residential to holiday let, Mr Colin Cain, 48 St Mays Crescent, WHITBY, North Yorkshire, YO224ER

Comment

OBJECT - Effect on the amenity of neighbours - further impact on major parking issues - inappropriate commercial venture in a residential area.

3	<i>Plan Number</i> 24/017	<i>District Reference</i> ZF24/00255/HS	<i>Road/Street</i> Mulgrave Road	<i>Date of meeting</i> 26.02.24
	<i>Applicant</i> Mr & Mrs M Turner	<i>House Name</i>	<i>Road</i> 58 Mulgrave Road	<i>Locality</i>
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i> YO213JL	<i>Application date</i> 04/03/24

Erection of single storey extension to rear, balcony to the side, proposed rooflights and relocation of chimney, Mr & Mrs M Turner, 58 Mulgrave Road, WHITBY, North Yorkshire, YO213JL

Comment

OBJECT - Impact on the privacy of neighbours - proximity to neighbours within the 20 meters - Effect on the amenity of neighbours

4	<i>Plan Number</i> 24/018	<i>District Reference</i> ZF24/00258/FL	<i>Road/Street</i> Crescent Terrace	<i>Date of meeting</i> 26.03.24
	<i>Applicant</i> Riviera Guest House (Mrs J Ward)	<i>House Name</i> Riviera Hotel	<i>Road</i> 4 Crescent Avenue	<i>Locality</i> North Terrace
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i> YO213EL	<i>Application date</i> 07/03/24

**Erection of first floor rear extension with balcony above and associated alterations.
Installation of Juliette balconies to front, Riviera Guest House (Mrs J Ward), Riviera Hotel, 4 Crescent Avenue, North Terrace, WHITBY, North Yorkshire, YO213EL**

*Comment***Support this planning application**

5	<i>Plan Number</i> 24/019	<i>District Reference</i> ZF24/00227/RG4	<i>Road/Street</i> Langborne Road	<i>Date of meeting</i> 26.03.24
	<i>Applicant</i> Mr Alex Kalebic	<i>House Name</i> Former Tourist Information Cent	<i>Road</i> Langborne Road	<i>Locality</i>
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i> YO211YN	<i>Application date</i> 11/03/24

Installation of new access doors, bi-fold windows, access steps with handrail and steel guarding, Mr Alex Kalebic, Former Tourist Information Centre, Langborne Road, WHITBY, North Yorkshire, YO211YN

*Comment***Support this planning application**

6	<i>Plan Number</i> 24/020	<i>District Reference</i> ZF24/00224/FL	<i>Road/Street</i> Belle Vue Terrace	<i>Date of meeting</i> 26.03.24
	<i>Applicant</i> Mr Brian Hewison	<i>House Name</i>	<i>Road</i> 3 Belle Vue Terrace	<i>Locality</i>
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i> YO213EY	<i>Application date</i> 19/03/24

Change of use from B& B (C1) to 4No flats (C3) and creation 2 No, extra car park spaces in the rear yard and replacement windows, Mr Brian Hewison, 3 Belle Vue Terrace, WHITBY, North Yorkshire, YO213EY

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

7	<i>Plan Number</i> 24/021	<i>District Reference</i> ZF23/01584/LB	<i>Road/Street</i> The Ropery	<i>Date of meeting</i> 26.03.24
	<i>Applicant</i> McLean Cleans Ltd	<i>House Name</i> Unit B4B and B4C	<i>Road</i> St Hilda's Business Centre	<i>Locality</i> The Ropery
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i> YO224EU	<i>Application date</i> 19/03/24

Installation of ventilation equipment and pipework, Cleans Ltd, Unit B4B and B4C, St Hilda's Business Centre, The Ropery, WHITBY, North Yorkshire, YO224EU

*Comment***Support this application**

8	<i>Plan Number</i> 24/022	<i>District Reference</i> ZF24/00240FL	<i>Road/Street</i> Green Lane	<i>Date of meeting</i> 26.03.24
	<i>Applicant</i> Mr Neil Hutchinson	<i>House Name</i> Land and Buildings Sough of Ca	<i>Road</i> Green Lane	<i>Locality</i>
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i>	<i>Application date</i> 19/03/24

Erection of a maintenance store (B2/B8), Mr Neil Hutchinson, Land and Buildings South of Caedmon New Gardens, Green Lane, WHITBY, North Yorkshire

*Comment***Support this application**

WHITBY TOWN COUNCIL

Minutes of the meeting of the **Finance Policy & General Purposes** Committee held in Pannett Art Gallery, Whitby, on **Tuesday 9 April 2024** at 6pm.

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

Also Mr King, Town Clerk, Councillors Harrison and Nock.

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.

426/23 APOLOGIES FOR ABSENCE
Mrs S Turner and Mrs N Wilson

MOVED by Councillor Harston, seconded by Councillor Jones.

RESOLVED that the apologies of Cllrs Turner and Wilson are accepted.

427/23 DECLARATION(S) OF INTERESTS & REQUEST FOR DISPENSATION
None.

428/23 PUBLIC PARTICIPATION
None.

429/23 MINUTES OF MEETING HELD ON 5 DECEMBER 2023.

MOVED by Councillor Dalrymple, seconded by Councillor Coughlan.

RESOLVED that minutes of the Finance Policy & General Purposes Committee held on the 5 December 2023 are approved as a correct record.

430/23 ACTION OUTSTANDING FROM PREVIOUS MEETINGS
The Clerk referenced the conclusion of the 2022-23 audit. Members recognised that the auditor's recommendations would be presented to Council at its May meeting.

MOVED by Councillor Harston, seconded by Councillor Dalrymple.

RESOLVED that the information is noted.

431/23 BANKING HUB
Submitted: correspondence received from the Halifax Bank and Cash Access UK, regarding the closure of local branches and the recommendation of the LINK network that Cash Access UK, a not-for-profit company owned by the biggest high street banking providers in the UK, should provide a banking Hub in Whitby.

MOVED by Councillor Jones, seconded by Councillor Harston

RESOLVED that a meeting is arranged with the Community Engagement Manager for Cash Access UK to put forward suggestions on suitable locations and opportunities to engage with their target groups including U3A.

432/23

NYC BOUNDARY REVIEW

Submitted: a summary of the Local Government Boundary Commission's review of the North Yorkshire Council divisions to redraw them to bring electoral equality.

MOVED by Councillor Harston, seconded by Councillor Jones

RESOLVED that Whitby Town Council submits the recommendation (as drafted) to the Local Government Boundary Commission, and also to North Yorkshire Council to inform their decision-making process.

433/23

APPROVAL OF EXPENDITURE

Submitted: a schedule of invoices dated to 29 February 2024.

MOVED by Councillor Dalrymple, seconded by Councillor Harston

RESOLVED that the schedule of expenditure up to 29 February 2024 in the sum of £43,689.47 (as attached) is approved and submitted to Full Council.

434/23

COST CENTRE INCOME AND EXPENDITURE TO 29 FEBRUARY 2024

Submitted: a summary of income and expenditure to 29 February 2024, by budget heading.

MOVED by Councillor Dalrymple, seconded by Councillor Harston

RESOLVED that cost centre income and expenditure to 29 February is noted.

Appendix A – APPROVAL OF EXPENDITURE TO 29 FEBRUARY 2024

Paid date	Tn no	Net	Details	Heading	
04/01/24	326	£208.53	Grenke Leasing	Photocopier Lease	5000/1/2
04/01/24	327	£91.67	Grenke Leasing	Photocopier Equipment Protection	5000/1/2
09/01/24	328	£28.53	Barclays Bank	Commission Charge	5000/1/13
09/01/24	329	£355.61	Wilf Noble Construction	October/November invoices	5001/17
16/01/24	330	£79.00	SAGE UK Ltd	Payroll Software Subscription - Jan	5000/1/9
19/01/24	332	£620.21	Everflow Limited	Water Bill January - Stakesby Vale & Pannett	5002/1/4
23/01/24	333	£14.83	Amazon Services Europe	DTK 45W HP Laptop Charger 19.5V	5000/1/6/1
25/01/24	334	£516.60	TotalEnergies Gas & Power	Electricity Bill Pannett - January	5001/2
25/01/24	335	£1,211.52	ENGIE Gas Limited	Gas Bill Pannett - January	5001/1
26/01/24	331	£923.61	Everflow Limited	Water Bill Toilets - January	5002/2/1
27/01/24	336	£71.49	Cathedral Hygiene	Monthly periodic payment (Invoice M	5001/6
31/01/24	337	£155.15	Document Solutions	January Telecoms Bill	5000/1/5
31/01/24	338	£5.57	Document Solutions	January Photocopier Bill	5000/1/5
05/02/24	339	£8.50	Barclays Bank	Commission Charge	5000/1/13
14/02/24	298	£1,050.00	Powercare	Stage Pyro - Christmas Market	5002/19
14/02/24	340	£450.00	Parish Online	Annual subscription	5002/42
16/02/24	341	£79.00	SAGE UK Ltd	Payroll Software Subscription - Feb	5000/1/9
16/02/24	342	£318.23	Everflow Limited	Water Bill February - Stakesby Vale &	5002/1/4
20/02/24	346	£723.57	TotalEnergies Gas & Power	Electricity Bill Pannett - February	5001/2
22/02/24	348	£1,189.02	ENGIE Gas Limited	Gas Bill Pannett - February	5001/1
22/02/24	356	£279.80	Pitney Bowes	INK CART., BLUE	5000/1/4
23/02/24	350	£533.30	Lay's Auctioneers	Woodcut for Pannett	5000/1/8
23/02/24	351	£12.00	HM Land Registry	Search - Pannett Park and Museum Tit	5000/1/14
23/02/24	352	£28.21	ABE Books	Soper Book	5000/1/23
23/02/24	353	£2.92	The Works Stores Ltd	Stationery	5000/1/1
23/02/24	354	£3.49	Post Office	Stamps	5000/1/4
27/02/24	347	£631.00	Pitney Bowes	February Invoice - Purchase Power	5000/1/4
27/02/24	355	£207.93	Green End Electrical	Tea Room Emergency Light	5001/17
27/02/24	357	£71.49	Cathedral Hygiene	Monthly periodic payment (Invoice M	5001/6
29/02/24	358	£21.02	Document Solutions	Photocopier Bill	5000/1/5
29/02/24	359	£155.15	Document Solutions	February Telecoms Bill	5000/1/5
Sub Total		£10,046.95			
		£33,642.52	Confidential Transactions		
Total		£43,689.47			

WHITBY TOWN COUNCIL

Minutes of the meeting of the **PLANNING & LICENSING** Committee held in the Pannett Art Gallery on **Tuesday 16 April 2024** at 6.00pm.

Present: Councillor G Goodberry (Chair) with Councillors, R Dalrymple, J Harston and Mrs Mulheran.

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.

435/23 APOLOGIES FOR ABSENCE

No apologies for absence.

436/23 DECLARATION OF INTERESTS & REQUESTS FOR DISPENSATION

Councillor Goodberry declared a non-pecuniary interest in planning appeal Agenda item 8a minute number 442/23 ZF23/01355/FL - APL/00022/23 2 Fairmead Way, Whitby, North Yorkshire, YO22 4JL

437/23 PUBLIC PARTICIPATION

No public present.

438/23 MINUTES

MOVED by Councillor Dalrymple, seconded by Councillor Harston and

RESOLVED unanimously that the minutes of the meeting of the Planning Committee held on the 26 March 2024 having been circulated be taken as read and signed as a correct record by the Chairman.

439/23 PLANNING APPLICATIONS.

RESOLVED that the Planning Applications, as detailed at Appendix A, were considered and the Planning & Licensing Committee's recommendations duly recorded and submitted to the Planning Authority.

440/23 LISTED BUILDINGS

RESOLVED that letters are sent to a) Highways regarding 55 Cliff Street – the gate is opening onto the highway causing an obstruction on a narrow road – the planning application drawings on which the application was approved shows the gate opening into the space on the property and b) Planning Services - Listed building condition 3 at 18 St Hilda's Terrace has not been adhered to.

441/23 LICENSING

No applications received.

442/23 APPEALS

- a. ZF23/01355/FL - APL/00022/23 Erection of 1 no. dwellinghouse, Land Adjacent, 2 Fairmead Way, Whitby, North Yorkshire, YO22 4JL

- b. Extension to touring caravan site Broodings Farm, Guisborough Road, Whitby, North Yorkshire, YO21 1TL

RESOLVED that the above information is received

Signature..... May 2024

draft

Planning Applications Considered on 16 April 2024

1	<i>Plan Number</i> 24/023	<i>District Reference</i> ZF24/00308/LB	<i>Road/Street</i> Church Street	<i>Date of meeting</i> 16.04.24
	<i>Applicant</i> Mrs 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> 22/03/24

Erection of steel frame attached to West elevation comprising 6no. Lampposts and lanterns with timber planking, to form attached shelter, Mrs Jill Blackburn, Middle Earth Tavern, 25-26 Church Street, WHITBY, North Yorkshire, YO224AE

Comment

OBJECT- detrimental impact on neighbours - out of character and detrimental impact on the area

2	<i>Plan Number</i> 24/024	<i>District Reference</i> ZF24/00141/FL	<i>Road/Street</i> Flowergate	<i>Date of meeting</i> 16.04.24
	<i>Applicant</i> Untitled Properties Ltd (Mr Mike Smith)	<i>House Name</i>	<i>Road</i> Church House Centre Flowergate	<i>Locality</i>
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i> YO213BB	<i>Application date</i> 27/03/24

Alteration and change of use of community centre (Sui Generis) to form community centre with assisted living/respite accommodation (Sui generis), with associated enlargement of 2no rear window openings and installation of replacement windows to side and rear, Untitled Properties Ltd (Mr Mike Smith), Church House Centre, Flowergate, WHITBY, North Yorkshire, YO213BB

Comment

Support this application

3	<i>Plan Number</i> 24/025	<i>District Reference</i> ZF23/01583/FL	<i>Road/Street</i> The Ropery	<i>Date of meeting</i> 16.04.24
	<i>Applicant</i> McLean Cleans Ltd	<i>House Name</i> Unit B4B and B4C St Hildas Bus	<i>Road</i>	<i>Locality</i> The Ropery
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i> YO224EU	<i>Application date</i> 09/04/24

Retrospective change of use to laundry including installation of external ventilation, McLean Cleans Ltd, Unit B4B and B4C St Hildas Business Centre, The Ropery, WHITBY, North Yorkshire, YO224EU

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 23 April at 6:00pm.

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

Also: M King, Town Clerk.

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

443/23 APOLOGIES

Apologies were received from Councillor Mrs Wild.

MOVED by Cllr Dalrymple, seconded by Cllr Harston.

RESOLVED that the apologies of Councillor Mrs Wild are accepted.

444/23 DECLARATION OF INTERESTS & REQUESTS FOR DISPENSATION

None.

STANDING ORDERS SUSPENDED

445/23 PUBLIC PARTICIPATION

None.

STANDING ORDERS REINSTATED

446/23 MINUTES OF MEETING HELD ON 20 FEBRUARY 2024

MOVED by Cllr Nock, seconded by Cllr Dalrymple.

RESOLVED that the minutes of the Town Development & Improvement Committee held on the 20 February 2024 are approved as a correct record.

447/23 CLERK'S UPDATE ON MATTERS RAISED PREVIOUSLY

The Clerk reported that items notified through the NYC website had been acknowledged and shown as resolved and that a response was still anticipated regarding Motorhome Parking at Abbey Headland.

MOVED by Cllr Dalrymple, seconded by Cllr Harston

RESOLVED That the position is noted.

448/23 ISSUE RAISED BY A RESIDENT

Submitted: a letter from a resident of Ruswarp, seeking support with an approach to Highways over the narrowness of the pavement and potential conflicts between vehicles and pedestrians at High Street Ruswarp. Members noted that the town council had previously raised this with Highways in 2018.

MOVED by Cllr Dalrymple, seconded by Cllr Nock

RESOLVED that the town council write in support of the resident and draw Highways attention to the previous submission on this issue in 2018.

449/23

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) Road Sweeping/Maintenance** – request information from NYC on scheduled maintenance and weeding of kerbs and gutters, which were showing signs of damage from weed growth throughout town.
- b) Junction of White Point Ave and the Parade** – visibility splays and unregulated parking at and opposite the junction.
- c) Pathway on Murray Field** – further enquire with NYC over ownership and maintenance of this area, which is well used by residents, and of the fence connecting to the old track bed at the eastern edge of the area.
- d) Alleyways connecting New Quay Road and Baxtergate** – generally in poor condition. To enquire of NYC about ownership and maintenance responsibilities.
- e) Baxtergate: trading encroaching onto the footway** – request an update on enforcement due to reported changes in licensing conditions.

MOVED by Cllr Dalrymple, seconded by Cllr Harston

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

WHITBY TOWN COUNCIL

Minutes of the extraordinary meeting of the **HUMAN RESOURCES** Committee held in the Staithes Gallery, Pannett Art Gallery, Whitby on Tuesday 30 April 2024 at 11.00am.

Present: Councillors Mrs Wild (Chair) Mrs Coughlan, Goodberry, Harston, and Mrs Turner.

Also: M King, Town Clerk

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

450/23 APOLOGIES FOR ABSENCE

Apologies were received from Councillor Dalrymple.

MOVED by Councillor Harston, seconded by Councillor Goodberry and unanimously

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

451/23 DECLARATION OF INTERESTS

There were no declarations of interest.

452/23 PUBLIC PARTICIPATION

None

453/23 VACANCY

The committee considered the vacancy which had arising in the front of house team following the resignation of the previous post holder.

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

RESOLVED that a) the revised job description is approved;
b) that the job is subject to a three-month review;
c) that the appointment is delegated to the Town Clerk.

WHITBY TOWN COUNCIL

Minutes of the meeting of the **PLANNING & LICENSING** Committee held in the Pannett Art Gallery on **Tuesday 30 April 2024** at 6.00pm.

Present: Councillor G Goodberry (Chair) with Councillors, R Dalrymple, J Harston and Mrs Mulheran.

Also: Mrs A Cowey, Deputy Clerk with Councillor J Nock, M King, Town Clerk, Andrea Long (Neighbourhood Planning Consultant)

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

450/23 APOLOGIES FOR ABSENCE
No apologies for absence.

451/23 DECLARATION OF INTERESTS & REQUESTS FOR DISPENSATION
Councillor Dalrymple declared a non-pecuniary interest in planning application ZF24/00448/HS 7 Waterloo Place, Flowergate, Whitby, North Yorkshire, YO21 3 BN

452/23 PUBLIC PARTICIPATION
No public present.

453/23 PLANNING APPLICATIONS.

RESOLVED that the Planning Applications, as detailed at Appendix A, were considered and the Planning & Licensing Committee's recommendations duly recorded and submitted to the Planning Authority.

454/23 LISTED BUILDINGS
Nothing to report.

455/23 LICENSING

MOVED by Councillor Harston, seconded by Councillor Dalrymple

RESOLVED Standing Orders were suspended to allow Councillor Nock to give a report regarding the outcome of the Licensing application by the Duke of York, Church Street for a variation of licence.

Planning Applications Considered on 30 April 2024

1	<i>Plan Number</i> 24/004/AMENDED	<i>District Reference</i> ZF23/02010/FL	<i>Road/Street</i> Southend Gardens	<i>Date of meeting</i> 30.04.24
	<i>Applicant</i> Mr Glenn Ackroyd	<i>House Name</i>	<i>Road</i> 3A Southend Gardens	<i>Locality</i>
	<i>Town</i>	<i>County</i> North Yorkshire	<i>Post Code</i> YO211JY	<i>Application date</i> 17/04/24

24/004 - Amended plan Construction of 2 no semi detached dwellings - amended plans

Comment

REFUSE - over development - structural impact on downhill properties - lack of amenity - harmful effects on residents.

2	<i>Plan Number</i> 24/026	<i>District Reference</i> ZF24/00404/HS	<i>Road/Street</i> Muncaster Way	<i>Date of meeting</i> 30.04.24
	<i>Applicant</i> Mr & Mrs A & L Lyth	<i>House Name</i>	<i>Road</i> 12 Muncaster Way	<i>Locality</i>
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i> YO224JW	<i>Application date</i> 11/04/24

Erection of two storey extension to the rear and single storey extension to the side Mr & Mrs A & L Lyth, 12 Muncaster Way, WHITBY, North Yorkshire, YO224JW

Comment

Support this applications

3	<i>Plan Number</i> 24/027	<i>District Reference</i> ZF24/00383/HS	<i>Road/Street</i> Park Terrace	<i>Date of meeting</i> 30.04.29
	<i>Applicant</i> Mr Sean Smithson	<i>House Name</i>	<i>Road</i> 18 Park Terrace	<i>Locality</i>
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i> YO211PN	<i>Application date</i> 12/04/24

Erection of single storey rear and side extension, Mr Sean Smithson, 18 Park Terrace, WHITBY, North Yorkshire, YO211PN

Comment

Support this application

4	<i>Plan Number</i> 24/028	<i>District Reference</i> ZF24/00450/FL	<i>Road/Street</i> Cleveland Terrace	<i>Date of meeting</i> 30.05.24
	<i>Applicant</i> Mr Michael Bradley	<i>House Name</i> The Manse, Flat 3	<i>Road</i> 20 Cleveland Street	<i>Locality</i>
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i> YO211RE	<i>Application date</i> 18/04/24

Conversion of ground floor storage area into a self contained flat, with associated external alterations, Mr Michael Bradley, The Manse, Flat 3, 20 Cleveland Street, WHITBY, North Yorkshire, YO211RE

Comment

REFUSE - support the comments from the Environmental Health Officer

5	<i>Plan Number</i> 24/029	<i>District Reference</i> ZF24/00448/HS	<i>Road/Street</i> Waterloo Place	<i>Date of meeting</i> 30.04.24
	<i>Applicant</i> Mr Ged Humphries	<i>House Name</i> 7 Waterloo Place	<i>Road</i> Flowrgate	<i>Locality</i>
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i> YO213BN	<i>Application date</i> 18/04/24

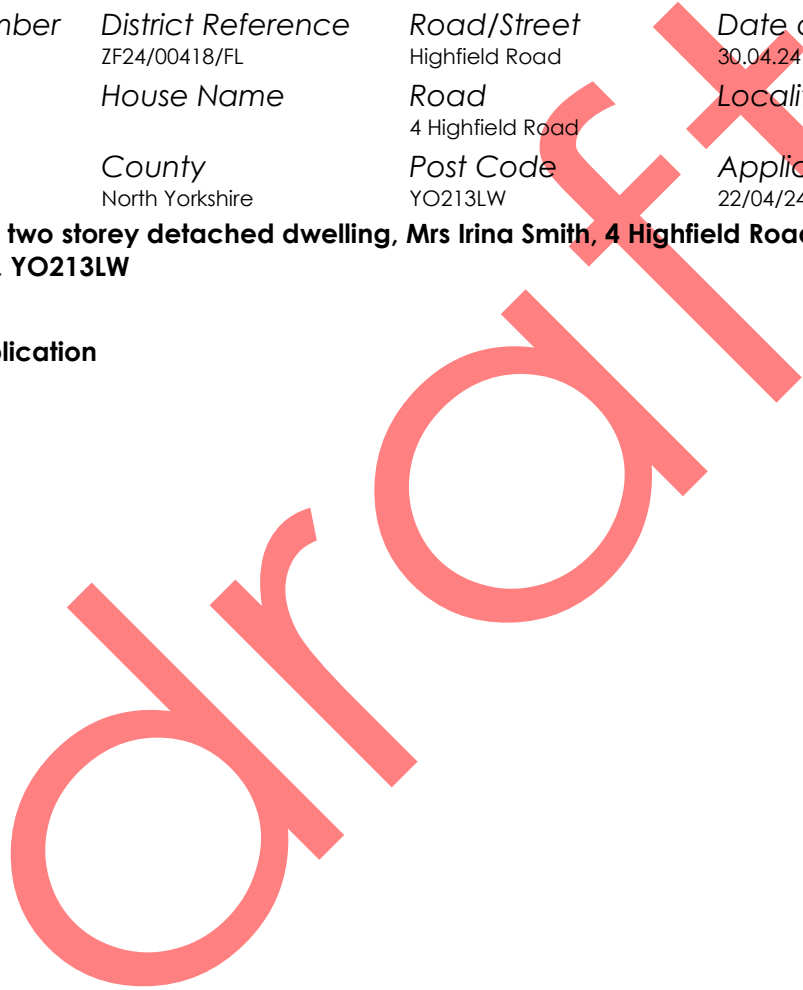
Erection of two storey side extension Mr Ged Humphries, 7 Waterloo Place, Flowrgate, WHITBY, North Yorkshire, YO213BN

Comment
Support this application

6	<i>Plan Number</i> 24/030	<i>District Reference</i> ZF24/00418/FL	<i>Road/Street</i> Highfield Road	<i>Date of meeting</i> 30.04.24
	<i>Applicant</i> Mrs Irina Smith	<i>House Name</i>	<i>Road</i> 4 Highfield Road	<i>Locality</i>
	<i>Town</i> WHITBY	<i>County</i> North Yorkshire	<i>Post Code</i> YO213LW	<i>Application date</i> 22/04/24

Erection of 1 no. two storey detached dwelling, Mrs Irina Smith, 4 Highfield Road, WHITBY, North Yorkshire, YO213LW

Comment
Support this application



WHITBY TOWN COUNCIL

Minutes of the extraordinary meeting of the **HUMAN RESOURCES** Committee held in the Staithes Gallery, Pannett Art Gallery, Whitby on Tuesday 7 May 2024 at 11.00am.

Present: Councillors Mrs Wild (Chair) Mrs Coughlan, R Dalrymple, Goodberry, Harston, and Mrs Turner.

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. The meeting was convened in accordance with Schedule 12, paragraph 9(1) of the Act

460/22 APOLOGIES FOR ABSENCE
No apologies for absence.

461/22 DECLARATION OF INTERESTS
There were no declarations of interest.

462/22 PUBLIC PARTICIPATION
None

463/22 EXCLUSION OF PRESS AND PUBLIC

MOVED by Councillor Mrs Turner, seconded by Councillor Harston and unanimously

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 5 below, due to the confidential nature of the business to be transacted.

464/22 STAFFING

MOVED by Councillor Dalrymple, seconded by Councillor Mrs Coughlan

RESOLVED unanimously that the Chair is instructed to send a letter to the complainant stating that due to the restrictions imposed in their letters, this complaint cannot be discussed further as it would go against the Whitby Town Council Complaints Procedure and that this matter is now closed.

REVIEW AND ADOPTION OF CONSTITUTION INCLUDING APPROPRIATE STANDING ORDERS, FINANCIAL REGULATIONS, POLICIES AND PROCEDURES, DELEGATION AND TERMS OF REFERENCE (circulated separately)

Please note that the versions of documents submitted were previously considered and referred for adoption from the meeting of Full Council on 5 March 2024.

The revised NALC Model Financial Regulations were received on 3 May and will be modified in line with the guidance provided to reflect the council's size and complexity for referral to the next meeting of the Finance Policy & General Purposes Committee.

Revised documents are circulated separately for adoption.

Nominations received:

i) Committees which are over-subscribed

Finance, Policy & General Purposes

10 nominees

7 places, 3 substitutes
(oversubscribed by 3)

Abbott
Barnett
Coughlan
Dalrymple
Harston
Layman
Nock
Riddolls
Turner
Wild

Human Resources

8 nominees

7 places, plus the Town Mayor (ex officio), 0 substitutes
(oversubscribed by 1) *subject to mayoral vote

Abbott
Brown
Coughlan
Dalrymple
Goodberry
Riddolls
Smith
Wild

ii) Committees which are under-subscribed

Joint Management Committee

6 nominees

9 places, any member may substitute
3 vacancies

Brown
Coughlan
Dalrymple
Mulheran
Riddolls
Wild

Pannett Art Gallery

6 nominees

7 places (of 9 forming JMC), 2 substitutes
1 vacancy

Brown
Coughlan
Dalrymple
Riddolls
Turner
Wild

Appointment of Members to Existing Committees

Item 9b

Town Development & Improvement

5 nominees

7 places, 3 substitutes
2 vacancies

Brown
Coughlan
Harston
Mulheran
Smith

Planning & Licensing

4 nominees

7 places, 2 substitutes (training required)
3 vacancies

Dalrymple
Goodberry
Harston
Mulheran

Neighbourhood Plan Steering Group

4 nominees

5 places, 0 substitutes
1 vacancy

Brown
Harston
Layman
Riddolls

Harbour

4 nominees

5 places, 2 substitutes
3 vacancies

Goodberry
Layman
Turner
Wild

REPRESENTATIVES OF WHITBY TOWN COUNCIL ON OUTSIDE BODIES 2023/2024

OUTSIDE BODY OR WORKING PARTY	COUNCILLORS REPRESENTING WHITBY TOWN COUNCIL
Emergency Plan Working Party (Town Development & Improvement)	S Smith, Mrs L Wild, Mrs H Sumner, Mrs A Brown
Town Hall & Market Working Group (Finance Policy & General Purposes)	R Dalrymple, J Harston, Mrs H Sumner, Mrs L Wild, J Nock
Whitby In Bloom (4)	R Dalrymple, J Harston, Mrs L Wild, Vacant
Friends of Pannett Park Management Group (2)	Mrs H Coughlan, R Dalrymple (Town Mayor)
Yorkshire Local Councils Association (2+)	Mrs H Sumner, Mrs L Wild
North York Moors Nat Park Coastal Area Parish Forum (2)	Mrs L Wild, J Nock
Esk Valley Railway (1)	J Harston
Harbour Users Consultative Group (1)	Mrs L Wild
Woodsmith Project Liaison Group (1)	Mrs L Wild
s106 York Potash Steering Group	S Smith
S106 Funding Group	Mrs H Coughlan

**WHITBY TOWN COUNCIL – CALENDAR OF MEETINGS
2024-2025**

Bi-monthly Cycle

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

MAY	2024	
14		FULL COUNCIL (Annual Meeting)
21	11:00	Joint Management Committee
21		Planning & Licensing
JUNE		
4		Finance Policy & General Purposes
11		Planning & Licensing
18	11:00	Human Resources
18		Town Development & Improvement
25	17:00	FULL COUNCIL (AGAR)
25		Planning & Licensing
JULY		
2		FULL COUNCIL
9		Planning & Licensing
16	11:00	Pannett Art Gallery
16		Harbour
23		Planning & Licensing
AUGUST		
6		Finance Policy & General Purposes
13		Planning & Licensing
20		Town Development & Improvement
SEPTEMBER		
3		FULL COUNCIL
10		Planning & Licensing
17	11:00	Joint Management Committee
24		Planning & Licensing
OCTOBER		
8		Finance Policy & General Purposes
15		Planning & Licensing
22	11:00	Human Resources
22		Town Development & Improvement
29		Planning & Licensing
NOVEMBER		
5		FULL COUNCIL
12		Planning & Licensing
19	11:00	Pannett Art Gallery
19		Harbour
26		Planning & Licensing
DECEMBER		
3		Finance Policy & General Purposes
10		Planning & Licensing
17		Town Development & Improvement
JANUARY 2025		
7		Planning & Licensing
14		FULL COUNCIL (Budget Setting)
21	11:00	Joint Management Committee
28		Planning & Licensing

FEBRUARY		
4		Finance Policy & General Purposes
11		Planning & Licensing
18	11:00	Human Resources
18		Town Development & Improvement
25		Planning & Licensing
MARCH		
4		FULL COUNCIL
11		Planning & Licensing
18	11:00	Pannett Art Gallery
18		Harbour
[19]	[18:30]	[Annual Town Assembly]
25		Planning & Licensing
APRIL		
8		Finance Policy & General Purposes Committee
15		Planning & Licensing
29	17:00	Planning & Licensing
29	<i>(After Easter)</i>	Town Development & Improvement Committee
MAY		
13		FULL COUNCIL (Annual Meeting)

APPROVAL OF EXPENDITURE TO 31 MARCH 2024

Date	Tran	Gross (£)	Organisation
05/03/2024		35.61	Normans
05/03/2024		390.00	Vinyl Signs
05/03/2024		405.60	ADT
06/03/2024		8.80	Charges
18/03/2024		94.80	Sage Software Ltd
18/03/2024		310.21	Everflow Limited
20/03/2024		1,088.53	TotalEnergies G&P
21/03/2024		95.68	Green End Electrical
21/03/2024		151.17	Business Stream
21/03/2024		50.80	Rentokil Initial
21/03/2024		553.95	Wilf Noble Ltd
21/03/2024		62.50	Whitby Literary & Philosophical Soc.
21/03/2024		273.60	Siemens Fin Services
22/03/2024		499.14	Engie Gas
25/03/2024		60.81	Pb Finance Ltd
25/03/2024		47.39	B'card Commercial
27/03/2024		85.79	Cathedral Hygiene
27/03/2024		208.75	Pitney Bowes
		4,423.13	
		39,093.69	Confidential Transactions
		43,516.82	

Recommendation: That the payments of £43,516.82, as listed, are approved.

APPROVAL OF QUOTATION FOR REPLACEMENT BOILER

Description	VAT %	Net
Remove old Ideal Imax boiler and replace with Ideal Evo Max 40 boiler. Supply and fit new flue. Re-connect with new pipework. Set up and commission.	20.00	4,738.40
Materials - £3362.40 Labour - £1376.00		

VAT Rate	Net	VAT
Standard 20.00% (20.00%)	£4,738.40	£947.68

Total Net	4,738.40
Total VAT	947.68
TOTAL	£5,686.08

Recommendation: That the supplied quotation is accepted, at a net cost of £4,738.40.

At an extraordinary meeting of Council held in February, it was resolved in relation to a decision as to whether or not to register the 3G pitch at Eskdale School as an asset of community value,

that this item is deferred for a two-month period to enable all information to be gathered regarding the above and to include other areas of land and further consultation if necessary.

I wrote to the various parties that had contacted the town council about the prospect of registering the Eskdale 3G pitch as an asset of community value.

They were asked if they stood by the description of the site that formed part of the application previously put forward and to comment on the suggestion that the site might be better defined in relation to the open space that bounds the football pitch.

They were also asked to provide any additional information that it might be useful to share with the council at this point, including an update on any discussions with the other parties.

The following responses were received:

Sport and Active Wellbeing (Development), North Yorkshire Council

Held the pitch steering group in April and (they) were able to provide members with a positive update on progress.

In terms of operations we have plans in place to retain the changing facilities and hall to enable football teams to use. Utilities are all in place and a new boiler will be installed to service the changing rooms. We are engaging with Highways on public access and liaising with the tennis and archery club to ensure their participation is sustained on the site.

We are in positive negotiations with an operator to ensure the bookings, development, maintenance, standards and grant outcomes are met for the facility and this should be finalised before the proposed closure of the school in July.

The current CUA will be reviewed with the Football Foundation but it still provides security and governance, as do all the agreements we have with funders. Some work will need to be done on legal aspects with the operator during the process.

Whitby Town Football Club

My overriding concern with reference to the Eskdale 3G pitch is that 'the community' can use it. This essentially includes Whitby Town FC. We are willing to pay for pitch hire and any associated costs. You may have heard that we now have Whitby Town FC Under 19s which consists of Whitby residents and is operated by Whitby people. We have used the facility once but were challenged all the way by █████ asking for lots of details and he seemed determined to not let the match take place. The coaches we use are from Fishermans FC and these same individuals use the facility unhindered or unquestioned when operating as Fishermans. As soon as they put a Whitby Town top on they are under scrutiny from █████.

Finally, you must be aware that if the facility does not have full access to changing and welfare facilities the FA will consider the pitch not fit for purpose. Should Eskdale School close down this will cause major issues for the venue. I operate an FA approved manufacturer of these facilities for which favourable grants can be obtained should the need arise.

With reference to the facility being a registered community asset I think it is vital that those wanting it to be classed as such are aware of the possible pitfalls if, as and when Eskdale School closes its access for changing and welfare facilities as the costs could fall back on those who have taken over the operation of the facility. Discussions need to be had with the FA in order to understand the potential issues.

Recommendation: That the Council considers whether there is evidence to support proceeding or not proceeding with an application.

Town Assembly

The Annual Town Assembly took place at 6:30pm on Monday 25 March at the Coliseum. Town Assemblies are parish meetings in law and are not a town council meeting. It is a meeting of electors of the parish. Councillors don't have any special status at the meeting, though it must be chaired by the Town Mayor or by substitution the Deputy Town Mayor, if present. Otherwise, in the absence of either, it is up to the meeting to appoint a chair. By convention, a councillor is present to administer the meeting and to take the minutes.

An agenda was published on the town council website and displayed on the noticeboard at the front of the gallery.

Draft minutes of the Annual Town Assembly held on 25 March are retained on behalf of the meeting of electors of the parish and available on the town council's website (<https://www.whitbytowncouncil.gov.uk/uploads/240325-annual-assembly-2024-draft-minutes.pdf?>)

It was noted to councillors that any issues resolved by the meeting of electors at the Annual Town Assembly which relate to the town council may be considered at the next full council meeting, which is this Annual Meeting of the Council.

Subsequently a town assembly for registered electors of the parish was called by six electors. That meeting took place at the Ballroom of the Royal Hotel Westcliff, Whitby YO21 3HA on Monday 22 April at 6pm.

Details of the agenda set by those convening the meeting are contained within the scanned document available on the town council's website (<https://www.whitbytowncouncil.gov.uk/news/2024/04/town-assembly2>).

The meeting on 25 March resolved the following for referral to the town council:

- a) Whitby Town Council should write again to the minister regarding the Market Place and Maritime Hub proposals.
- b) Whitby Town Council should write to North Yorkshire Council to ask that they make provision for a children's play area to replace the Dundas Gardens suitably close to replace it.
- c) Whitby Town Council should write to North Yorkshire Council to ask why the paddling pool has been left dirty and when it will be cleaned and opened (NYC must send a reply within 21 days).
- d) Whitby Town Council should write to North Yorkshire Council to express concern about the safety of the walk-to-school routes along the Cinder Track. Teachers and parents say it is not safe.

To date, no information has been forwarded to the town council on the outcome of the meeting held on 22 April.

Recommendation: That the Council considers the referrals, above.

a) Schools' Funding and Reorganisation

At the March meeting of the ACC, a report prepared for the meeting, stated that a school in North Yorkshire will receive £5,994 per pupil in 2023-24 compared to a national average of £6,542.

However, the report also stated that funding for North Yorkshire primary schools is more favourable with a position of 32 out of 150 local authorities in terms of the funding level per pupil.

Schools in the constituency were also reported to have relatively high rates of pupil suspensions compared to the rest of North Yorkshire. Since 2018, between 33 per cent and 18 per cent of the suspensions of students in the county were in Scarborough and Whitby.

In 2022/23, schools in the constituency area had a 14 per cent share of the total schools' population in North Yorkshire and a 22 per cent share of suspensions for the whole county.

Over the past year, a significant reorganisation of secondary education in Whitby has taken place. Following a consultation process, the amalgamation of Caedmon College Whitby (CCW) and Eskdale School was decided by the council's executive, despite significant opposition from parents, pupils, and from this council.

The newly amalgamated Whitby School will operate from Sunday, September 1.

b) Objections To 2022/23 AGAR - Decision Letter and Statement of Reasons

In March, the council received a letter from PKF Littlejohn, our external auditor, explaining that the final objection under consideration has not been upheld. This means that none of the objections raised on the 2022/23 accounts was upheld. The auditor was considering other matters brought to her attention and would prepare a final report to the council once those matters had been considered.

We are reminded that as with objections, the costs of any additional work carried out as a result of challenge correspondence received are met by the council. Additional work as a result of challenge correspondence received is carried out by an engagement lead at a cost to the authority of £355 per hour plus VAT.

Members should note that the internal costs in time and in opportunity are also significant. To date the time spent dealing with these enquiries has amounted to just over £2,000.

The auditor has sent notification of the fees to be applied to the 2022-23 challenge work and the 'except for' comments which will form part of the audit report.

The certificate has been published on the TC website ([https://www.whitbytowncouncil.gov.uk/uploads/ny0608-frc-\(04-24\).pdf?v=1712566765](https://www.whitbytowncouncil.gov.uk/uploads/ny0608-frc-(04-24).pdf?v=1712566765))

There are three 'except for' issues identified – these are set out in the report. Council will need to respond to the recommendations with a resolution at this meeting.

1. The Council has a power to raise funds by submitting a Council Tax precept to the Borough Council. This is an important power and legislation specifies how the precept is to be set, including by determining the reserves that it would be appropriate to raise or prudent to use, having regard to the estimated level of

reserves at the end of the financial year.

Although the Council considered estimated income and expenditure in setting its Council Tax precept, it did not explicitly consider the level of reserves and reasonableness of that level as it was required to do. In our view, the Council should have responded 'No' to Assertion 1 as a result.

We recommend that the Council adopts a more structured approach to setting its Council Tax precept, including setting out in the report to the Council proposing the Council Tax precept and/or minutes of the Council meeting setting the precept, the estimated reserves that it would be appropriate to raise or prudent to use, having regard to the estimated level of reserves at the end of the financial year.

The issue on budgeting is an opinion. It could be argued that the council's approach to its reserves is covered in the MTFP and the Reserves Policy/review, which are handled alongside the budget but not as part of the budget setting resolution. Obviously, as the council has set a budget in 2023-24 for 2024-25, that recommendation has not been carried out in the year just gone either, which the council will have to note when considering its 2023-24 accounts.

2. During our work on the challenge correspondence received in respect of the AGAR, the Council was informed of a breach of GDPR that had occurred during 2022/23 which it acknowledged. In our view, the Council should have responded 'No' to Assertion 3 as a result of this non-compliance with the regulations.

The issue on GDPR has not been tested with the ICO, which is the determining body. In correspondence with the auditor, this issue was not 'accepted'. It was not part of the formal questions asked of the council. The response to the initial enquiry was:

The position on the petition reproduced for the Agenda of Full Council on 29 March 2022, is that this represents a lawful basis for processing personal data under Article 6 of UK GDPR (Section 8 of the DPA 2018), because a petition, by definition, is for presentation at a meeting of the Council and was for the public part of the agenda. It may be noted that the petition, as submitted and signed, was explicitly for the council's consideration. We have been advised that a signature, which is not otherwise linked to any personal data is necessary to substantiate the petition and hence constitutes lawful processing under the circumstances.

It is accepted that the provisions of the DPA are not absolute, and that consideration of the relevant guidance must always be made.

Ultimately, in the cases of FOIA 2000 and DPA 2018, a decision as to whether a breach has occurred is the responsibility of the ICO and not ordinarily within the terms of the limited assurance review. It is of course reasonable to consider whether the council has considered its obligations and has acted appropriately.

3. During our work on the challenge correspondence received in respect of the 2022/23 AGAR, we noted that the Council had been late in filing the following

information with the Charity Commission in respect of its associated charitable trusts, we note that the filing of all the returns in relation to the 2022/23 financial year was on time. In our view, the Council should have responded 'No' to Assertion 9 as a result:

Pannett Park – Annual Return for the year ended 31/3/2022 (due on 31 January 2023 but submitted on 7 February 2023)

Pannett Art Gallery & Whitby Museum – Annual Return (due on 31 January 2023 but submitted on 7 February 2023), Accounts & Trustees Report for the year ended 31/3/2022 (due on 31 January 2023 but submitted on 6 July 2023)

We also noted that the Council meets as trustee of the Pannett Art Gallery & Whitby Museum charitable trust twice a year, but not all agendas and minutes are available on the website.

Other matters not affecting our opinion which we draw to the attention of the authority:

During our additional work as a result of the challenge correspondence received in relation to the 2022-23 AGAR, we noticed a number of issues with the functionality of the Council's website. We understand that the Council is working with the new website owner on improving the site, rather than funding expenditure on a replacement. As well as the issues in searching for documents, we have informed the Clerk of a small number of errors in the dates on agendas on the website and a missing agenda pack.

We need to note that the auditor's opinion is that Assertions 1 and 3 should not have been ticked. Council should also consider its approach to the questions in completing the 2023-24 AGAR.

None of these were the 'Objections'. All relate to 'other matters brought to the Auditor's attention.

The final bill is £9,991.50 (+VAT), which includes the basic audit fee, payable in any case.

Recommendation: That the Council acknowledges its position in relation to the conclusion of the limited assurance review of its 2022-23 AGAR.

c) King's Portrait

This has now arrived. Council will need to resolve where it would like to hang the picture, which is 637x507mm (25x20 inches).

d) Devolution Framework for Combined Mayoral Authorities

The government has made amendments to clarify some policy areas in the Level 4 devolution framework, following engagement with mayoral combined authorities (MCAs). The changes cover transport policy and data-sharing.

The devolution update details a single offer for deepening devolution with existing MCAs. It also clarifies that powers previously devolved elsewhere may be applied for by existing institutions.

The government also confirmed today its commitment to implement a Level 4 devolution agreement with West Yorkshire Combined Authority, South Yorkshire Mayoral Combined Authority and Liverpool City Region Combined Authority. It also confirmed further Level 4 flexibilities for the West Midlands Combined Authority.

These changes were announced in a speech by Michael Gove, the Secretary of State, which is available on this link: <https://www.gov.uk/government/speeches/convention-of-the-north-secretary-of-states-speech>

e) New guidance for charities facing decisions about donations

the Charity Commission has published guidance to help charities when deciding whether to accept, refuse or return a donation.

The regulator's guidance makes clear that trustees should start from a position of accepting donations, but from time to time a charity may face a difficult decision as whether to refuse or return a donation. The guidance is designed to help trustees have informed discussions when faced with a choice.

The guidance adds that trustees should take enough time to allow sufficient information to emerge, should balance short and long-term risk and allow trustee boards to ask questions and challenge assumptions.

f) Consultation on proposals to exempt categories of dwellings from the council tax premiums in England

DLUHC has published the government's response to the consultation on proposals to exempt categories of dwellings from the council tax premiums in England.

On Monday, DLUHC confirmed a very limited number of exceptions have been set. Some will apply to empty properties that are uninhabitable due to extensive renovation or second homes that are not available for use year-round due to planning restrictions.

DLUHC wrote to principal councils in England today summarising the government's response to the consultation and confirming that the government will legislate to bring the exceptions into effect before the 2025-26 financial year and issue guidance in due course.

g) Election Security updated guidance

On Wednesday, the government updated the collection of elections security guidance to include the most up to date information and links to external guidance.

The guidance provides advice on good security practice for candidates and councils. Updated regularly, the collection of guidance brings together expertise from across the security community including the Police, the National Cyber Security Centre and others to help candidates implement quick and effective personal security measures.

Councils are encouraged to signpost this guidance in their engagement with elections candidates and share as appropriate

h) Update on tackling intimidation in public life

On 18 March, the Deputy Prime Minister, the Rt Hon Oliver Dowden MP, made a written ministerial statement on tackling intimidation in public life. The statement gives an update on the government's programme of work in this area.

The Local Government Minister, Simon Hoare MP, wrote to councils in England about withholding details of councillors' sensitive interests and home addresses.

The letter encourages monitoring officers to look sympathetically at accommodating requests for the withholding of home addresses from published versions of the register of interests where there are legitimate concerns of violence or intimidation.

i) Whitby Hospital Out Of Hours

The NHS Humber Trust has published a news release on revised out-of-hours provision at Whitby Hospital from 2 April.

<https://www.humber.nhs.uk/news/new-whitby-out-of-hours-provision/634105>

j) Update on government's work to improve the quality of social housing

Last week, DLUHC provided an update outlining the government's continued approach to improving the quality of social housing in England.

As part of the update, the Regulator of Social Housing has launched a new, proactive consumer regulation regime on 1 April. Under the new regime, the Regulator will proactively seek evidence and assurances that registered providers are meeting the requirements set out in the revised consumer standards, which were published by the Regulator on 29 February.

k) The Waste Enforcement (Fixed Penalty Receipts) Regulations

In the Prime Minister's Anti-Social Behaviour Action Plan published in March 2023, the government announced that income from litter and fly-tipping fixed penalty notices should be reinvested in enforcement and clean up only.

Following consultation with key stakeholders, the government laid regulations on 10 January to bring this into effect from 1 April.

l) Permanent Pavement Licencing Regime

The temporary pavement licencing provisions provided under the Business and Planning Act 2020 became permanent on 31 March, along with the addition of new amendments to the regime as set out in schedule 22 of the Levelling Up and Regeneration Act 2023.

The permanent pavement licence process retains the streamlined consent route for businesses to obtain a licence to place removable furniture, such as tables and chairs outside of cafes, bars, and restaurants quickly. The pavement licencing guidance has been updated to reflect these changes.

m) Pannett Park

At the Pannett Park management committee meeting held on 4 April 2024 there was a discussion about damage to plants being caused by people playing ball games on the flat area of grass adjacent to the gallery and museum building.

The management committee has sought permission to fix a sign on the building wall saying, "No ball games", which would replace a sign which was on the wall some years ago.

This is a useful addition, as there have been instances of ball games in the park causing noise disturbance inside the building.

n) Banking Hub

Following FP&GP's decision in April, we approached Cash Access UK confirm that the town council welcomes the request they have made and is keen to engage with Cash Access UK to assist in whatever way possible to bring a successful hub to Whitby.

I have had a conversation with the community engagement lead for Cash Access UK. They are committed to opening a Banking Hub in Whitby over the next twelve months. This was triggered by the announcement of the closure of the last high-street counter service by Halifax in February. I have shared the information which we have available on potential locations. It is clear that Cash Access UK are currently reviewing all commercially available property in Whitby and that includes the vacant bank branches. What they will not know about are any premises which may become vacant, particularly where the current business is relocating, upsizing or downsizing. Their preferred model is to actively meet with the local council once they are close to signing leases. I expect that there will be a briefing for Council in September on progress.

o) HSE guidance on violence at work

The Health and Safety Executive (HSE) has produced guidance on how organisations can protect workers from violence and aggression at work.

HSE's guidance will help organisations to:

- assess the risks
- put the right controls in place to protect workers
- report and learn from incidents

HSE also have specific guidance on how to support workers after a violent incident. There are also examples situations included.

In addition, there is separate advice for workers explaining how they can help employers prevent violent incidents at work.

p) Old Town Hall

The project team at North Yorkshire Council have issued the following statement as an update on the anticipated work due to commence to the Old Town Hall.

As a result of the Easter period, a couple of the contractors interested in the Old Town Hall project requested an extension to the tender closing date. The Council have granted this in order to secure the highest quality submissions we can achieve. The closing date for

Tenders was revised to Friday 3 May 2024. There will be no further extensions granted beyond this.

This pushes back contractor mobilisation / possession of the site to June with work activity due to start July. The condition still remains within the tender that no major works can take place over the summer period from July to early September and prior approval has to be sought from NYC and Highways in order to carry out any proposed smaller / preparatory works. As mentioned previously, as soon as the contractor is appointed, we will have more accurate details and timings for the phasing of the works and will be in touch with impacted businesses and residents to discuss.

Due to the extensive works required to the roof and clock tower, scaffolding will need to be erected around the Old Town Hall building. This will result in restricting vehicle access down the side of the Old Town Hall once the scaffold is in place but pedestrian access will be maintained. Vehicle access will be maintained on Church Street and Sandgate.

Despite the delay with the tender, we have shortened the timeframe elsewhere so completion is still expected for March 2025.

The project manager also wrote directly to councillors to provide more detail.

q) Electoral Review of North Yorkshire

The review officer for the Local Government Boundary Commission for England has acknowledged receipt of the council's submission on the number of councillors for North Yorkshire Council.

r) Staffing

A Facilities Team Member working front-of-house in the gallery and covering a range of caretaking duties throughout the museum and gallery building, three days a week has resigned from her role.

The Curator is managing interim arrangements and reviewing future operational needs. The HR Committee has approved an advertisement for a replacement member of staff, which is now live.

s) Website

Cuttlefish Media has taken over 2Commune, the company which has provided the town council's website up until now. As part of the process, Cuttlefish have refreshed the look and feel of the website free of charge. We have made some initial changes to the navigation to take advantage of the revised layout. It is hoped that improvements to the back end of the site will be implemented later this year, which will improve document management and allow more flexibility in grouping similar information in response to searches.

t) Paddling Pool

North Yorkshire's responsible manager has confirmed that the paddling pool was scheduled for commissioning work and that they hoped to have it open for the bank holiday weekend,

u) Neighbourhood Plan Training for all members

A training session delivered by the council's planning consultant for town councillors took place on Tuesday 30 April at 6:30pm (following a meeting of the Planning & Licensing Committee at 6pm) in the Pannett Gallery, YO21 1RE. Members of the steering group were also be on hand.

v) New powers to strengthen council planning

DLUHC updated the guidance on responding to suspected breaches of planning control, to reflect the enforcement reforms introduced through the Levelling-up and Regeneration Act 2023 which has come into effect.

A breach of planning control is defined in section 171A of the Town and Country Planning Act 1990 as:

- the carrying out of development without the required planning permission; or
- failing to comply with any condition or limitation subject to which planning permission has been granted.

w) Deposit Return Scheme for drinks containers update

The government has announced an update on the Deposit Return Scheme for drinks containers (DRS), setting out next steps to deliver this project.

Following feedback from industry and discussions with the devolved administrations, the Department for Environment, Food and Rural Affairs (Defra) has confirmed the Deposit Return Schemes for drinks containers will be introduced in October 2027.

Defra has also published a UK wide – England, Northern Ireland, Scotland and Wales policy statement confirming the alignment across the UK on the following policy areas – joint registration, reporting, labelling, reciprocal returns, deposit level, minimum container size, and low volume products.

Additionally, the government has published a statement on glass drinks containers in the DRS in England

x) Abbey Headland Parking

North Yorkshire Council's Parking Services made the following response to questions posed to it two months ago about campervan parking on the Abbey Headland and the consequential misuse of the council's toilets to dispose of chemical toilet contents.

Firstly with regards to campervans and caravans accessing the car park, these can be separated into 2 types of users which include general members of the public and travellers (unauthorised encampments). With regards to travellers, the new North Yorkshire Council and North Yorkshire Police are currently working towards a joint working procedure and Policy in this regard, as the government has made it clear that it expects Local Councils and Police forces to work together to deal with unauthorised encampments.

Currently the procedure in place is when a report is made to The Police or The Council that there are travellers, a visit will be undertaken to determine how big a problem is and a welfare assessment undertaken. The visit will find out what their

intentions are and then a decision will be made on what action is proportionate, this could include tolerated trespass or the commence of proceedings. Officers were aware of travellers in the car park prior to the Regatta, however these have now moved on prior to legal proceedings taking place. (If the direction to leave the land is not complied with, the local authority can apply to a magistrates' court for an order requiring the removal of vehicles and any occupants from the land). Unfortunately this is not a quick process, as we are reliant on an hearing date being set. I am not sure when the photograph below was taken, however my understanding is they have now left.

The Police have wider powers that are less time consuming however there is evidence threshold that needs to be met for their use, the threshold involves a senior police officer looking at a range of factors including whether there are serious breaches of the peace, disorder, criminal activity or anti-social behaviour that would necessitate police involvement. I would always advise you make the Police aware of any of these instances taking place.

In relation to motorhomes using the car park, there are a number of car parks where motorhomes are prohibited between the hours of 11pm and 7am, which is enforceable by the Councils Civil Enforcement Officers, however Abbey Headland is not included. This was a decision made by previous SBC members in 2016.

We are currently revisiting the restrictions on motorhome parking along the coast in North Yorkshire and we will reconsider the position in car parks and on street. However, I need to add that unless there is a complete ban on all overnight motorhome parking, there will always be areas where they congregate.

Local Government Reorganisation has now brought along the opportunity to consolidate and improve on the aims and objectives of Civil Parking Enforcement (CPE) throughout the whole council area which previously has been fractionalised into On and Off – Street priorities being determined between all of the councils prior to the merger.

We will also looking (sic) to standardise off street policies which include motorhome parking in North Yorkshire as explained above, over the next 12-18 months.

We have recently reinstated the no camping/cooking/sleeping signage however this is not enforceable by a Penalty Charge Notice. We hope that this will act as a deterrent and that you have noticed a reduction in numbers of motorcaravans staying overnight.

y) Vacancies

You will be aware that the vacancy arising on the West Cliff, following a resignation has been advertised in the noticeboard and on the website. That vacancy has a claiming date of 20 May. If ten electors from the ward call for an election, that will be organised by North Yorkshire Council. Otherwise, it would be for the town council to co-opt to the vacancy.

Separately, an election has been called by ten electors for the Stakesby Ward vacancy. If contested, that election will take place on 20 June. The official notice will be made by

North Yorkshire Council on 15 May. Nomination papers may be submitted to them (by hand in Scarborough) from 16 May. The deadline for candidates submitting nomination papers is 4pm on 23 May 2024. The town council has nomination packs available for prospective candidates. Prospective candidates may be advised to contact the Returning Officer directly. North Yorkshire's Elections team have urged that anyone seeking nomination contacts them on 0300 131 2 131 (ask for the elections office) to book an appointment for an informal check on their nomination paper (it can be formally submitted after that check). They also stress that nomination papers must be delivered BY HAND to The Returning Officer, North Yorkshire Council, Town Hall, St Nicholas Street, Scarborough, YO11 2NG.

Recommendation: A decision is required on whether the council wishes to distribute polling cards, at a cost of £1,600.

z) Information sent separately to councillors

- "Your Fire Service, Your Say" – Commissioner Zoë to host online meeting driven by interest from the public.
- "Your Police Service, Your Say"
- A Basic Understanding of the Planning System Webinar - Monday, 13 May
- Assets Training Day Talking Tables - Saturday, 27 April
- Breakthrough Communications Webinar Training Sessions
- Casual Vacancy
- Coastal Area Parish Forum - Thursday, 16 May 2024
- Committee Memberships 2024-2025
- Department for Energy Security and Net Zero - consultation into barriers to community energy projects
- East Marine Plan: Statement of Public Participation Publication
- Equalities, 20mph and Hustings
- Everything you need to know about your council's website and gov.uk
- Federation Proposal: Seton Community Primary School and Ruswarp Church of England Voluntary Controlled Primary School
- Home to School travel policy - consultation PC H&R & S&W ACC
- Halifax branch closure in Whitby
- Holding Better Meetings Webinar - Thursday, 2 May
- Latest council news from North Yorkshire
- Lawful Agendas and Best Practice Council Minutes Webinar - Wednesday, 13 March
- MAPS Meeting
- Marine Planning Newsletter Spring 2024
- Mayfield and Streonshalh March Council Police report
- NALC Chief Executive's Bulletin
- NALC Events
- NALC Newsletter
- NALC Revised Model Financial Regulations
- Neighbourhood Plan Training Session for all councillors
- NEW SPOOF EMAIL

- North Yorkshire Council Subsidised Local Bus Services in the Areas of Craven, Hambleton, Harrogate, Richmondshire and Ryedale, and Scarborough Park and Ride
- North Yorkshire Police "Improves its performance" says His Majesty's Inspector
- Notification of Commencement of the Call for Sites
- NYC Standards Bulletin
- Office of Police, Fire and Crime Commissioner to be renamed York and North Yorkshire Office for Policing, Fire, Crime and Commissioning
- Pannett Park Management Committee meeting minutes
- Parish and Town Council - North Yorkshire County website accuracy check
- PLANNED ROAD RESTRICTION NOTIFICATION - 19531 Clarence Place
- PLANNED ROAD RESTRICTION NOTIFICATION - 47909 Back Street Falcon Terr and George St
- PLANNED ROAD RESTRICTION NOTIFICATION - 50755 and 50760 North Promenade
- PLANNED ROAD RESTRICTION NOTIFICATION - 51569 Newton Street
- Planning Appeals and Enforcement Webinar - Monday, 25 March
- Power Interruption
- Preparing for the AGAR Webinars
- Press release. The "GALEÓN ANDALUCÍA" WILL VISIT WHITBY from 10 to 15 July
- Request for information - North Yorkshire and York Local Nature Recovery Strategy (LNRS)
- Role of the Clerk and Responsible Financial Officer (RFO) (FOR COUNCILLORS ONLY) Webinar - Wednesday, 8 May
- Staffing Changes
- Webinar - North Yorkshire and York LNRS
- Welcome to your April issue of Rural News
- Whitby - Your new Banking Hub
- Whitby Community Network meeting on Monday 18th March 2024
- Whitby Mayoral Hustings - 6.30pm Monday 15th April 2024
- Whitby Town Council - Stakesby Ward By Election
- White Rose Bulletin
- YLCA Councillors Discussion Forum - Wednesday, 10 April
- YLCA Information Bulletin 19 April and Training Bulletin
- YLCA Law and Governance Bulletin March 2024
- YLCA New Legislation on Employment Law
- YLCA Off to Flying Start webinars
- YLCA Talking Tables Asset Training Day – 27 April
- Yorkshire Society latest news and announcements