

Community Governance Review

Final Recommendations

Newby & Scalby Unparished Anomalous Area

July 2023

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1. The Review

- 1.1. A Community Governance Review (CGR) is a review of whole or part of a principal council's area for the purpose of making recommendations with regard to creating, merging or abolishing parishes and the naming and electoral arrangements of parishes. Where a parish of over 1,000 electors is created it must have a parish council. A parish council may be called a Town, Community, Neighbourhood or Village Council. The review is undertaken:
- In accordance with the legislation in Chapter 3 of the Local Government and public Involvement in Health Act 2007;
 - Having regard to guidance published by the Secretary of State and the Local Government Boundary Commission for England; and
 - Complying with the terms of reference that the council has adopted for the review
- 1.2. A review is often undertaken when there have been changes in population or reaction to specific new issues to ensure that community governance for the area continues to be effective and convenient and reflects the identities and interests of the community. The aim of the review is to bring about improved community engagement, communities that are more unified, better local democracy and more effective and convenient delivery of local services.
- 1.3. NYCC agreed to conduct this review at a meeting of the Executive on 19 July 2022. The report and the legal basis on which the review is conducted, along with the terms of reference for this review can be found here: [Agenda for Executive on Tuesday, 19th July, 2022, 11.00 am | North Yorkshire County Council](#). The Executive resolved that:
- i. Community governance reviews be undertaken for the unparished parts of Harrogate and Scarborough, incorporating Eastfield Town Council.
 - ii. The Assistant Chief Executive (Legal and Democratic Services) in consultation with the relevant Executive Members be given delegated authority to approve the terms of reference once final typographical changes have been completed and to take any necessary action to progress the Community Governance Review.
- 1.4. The terms of reference for the Scarborough area included three anomalous areas along the boundary lines of the unparished area, which following a Borough Council review of wards by the Local Government Boundary Commission for England (LGBCE) in 2017/18 saw changes made to wards which were once coterminous

with the parish boundaries. The changes now mean that affected residents no longer fall within the same borough ward (now abolished), county division or parish, with some remaining unparished. It is felt that these 3 anomalous areas could be addressed as part of this review, being consequential matters arising from the LGBCE review. One of these anomalous areas include Charles Williams Apartments which are currently split between being part parished within Newby & Scalby Town Council, and part unparished.

- 1.5. The Local Government and Public Involvement in Health Act 2007 requires the Council to consult the local government electors for the area under review and any other person or body who appears to have an interest in the review and to take the representations that are received into account by judging them against the statutory criteria.
- 1.6. The timetable for the review is set out below:

Revised Timetable*	
Aug 2022 to Oct 2022	Stage 1 consultation
Nov 2022 to Jan 2023	Consideration of responses and drafting of recommendations
Mar 2023 to May 2023	Stage 2 consultation on draft recommendations
May 2023 to Jun 2023	Formulation of final recommendations

* Reasons for revisions and delays are explained in Appendix A

- 1.7. This review offered two opportunities for residents to have their say. The Stage 1 consultation formed the basis of a set of draft recommendations detailed at 1.12 below, were approved by NYCCs Executive on 10 January 2023. The report presenting the draft recommendations and full consultation outcome report can be found here: [Agenda for Executive on Tuesday, 10th January, 2023, 11.00 am | North Yorkshire Council. The Executive resolved:](#)
 - i. That the responses from the consultation process which took place following publication of the Terms of Reference in July 2022 and the comments of the Member Working Group be noted.
 - ii. That the draft recommendations (as amended) set out in Appendices 1, 2, 3, 4 and 5 of the report be agreed and publicised as part of a Stage 2 consultation commencing on 20 February for eight weeks.

- iii. That the Executive note the Notice of Motion approved by Harrogate Borough Council on 21 September 2022. Rather than hold a binding referendum, it was agreed that as part of the Stage 2 public consultation process for the Community Governance Review, every household in the Harrogate and Scarborough unparished areas will be written out to again with information on the detailed proposals.

1.8. During the stage 1 consultation 20 responses were received for the Newby & Scalby area, the outcomes were as detailed in the table below:

Option	Number	Percent
Option 1 – to create a parish council for the unparished part of Scarborough Town Centre and include the unparished part of Charles William Apartments within it	7	35 %
Option 2 – the unparished part of Charles William Apartments becomes part of Newby & Scalby Town Council, and the unparished part of Scarborough Town Centre becomes a separate parish	5	25 %
Option 3 – to leave Scarborough Town Centre and the unparished part of Charles William Apartments unparished.	5	25 %
Option 4 - the unparished part of Charles William Apartments becomes part of Newby & Scalby Town Council, and the unparished part of Scarborough Town Centre remains unparished.	2	10 %
Some other option	0	0 %
Don't know/not sure	1	5 %
	20	100 %

- 1.9. The majority of respondents favoured parishing of the unparished part of Charles Williams Apartments (70%), and 35% were in favour of it becoming part of Newby & Scalby Town Council, therefore it was proposed to extend Newby & Scalby Town Council boundary to become coterminous with the (now former) SBC Newby Ward and NYCC Newby Division.
- 1.10. A Stage 2 consultation exercise has now been undertaken, which forms the basis of these final recommendations. The full methodology used for the Stage 2 consultation is set out at Appendix A and the survey at Appendix B.
- 1.11. Residents were able to give views on each recommendation, by submitting a survey which listed each draft recommendation, and asked to say whether they agreed, disagreed, or didn't know / weren't sure, as well as provide any comments.
- 1.12. The draft recommendations that residents and stakeholders were consulted specifically on, for this area were:

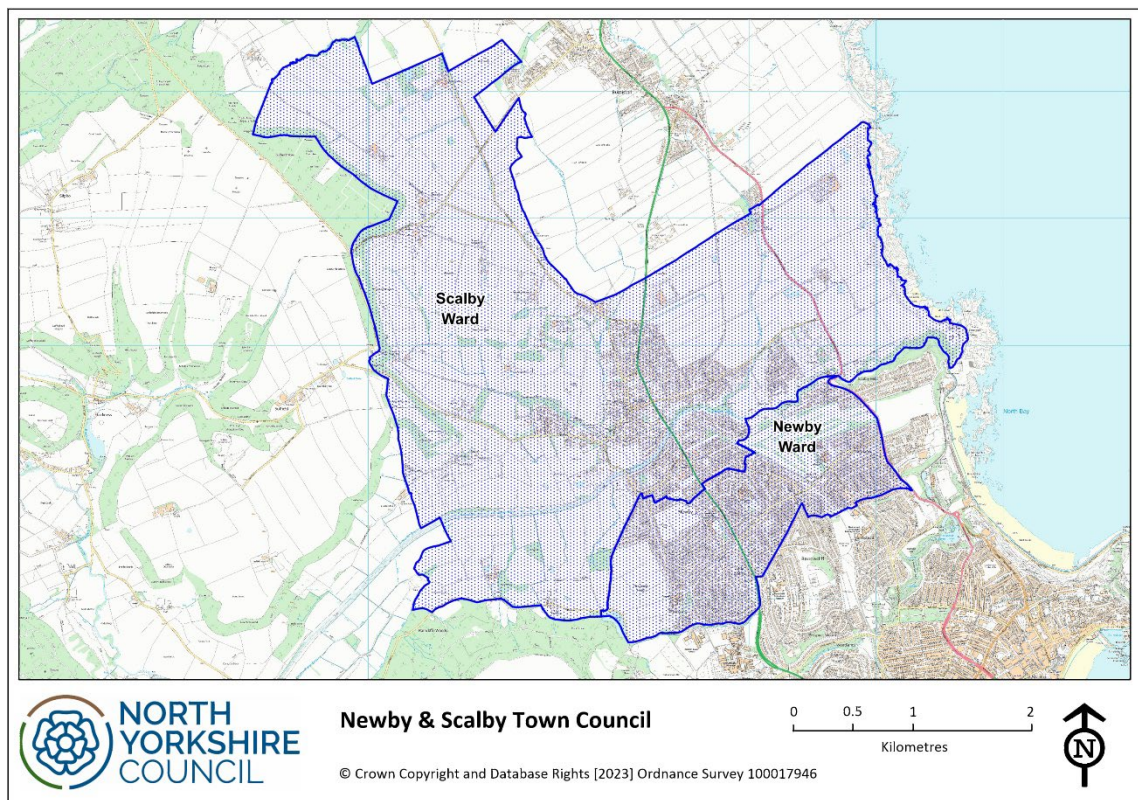
Recommendation 1 – To extend Newby & Scalby Town Council boundary to include all of Charles Williams Apartments, to become coterminous with the SBC Newby Ward and NYCC Newby Division

Recommendation 2 – That the changes take effect on 01 April 2024 for administrative purposes.

Recommendation 3 - that the change takes effect on 15 October 2023 for electoral purposes (ahead of publication of the revised register planned for 01 December 2023)

2. Current Arrangements and History of the area

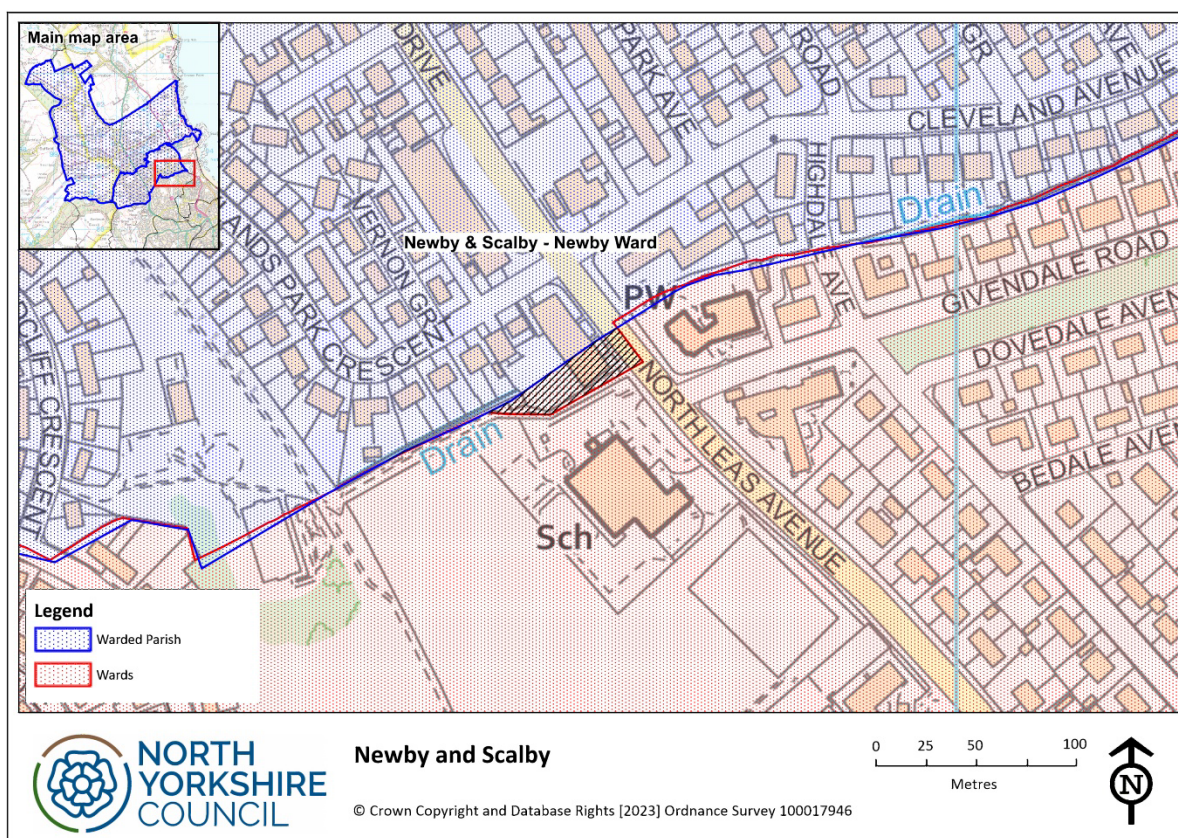
2.1. Newby & Scalby Town Council is currently arranged by two wards, as follows:



Newby & Scalby Town Council	Electorate (Dec 2022)	Households (June 2022)	Councillors
Newby Ward	4,856	2,849	8
Scalby Ward	2,934	1,858	5
TOTALS:	7,790	4,707	13

Relevant History

- 2.2. The external boundary of the parish prior to the 2017/18 LGBCE review was wholly coterminous with the SBC Newby Ward. However, the LGBCE took note that Charles William Apartments on North Leas Avenue are split between areas: twelve apartments (numbers 1-12) are unparished (hatched area in the map below) within former SBC Woodlands Ward and NYC Woodlands Division, whilst the remaining apartments are within former SBC Newby Ward, NYC Newby Division and Newby & Scalby Town Council (shaded blue in the map below).



- 2.3. The LGBCE concluded that for the purposes of community identity and cohesion that all apartments should be within the same ward, and adjusted the ward boundary to capture all apartments within Newby Ward. At parish level, the split remains in place and the parish boundary is no longer coterminous with the ward boundary, which is now also the same as the NYC division boundary.

2.4. In April 2022 the parish council resolved to change its name from Newby & Scalby Parish Council to Newby & Scalby Town Council (keeping a chairman rather than appointing a mayor) taking effect on 01 May 2022. According to a news release by the parish, this change was justified based on:

- the parish council establishing that it was the 7th most populated parish in North Yorkshire, and of the 10 most populated parishes in North Yorkshire, Newby & Scalby was the only one on the list not called a ‘town’ council.
- Raising the council’s profile to assist with potential devolution opportunities under the new single unitary authority
- Support with other potential funding opportunities

Five year electorate forecast

2.5. The electorate and 5 year electorate forecast of Newby & Scalby Town Council is as follows:

Ward of Newby & Scalby Town Council	Electorate (Dec 2022)	Electorate Prediction (2027)	Predicted Electorate increase	Councillors
Newby	4,856	4,872	16	8
Scalby	2,934	3,464	530	5
Totals	7,790	8,336	556	13

2.6. The small increase in the Newby Ward is due to an expected increase in dwellings detailed within the former SBC Local Plan in relation to various smaller site developments, building conversions, changes in premises use, etc.

2.7. The increase in Scalby Ward is due to an expected increase of 334 dwellings detailed within the former SBC Local Plan as developments at former Scarborough Rugby Union Football Club, Scalby Road, Newby (Updated Position - HA7), Land to east of Lancaster Park, Land off Mill Way (Full Permission), Mill Way (Outline), and Danes Dyke, plus various smaller site developments, building conversions, changes in premises use, etc

3. Assessment of Submissions

- 3.1. Responses were not limited to households only, anyone within an interest was invited to respond. The following table shows the number of households written to, the number of submissions received, and response rate, for both phases of consultation during this review:

Consultation Stage	Stage 1	Stage 2	Increase / Decrease
Households posted to	12	12	0
Responses received for area	20	16	↓ 4
Response rate	167 %	133 %	↓ 33.3 %

- 3.2. Responses were received through a combination of online surveys, paper surveys returned, and emails containing views/comments, which have all been fed into the consultation responses and statistics.
- 3.3. Submissions received, both in summary form and in full can be found in the Newby & Scalby area consultation phase 2 report at Appendix C. Some comments are quoted in this assessment where they may be helpful to illustrate a point.
- 3.4. Response rates in the table above were calculated by comparing the number of returns with the number of households directly consulted by means of a mail out inviting responses from all properties in the areas under review. Fewer responses were received for this stage 2 consultation than the initial stage (33.3% decrease)
- 3.5. The majority of responses came from people who considered themselves to live in Newby & Scalby (15, 93.75%), the remainder (1) being from a community organisation in the area, stated to be Newby & Scalby Town Council. One response also referred to being a representative of 'Friends of Newby and Scalby Allotments' though they also ticked that they are a resident in the area (forming the 15 responses under that category).
- 3.6. Interestingly, only two responses were received from the postcode directly affected by the recommendation (Charles Williams apartments, YO12 6LY), demonstrating that the majority of directly affected residents who received a direct mailing chose not to respond. 87.5% of responses came from people not directly affected, but who either live in or a representative within the wider Newby & Scalby area.

Changes to Newby & Scalby Town Council Boundary

- 3.7. The survey specifically asked 'It is recommended to extend Newby & Scalby town council boundary to include all of Charles Williams Apartments, to become

coterminous with the SBC Newby Ward and the NYCC Division. Do you agree with this proposal?', responses were:

Answer	Number	%
Yes	12	75.0 %
No	3	18.8 %
Not sure	1	6.3 %

- 3.8. When comparing the number of responses to the options presented in the stage one consultation (see section 1.12 above) there is an increase in the number of people in favour of the specific recommendation to align the boundary line in that area. Though it is recognised that this specific recommendation is more direct (rather than a range of options as per stage 1 consultation) and will have contributed towards this increase.
- 3.9. Of those who selected 'yes', none gave comments supporting their choice.
- 3.10. Of those who selected 'no', 3 gave comments supporting their choice, and all were relating to the additional cost to the residents, though these respondents provided postcodes that are already within the parished Newby & Scalby Town Council, and will not see any additional precept as a consequence of this recommendation.
- 3.11. The one selecting 'not sure' gave no comments supporting their choice.
- 3.12. The representative from Newby & Scalby Town Council selected 'yes' to the recommendation, but gave no reason supporting their choice.
- 3.13. The two responses received from directly affected postcodes selected 'yes' and 'not sure'. But again, no comments were provided supporting their responses.

Timescales

- 3.14. The survey specifically asked 'It is proposed that this change takes effect from 01 April 2024 for administrative purposes. Do you agree with this proposal?'. Of the 16 responses, 11 (68.75%) said 'yes', 3 (18.75%) said 'no', with 2 (12.5%) selecting 'not sure'. No respondents provided comments supporting their choice.
- 3.15. The two responses received from directly affected postcodes selected 'yes' and 'not sure'.

4. Statutory Criteria

4.1. Section 93 of the Local Government and Public Involvement in Health Act 2007 requires that the Council must have regard to the need to secure that community governance in an area under review

- reflects the identities and interests of the community in that area
- is effective and convenient

and in deciding what recommendations to make the principal council must take into account any other arrangements for community representation or community engagement that already exist in an area.

4.2. The 12 unparished Charles Williams Apartments clearly form part of the same community and have the same identity and interests as those which are parished. There is little justification in splitting the apartments with a boundary line and leaving them unparished. It is felt to be in the interest of the affected residents to apply the same boundary line to the parish as has been applied to the division and ward boundary for these apartments.

4.3. A modification to the town council boundaries to capture all of Charles Williams Apartments within the same parish is likely to offer more effective and convenient local government to the affected residents, than to leave the area unparished, or to include with any new parish for the Scarborough town.

5. Final Assessment and Final Recommendations

- 5.1. The majority of respondents are in favour (75%) of the draft recommendations to extend Newby & Scalby town council boundary to include all of Charles Williams Apartments, to become coterminous with the NYC Division to resolve the anomalous unparished area which exists since the LGBCE former SBC ward review of 2018.
- 5.2. In the absence of any comments providing justified or supporting arguments for or against, the statutory criteria for a CGR is key for determining the outcome of this review and there is more strength and justification in aligning the electoral areas, than not.
- 5.3. Therefore, the final recommendations arising from this community governance review are:

Recommendation 1 – To extend Newby & Scalby Town Council boundary to include all of Charles Williams Apartments, to become coterminous with NYC Newby Division

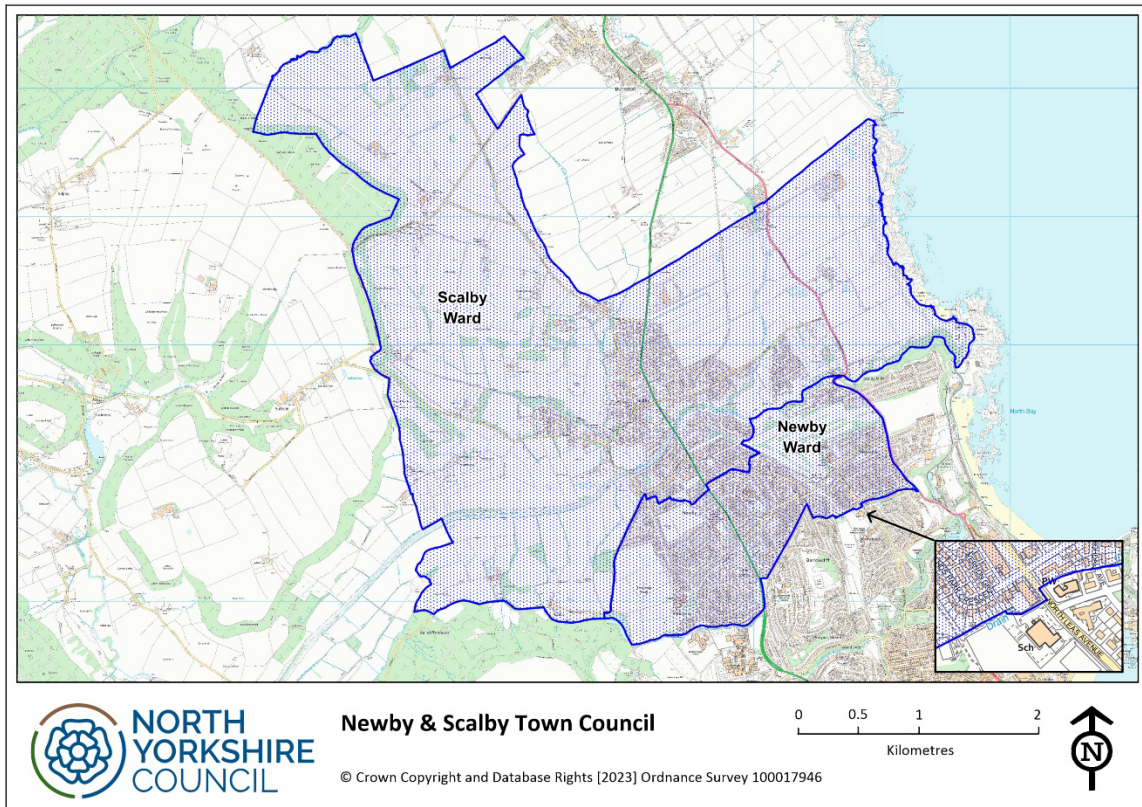
Recommendation 2 – That the changes take effect on 01 April 2024 for administrative purposes.

Recommendation 3 - that the change takes effect on 15th October 2023 for electoral purposes (ahead of publication of the revised register planned for 01 December 2023)

- 5.4. The warding pattern, council size, and electoral cycle are to remain unchanged
- 5.5. Based on the recommendations, the arrangements for Newby & Scalby Town Council would be:

Newby & Scalby Town Council	Electorate (Dec 2022)	Electorate Prediction (2027)	Councillors
Newby	4,867	4,883	8
Scalby	2,934	3,464	5
Totals	7,801	8,347	13

- 5.6. A map of the final recommendations for Eastfield Town Council is show here:



- 5.7. It is acknowledged that Newby & Scalby Town Council would benefit from a CGR of the whole parish (which is out of scope of this review) at a future date due to the expected developments within the Scalby ward of the parish as detailed in section 2.
- 5.8. The Councillor representation is not hugely affected by these recommendations, it affecting only 12 apartments.
- 5.9. Parliamentary polling districts already in place within the proposed parish area can be applied, as the warding pattern within the proposed parish area is coterminous with NYC divisions. To allow electoral administrators sufficient time to make changes to electoral registers ahead of register publication planned for 01 December 2023 for the area, the changes would need to be applied to registers on 15th October as detailed in recommendation 3.

6. Consequential Matters & Next Steps

Precept

- 6.1. As parish councils do not receive money from central government, they are reliant on income raised from the precept. Those properties to be included within the area currently do not pay a parish precept, but would be included within the parish precept area for Eastfield from 01 April 2024. Currently this is set at £22.84 for a Council Tax band D property.

Local Government Boundary Commission for England (LGBCE)

- 6.2. The principal council (NYC) must keep the Commission informed of any upcoming changes to parish arrangements within its area to ensure any forthcoming reviews of divisions/wards within its area, take the new parish arrangements into consideration.
- 6.3. The LGBCE has indicated that a review of NYC divisions/wards will be taking place prior to the elections to NYC in 2027, and have therefore already been informed of this review of unparished areas, and will also be informed of all final recommendations.

Electoral Matters

- 6.4. As the changes are based on existing NYC divisions, with established polling districts, there is no need for a polling place and polling district review consequential of these final recommendations.
- 6.5. However, under section 18C of the Representation of the People Act 1983 and the requirement for principal councils to commence and complete a review of polling districts within 16 months from 01 October 2023, a compulsory review will be taking place which will ensure any changes can be made during that process.
- 6.6. In readiness for the publication of the revised register of electors due on 01 December 2023, NYC will ensure that that the changes are adopted within register structures, reflective of these final recommendations.

7. Contact Details

W: www.northyorks.gov.uk/GCR

E: CGR@northyorks.gov.uk

T: 01609 780780

North Yorkshire County Council, County Hall, Northallerton DL7 8A

Community Governance Review - Consultation Stage 2 Methodology

Newby & Scalby Unparished Anomalous Area

- The stage 2 consultation began on Thursday 2 March 2023, and ran for a period of just over 9 weeks.
- The Community Governance Review webpage used for the stage 1 consultation was re-instated, and updated with further information for stage 2 including information from the stage 1 consultation, the Executive report and the draft recommendations.
- The consultation web page contained a link for an online survey allowing residents and other stakeholders to submit views on the draft recommendations.
- An A4 page information pack was also prepared containing the same information as was on the webpage, as well as a copy of the survey in paper format. The information pack contained the outcomes of the first stage of consultation, the specific draft recommendations being made, and the potential impact on residents.
- A letter informing residents of this next stage in the review process pack was posted to each of the 12 directly affected households on the electoral register in the unparished part of Newby Ward (1 – 12 Charles William Apartments). The letter explained the reasons for the review, and invited residents to have their say via the survey. Enclosed with the letter was an information pack, a paper copy of the survey and a pre-paid reply envelope. The letter signposted residents to the consultation area of the NYC website. A QR code was included on the letter to enable residents to access the survey directly from their mobile phones.
- An option was provided to request hard copies of the survey via telephone or email for those residents who preferred to complete a paper copy of the survey or who did not have access to the internet.
- Copies of the leaflet, paper survey and pre-paid return envelopes were made available at Scarborough Town Hall (Scarborough's main library was temporarily closed due to building works during this consultation stage), and Newby and Scalby library and information centre.
- In addition to the letter to every household, key stakeholders were also emailed a link to the consultation webpage and invited to give their views. This included the following stakeholders:
 - local MPs, the PFCC and councillors for the relevant area

- Directly affected parishes of Eastfield, Newby & Scalby, and Osgodby, as they had areas specifically detailed within the Terms of Reference
 - Parish councils adjoining the unparished area
 - Scarborough Borough Council's consultation stakeholder list which included disability groups, business, charities, voluntary groups, local associations, business groups and local public services
 - Any respondees to the initial consultation who did not already appear on any of the above distribution lists
- The survey which was used for this unparished area invited residents to say whether they agreed or not (or state 'not sure') with each of the specific recommendations, and were able to provide comments against each recommendation.
 - In addition to the 'all households' letter, NYCC and SBC social media feeds were used to raise awareness of the review at commencement. This was supplemented by reminder posts during, and close to the end of the review on the NYC social media feeds. All social media posts used a consistent approach with messaging, signposting and branding to avoid confusion for residents.
 - A press release entitled "New town councils recommended for Harrogate and Scarborough" was issued on 23 December 2022 leading to the review gaining coverage in the local press. A further press release entitled "Have a say on Harrogate and Scarborough town council proposals" was issued week commencing 03 March 2023 to promote the consultation.
 - An article titled "New Scarborough town council: your views needed" was also included in the Scarborough Borough Council Residents' newsletter circulated via email on 29 March 2023.
 - Council staff were informed of the review during LGR webinars and via the SBC 'Colleague News' newsletter and invited to take part.
 - An 'easy read' version of the information leaflet was prepared and was available on request for residents with learning difficulties and the survey could also be made available in other formats on request.

Community Governance Review - Newby & Scalby

On 1 April 2023 Scarborough Borough Council (SBC) will be dissolved and replaced by the new North Yorkshire Council (NYC). On that date Charter Trustees will be established for the parts of Scarborough town which are not currently covered by a parish or town council to ensure the continuation of Mayoral and other ceremonial functions. This will be in place until a parish or town council is created. Charter Trustees do not have powers to deliver any services.

This Community Governance Review is seeking the views of residents and stakeholders. An initial phase of consultation previously taken place asking whether the part of Charles Williams Apartments which is currently not parished (due to a boundary anomaly) should be included within Newby & Scalby Town Council or within any new governance arrangements for Scarborough town centre.

70% of those who responded favoured parishing Charles Williams Apartments which are not parished, though there were differing views on whether it should be part of a new Scarborough Town Council or be included in Newby & Scalby Town Council. Newby & Scalby Town Council supported the option of the 'parish boundary of Newby & Scalby be amended so that once again it is coterminous with the existing Newby Ward boundary'. From that, draft recommendations have been made. This second consultation is seeking views on the following draft recommendations:

- To extend Newby & Scalby Town Council boundary to include all of Charles Williams Apartments, to become coterminous with the SBC Newby Ward and NYCC Newby Division
- That these changes take effect from 01 April 2024 for administrative purposes.

Using Your Personal information

Any information provided in this survey will be used in the strictest confidence and will only be used for the community governance review.

For further information on how we collect, use, share, secure and retain your personal information, and your legal rights, please see our Privacy Notice at www.northyorks.gov.uk/privacy-notices

Please respond by **5 May 2023**, even if you responded to the initial consultation, to help shape the future of this area.

Where are you from?

1. Please state which of the following best describes you:

- | | |
|---|--|
| <input type="checkbox"/> I live in Newby & Scalby | <input type="checkbox"/> I am a representative of a community organisation in Newby & Scalby |
| <input type="checkbox"/> I work in Newby & Scalby | <input type="checkbox"/> Other (please state below) |
| <input type="checkbox"/> I own a business in Newby & Scalby | |

2. Please answer the following:

Your home, work or business postcode:

Your community organisation:

Other:

Your views on the recommendations

Changes to Newby & Scalby Town Council Boundary

3. It is recommended to extend Newby & Scalby town council boundary to include all of Charles William's apartments, to become coterminous with the SBC Newby Ward and NYCC Newby Division.

Do you agree with this proposal?

Yes

No

Not sure

4. Do you have any comments on this recommendation?

Timescales

5. It is proposed that this change takes effect from 01 April 2024 for administrative purposes. Do you agree with this proposal?

Yes

No

Not sure

6. Do you have any comments on this recommendation?

About you

Age

7. Which age category are you in?

16-19

20-29

30-39

40-49

50-64

65-74

75-84

85+

prefer not
to say

Disability

8. Do you consider yourself to be a disabled person or to have long-term, limiting condition?

Yes

No

Prefer not to say

Thank you for taking the time to complete this survey.

Please return this completed form to:

Corporate Director,
Central Services North Yorkshire County Council,
County Hall,
Racecourse Lane,
NORTHALLERTON
DL7 8AL
no later than 5 May 2023.



Community Governance Review – Consultation Responses (Phase 2) – June 2023

Newby & Scalby

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Summary of responses

The second phase of the Community Governance Review started Thursday 2 March 2023, and ran for a period of just over 9 weeks until 5 May 2023. All households within the community governance review received a letter, information pack, and details of how to participate in the consultation.

A total of 16 responses were received during this period, and a summary of the responses can be found along with further details within this report.

Where are you from?

The majority of responses to the Community Governance Review in Newby & Scalby consultation live in Newby & Scalby, with 93.8% of responses.

Please state which one of the following best describes you?	Number	%
I live in Newby & Scalby	15	93.8%
I work in Newby & Scalby	1	6.3%
I own a business in Newby & Scalby	1	6.3%
I am a representative of a community organisation in Newby & Scalby	2	12.5%
Other	0	0%

Respondents could select multiple options.

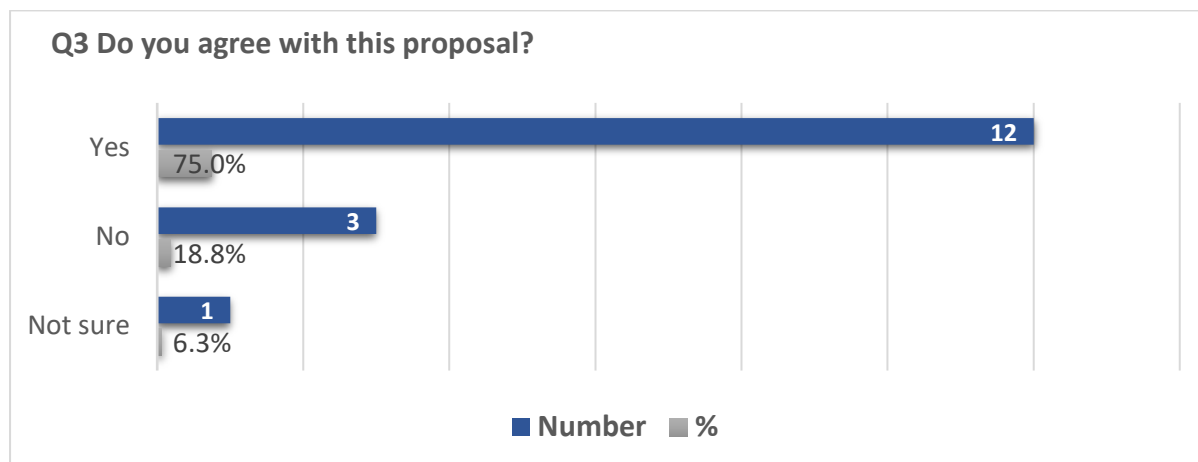
Further details on representatives from community organisations and other types can be found in Appendix A.

Views on the recommendations

Changes to Newby & Scalby Town Council Boundary

It is recommended to extend Newby & Scalby town council boundary to include all of Charles William's apartments, to become coterminous with the SBC Newby Ward and NYCC Newby Division.

The majority of responses (75.0%) agree with the recommendation.



Comments on boundary changes recommendation

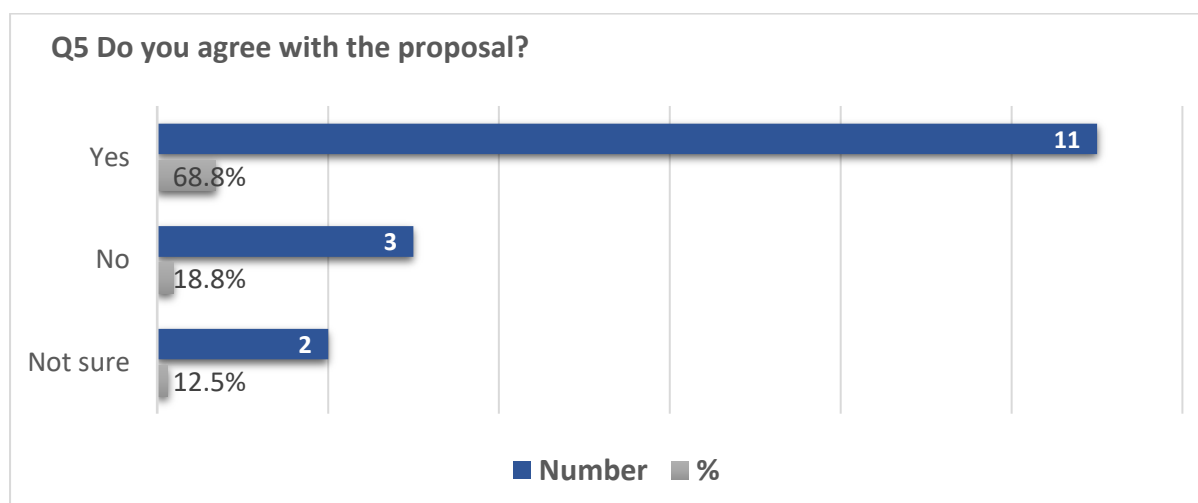
There were 4 comments on this recommendation.

Waste of money for the residents
I think this survey has been a complete waste of time & money.
Object to additional cost of proposal
Object to additional cost

Timescales

It is proposed that this change takes effect from 01 April 2024 for administrative purposes.

The majority of responses (68.8%) agree with the proposed timescales.



Comments on recommended timescales

There were no comments on the recommended timescales.

Appendix A – Representatives from community organisations and other types of respondents

Below are details of community organisations in Newby & Scalby:

- Representations were received from the following community organisations in Newby & Scalby. Their representations are included in the comments.
 - Friends of Newby & Scalby Allotments
 - Newby & Scalby Town Council

Below are details of other types in response to the question where are you from?

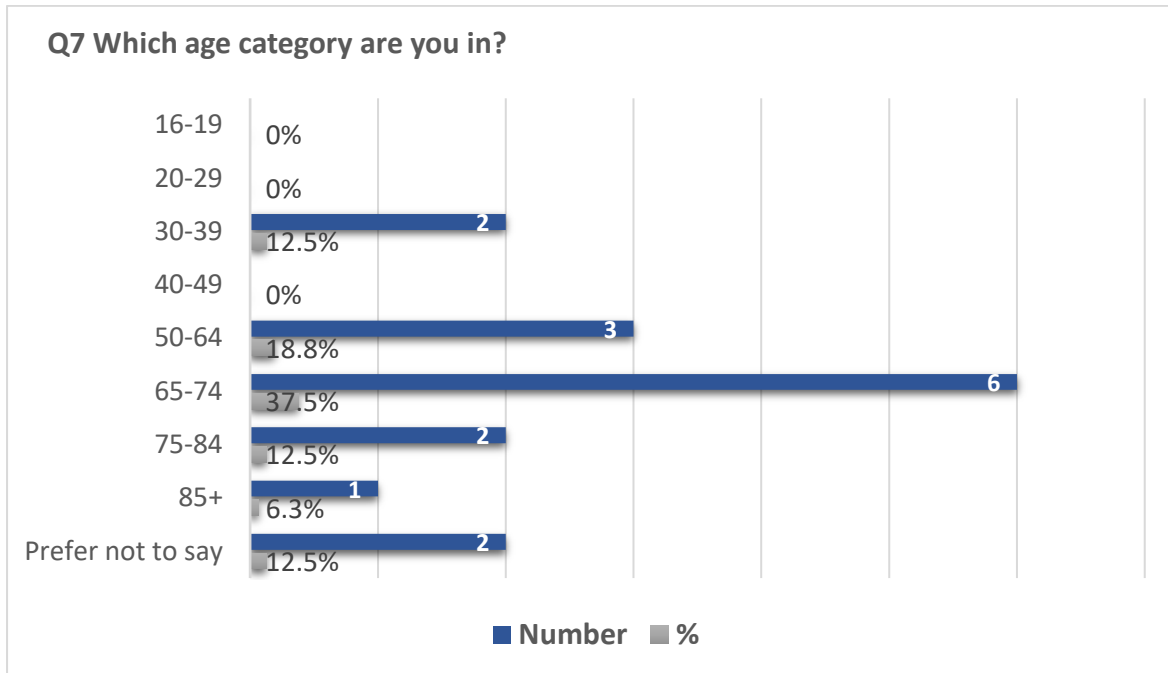
- There are no respondents from other types.

Appendix B – Equalities monitoring

Age Category

The highest numbers of responses come from people aged 65 to 74 and 50 to 64 years of age.

The chart below shows the age distribution of responses.



Disability

None of the responses come from people who consider themselves to be disabled or have a long-term limiting condition.

