

North Yorkshire Council

Thirsk and Malton Area Constituency Committee

Minutes of the meeting held on 16 June 2023, commencing at 2pm – held at the offices of the North York Moors National Park Authority, Helmsley

Present:-

Members: Councillors Joy Andrews, Alyson Baker, Lindsay Burr MBE, Sam Cross, Michelle Donohue-Moncrief, Keane Duncan, Caroline Goodrick, George Jabbour, Nigel Knapton, Janet Sanderson, Malcolm Taylor and Annabel Wilkinson.

Other Members – County Councillor Carl Les

Local MP – Kevin Hollinrake – appearing remotely

NYC Officers: Steve Loach (Democratic Services), Daniel Harry (Manager - Democratic and Scrutiny Services) and Harry Briggs (Environment, Enforcement and Contracts Manager – appearing remotely).

Apologies - Councillors Gareth Dadd, Gregg White and Dave Whitfield

There were 68 members of the public and press present.

Copies of all documents considered are in the Minute Book

1. Appointment of Chair for 2023/24

Resolved –

That Councillor Nigel Knapton be appointed Chair of the ACC until the first meeting of the Committee following the Council AGM in 2024.

2. Minutes

Resolved -

That the Minutes of the meeting held on 31st March 2023, having been printed and circulated, be taken as read and confirmed and signed by the Chairman as a correct record.

3. Appointment of Vice-Chair for 2023/24

Resolved –

That Councillor Caroline Goodrick be appointed Vice-Chair of the ACC until the first meeting of the Committee following the Council AGM in 2024.

4. Declarations of Interest

Members made the following declarations:-

Councillor Donohue-Moncrief – In respect of the petition item in respect of the provision of public toilets in Filey – She was a former Cabinet Member of Scarborough Borough Council

which had undertaken a review of public conveniences, including those in Filey. She had also been the Chair of Scrutiny following the Cabinet review and had voted for the recommendations. Recently she had been lobbied by the petitioner and others in relation to the provision of the public toilets in Filey. She emphasised that she had not pre-determined the issues raised and would approach the item without prejudice.

Councillor Cross - In respect of the petition item in respect of the provision of public toilets in Filey – He stated that he had similar interests to those outlined by Councillor Donohue-Moncrief having being a Member at Scarborough Borough Council and had considered, and voted on, the review. He was also a resident of Filey, so was affected by the proposals, and also knew the petitioner. He was also a Member of the Town Council which had been fully briefed on the proposals and had recognised these as a major issue for the town. He also stated that he had not pre-determined the issues raised and would approach the item without prejudice.

Councillors Goodrick, Knapton, Andrews, Taylor, Burr, Jabbour and Baker - In respect of the petition item in respect of the provision of public toilets in Filey – The Members stated that they had all served on the ACCs Planning Committee at which the petitioner had appeared as a public speaker in relation to the demolition and provision of temporary toilets of the public toilets. The decision on this matter, however, was not for that Committee to make.

Councillor Jabbour – In respect of the item related to the provision of Post Office services in Helmsley – He stated that he was a resident of Helmsley affected by the current situation and had been involved in correspondence with the Post Office in respect of the current situation.

5. Public Questions and Statements

The Chair noted that there were a number of public questions relating to items on the agenda, which would be taken when those items were considered.

The following question did not relate to any agenda item:-

Sharron Sumner – Local Resident

Given the purpose of this committee is to consult with the community in each Constituency, why are these meetings held during working hours? A number of people wanted to attend today's meeting about the lack of Post Office Services in Helmsley but were unable to do so due to work commitments. Many Principal and Unitary Councils have moved to holding meetings during the evening to better enable resident participation, it is also a benefit to working Members. Evening meetings is one way of encouraging people from a more diverse background to stand for public office.

Members discussed the issues raised by the questioner and outlined the following:-

- Some Members agreed that many working people were disenfranchised by meetings taking place within working hours, making it difficult for them to attend, and noted that Town and Parish Councils usually held their meetings in the evening to encourage public participation.
- A Member stated that she also worked during the day and would find it helpful for a mixture of day and evening meetings to be provided to assist with her attendance.
- It was noted that many Parish Councils and Parish Forums had now moved to meet in the evening.
- Members suggested that a mixture of day and evening meetings would be beneficial for all involved.

- A Member considered this to be an important issue and suggested that there was an opportunity for technology to be utilised to give greater access to meetings for everyone.
- It was noted that not everyone worked during the day and moving meetings to the evening would disenfranchise those who worked at that time. It was also emphasised that Councillors were not full time, with many having jobs, and meetings were set up to take account of their availability.

The questioner stated that she too had been a Councillor and understood the need for a balanced approach. She emphasised, however, that the diversity of attendance for meetings such as this depended upon everyone having the opportunity to attend.

Members stated that they would pass on the issues raised by the questioner to the Constitution Working Group to determine how these could be developed.

6. Provision of Post Office Services in Helmsley

The Chair introduced this item welcoming all those who had attended the meeting in respect of this issue. He explained how Members of the ACC had agreed to discuss this matter at their previous meeting and had enabled the meeting to take place in Helmsley, allowing local residents to attend and express their views.

The procedure for this section of the meeting was outlined.

Initially the public questions related to this issue were provided as follows:-

Carolyn Frank

As a Helmsley resident I am disgusted that an award winning and vibrant market town is left without an essential service for residents for both posting and banking. However, I am here today to represent small businesses in my role as development manager for the Federation of Small Businesses covering York & North Yorkshire.

Businesses in the town, over 100 independent businesses, in order to stay open, need both postal services and access to banking services. It is that simple, it is not an inconvenience or a service that would be nice to have, it is an outright risk to businesses being here by Christmas 2023 or Helmsley having empty units where viable businesses once stood. The Post Office has to take responsibility – businesses told them downgrading the service here to an in shop not standalone post office was a risk, and were ignored, and are now being fobbed off with apologies which mean nothing.

Online banking is not a solution for cash-based businesses such as our brilliant cafes and takeaways, and with the demographic of an aging population in Helmsley, and the majority of businesses being microbusinesses, access to cash is paramount, and therefore a banking service for cash is needed in the town.

Postal services for online retail is part of retail today – a small shop in Helmsley cannot survive with footfall alone, they must trade online, and in order to compete with the likes of Amazon, they have to offer rapid delivery services, it is no good taking orders from a customer and saying I can post whenever I have to leave town next to go to a Post Office. With a microbusiness or sole trader, shops are losing many hours a week trading time, travelling out of town to post multiple deliveries in order to service their customers. Not all can access self service solutions.

There is also an impact on footfall – with no banks, and no Post Office which was promised as an alternative, what reason for local residents to come into town – the impact on our route-map to net zero of car usage instead of having accessible local services in walking distance is huge, not to mention the hollowing out of the service centre here in Helmsley.

It is not surprising that businesses are not queuing up to take on the post office – they are too small in both facilities and staff capacity, and the reputation of the post office is as an untrustworthy business partner given recent scandals.

The Post Office is solely responsible for the lack of service here, and in the absence of a suitable candidate approaching them to become postmaster after nearly a year, it is now up

to them to find a solution ASAP – whether that is finding premises and reinstating a stand alone post office, or providing a regular daily and reliable mobile service to the town.

Alex Crossan

I am a Helmsley resident and I am amongst all of the residents who are sick of not having a post office here!

Please can we do something about this. I really feel for the pensioners here (and let's face it, most of the people are retired here) who cannot get their pensions easily. I have a business in Helmsley and I have to travel to Kirkbymoorside to the post office to send letters which need weighing. This is very inconvenient indeed, let alone having to pass by the now eyesore of a building that used to be Costcutters. Everyday shopping in Helmsley is now even more limiting with Costcutters gone.

The Coop is more expensive than the Coop in Kirkby with less choice which is disgusting but that's another thing. I am primarily emailing to ask if we can have another post office in Helmsley as a matter of urgency. Please can you give whoever is dealing with Costcutters a kick as we cannot have such a disaster in our village which once won awards for being chocolate box beautiful, now it looks downtrodden and feels downtrodden with no post office and a major empty shop space.

If you need any support on this I'm happy to help.

Don Wallace

Please could the PO provide a breakdown of the estimated revenue figure stated in the advert, and explain how remuneration operates - is it based on a fixed salary or PO product sales? Also could they confirm whether this figure has been enhanced due to inflation since the PO closed and the date of the advert?

Sharron Sumner

Strictly speaking (and in line with Constitution) Sharron should only have one question – What is the Chair and Vice-Chair's opinion (I am being told to stick closely to the Constitution currently)

Recycling in Helmsley - given the Councils and Governments commitment to tackling the climate emergency, when will waste food and plastic container recycling services be available in Helmsley?

In addition, if there is time I would to raise a point in relation to item 10. Given the purpose of this committee is to consult with the community in each Constituency, why are these meeting held during working hours? A number of people wanted to attend today's meeting about the lack of Post Office Services in Helmsley but were unable to do so due to work commitments. Many Principle and Unitary Councils have moved to holding meetings during the evening to better enable resident participation, it is also a benefit to working Members. Evening meetings is one way of encouraging people from a more diverse background to stand for public office.

Anne Nightingale and Steve Sutcliffe

An explanation as to how Costcutter/Post Office collapsed and whether there is debt left on the property would be appreciated.

Grassington has a population of 1107 people, and has a thriving post office, yet Helmsley is left without one.

The Horizon scandal may have contributed to a lack of those able to deliver a Post Office service.

I note that two clothes shops have started up in Helmsley recently which shows that there is obviously enough footfall to take the risk of operating a Post Office.

Hope this helps get some answers for us!

Mrs Moran

Mrs Moran submitted her contribution via local Councillor George Jabbour. The issues she raised related to the provision of a mobile Post Office service, which had operated temporarily

in Helmsley, and she noted that the times that this had operated and its location outside of the Town Centre had ultimately led to its failure and withdrawal.

Mark X Gibson - External Affairs Manager, Scotland, N. Ireland & North England Corporate Affairs, Brand & Communications was in attendance at the meeting, representing the Post Office, together with the Network Lead for the North of England. He outlined the following:-

- The Post Office had no desire to leave Helmsley without any services as there was no benefit for anyone from this.
- He outlined the history of the situation that had occurred in Helmsley, providing details of how the Post Office operation came to be located in the Costcutter store, following a national resolution that required all Post Offices to be viable.
- These services were provided at those premises with a Post Master in place to run the service, with Costcutter's owner providing the premises and additional staff.
- The Post Office are aware of the impact on a local community that the loss of local businesses and services have, but it was emphasised that the Post Office is required to operate commercially as there is not an infinite level of resources available to provide these services.
- In terms of the remuneration for the Post Master this was around £20k per annum which was based on the products/services provided. The products do not belong to the Post Master or the store, but are owned by the Post Office. Royal Mail also pays the Post Office to deliver services. It was noted that the various services (passport, Car Licensing, etc) were now put out to tender, and the DVLA had recently queried whether they would be undertaking this service through the Post Office in future, with a review as to how that would be delivered being undertaken at the end of the current contract.
- The current programme of local branches of banks has seen advice given that the local Post Office can provide these services. Whilst these can be provided the Post Office is not a bank and have to be paid appropriately for this to take place, in line with the need to operate commercially.
- In terms of the closure of the Costcutter store in Helmsley, this has happened overnight with the Post Office only provided with a few hours notice. At the time it was proposed that a new branch of the Post Office would be provided almost immediately. Staff were removed from other projects to enable this to happen, however, the operator could not gain access to the site, therefore, the opening was put back to a week later, but again this did not happen. There were no further options in terms of the existing location, therefore, an alternative provider was sought in appropriate stores in Helmsley, with one venue interested, but progress was unable to be made.
- Arrangements were made for the Mobile Post Office van to visit locations in Helmsley to try and ease the situation. This was undertaken on a voluntary basis, after the usual day, by the operator. This could not be continued beyond four weeks, however, as it was unsustainable for this to be provided by the operator additionally to the usual service.
- It was proving difficult to put something in place for Helmsley particularly as the Post Office were not minded to fund temporary solutions in the UK. There was also the issue of trying to identify a temporary Post Master which was also proving difficult, as this would be the only position of its type in the UK.
- He stated that someone had shown an interest in providing the services and was 80% confident that this would come to fruition, however there were no timescales currently.
- He emphasised that any help or assistance that could be provided to the local community in the interim until full services are restored, and noted that any available financial assistance would help to speed things up.

Members discussed the issues raised and the following issues and points were highlighted:-

- Local Member, Councillor George Jabbour, stated that the Post Office representatives had provided a fair assessment of the situation. He emphasised the need to provide a temporary solution as soon as possible, followed by a long term, permanent and viable solution. He noted that the Mobile unit had been very popular

when it was introduced, and felt that it would have been more successful if it had called into the centre of Helmsley, making it more accessible. He suggested that the reintroduction of the Mobile Unit, operating centrally, as well as the outlying communities, would be a good temporary solution for the town, and noted that this could be brought back fairly quickly. In response it was stated that whilst it was agreed that a temporary solution was required as soon as possible but it was unlikely the Mobile Unit could be utilised as this was fully utilised in other areas, and a redistribution of its services would be very difficult. There was also an issue in providing a temporary solution in that the existing postal service equipment, currently in place in the Costcutter store, would have to be removed and that would reflect on the cost. It was therefore important that a permanent solution be found, although, should this begin to become difficult, timewise, then the situation would be revisited. Councillor Jabbour emphasised the need to identify a permanent solution but also considered that a call into central Helmsley by the Mobile Unit, maybe once per week, would help to alleviate some of the current difficulties.

- A Member considered that the closure of Sub-branches of banks had compounded the situation in Helmsley and asked if there was a possible community led situation to the present situation. In response it was stated that some communities had developed organisations to deliver similar services, however, a Post Master was still required to operate Post Office services and the retail side would still need to be offered.
- A Member raised concern regarding the potential cessation of the car taxing service from the Post Office and suggested that the numerous services provided should be kept in one place, and considered that the Government and Post Office should be lobbied to ensure that this was the case. In response it was stated that the Post Office were now required to obtain contracts for all services provided, including those from the DVLA. Support for the retention of Post Office services from public bodies such as the Council would be appreciated.
- Mr Gibson highlighted the recent development of banking hubs in some areas, which operated within Post Offices, and provided banking facilities for a number of banks. These were established through funding from the banks and Cash Access UK, and provided access to various banking services for a number of banks and Post Office services, in one location.
- A Member referred to the difficulties faced by, in particular, older people in local communities, with banking and Post Office services being replaced by online facilities. She noted that in her own electoral Division, Thornton-le-Dale, a solution to the closure of the Post Office had been found through combining these services with the local General Store. This provided security for that local business, and addressed the requirements of the local community. She considered that this would be the most appropriate, viable solution for Helmsley. A Member highlighted the success of the various Community Shop based Post Offices in his electoral Division, and considered that this works well in some areas. The Member representing Helmsley Division stated that a Community Shop solution had been explored in Helmsley but had not come to fruition, mainly as there was a high level of footfall for the existing businesses, therefore there was no reason for them to take on the additional responsibilities that come with providing Post Office facilities. Some voluntary groups has looked into the possibility of providing Post Office services, but were unable to identify a Post Master.
- Every effort was being made to provide a solution to the lack of Post Office services currently in Helmsley and this would continue, with a continued search for appropriate solutions, both temporary and permanent.
- Members thanked the local community for attending the meeting and representing opinions on the provision of Post Office services.

Resolved –

That the following be thanked:-

- Councillor George Jabbour for bringing this issue to the attention of the Committee

- The representatives of the Post Office for attending the meeting and providing the relevant details
- Members of the public for attending in numbers and outlining their concerns.

It was agreed that the issues raised be noted and the issues highlighted be acted upon accordingly.

7. North Yorkshire Council's Petition Scheme - Filey Public Toilets

Should a petition contain 500 signatures or more a debate would be scheduled at the next meeting of the appropriate Area Constituency Committee.

The following petition had exceeded 500 signatures, and, as such, was considered at today's meeting:-

“Free access to toilets in Filey, pending a full review and consultation for the administrative district”

At the meeting the petition organiser, Jonathan Cairns, was given five minutes to present the petition and Harry Briggs, an officer of the Council, provided a written response read out by the Clerk. The petition was then discussed by councillors for a maximum of 15 minutes.

A decision on how to respond to the petition would be agreed at the meeting. Councillors may decide:

- to take the action the petition requests
- not to take the action requested for reasons put forward in the debate
- to commission further investigation into the matter.

The petition organiser would receive written confirmation of the decision and the decision would be recorded in the minutes of the meeting, published on the Council's website.

Mr Cairns outlined the following:-

“As of 13th June 2023, the petition has 1531 supporters. These have been gathered informally and without mass collecting. As an example one person on Coble Landing in late May collected 40 signatures in less than 35 minutes.

There has been 99.9% support for the Petition. All traders along the front have supported this. It is not just about Coble Landing, it is for Barry Robson who was left to fend for himself when the previous year work overran by 3 months. It is also for Steve Newton and his employees at Royal Parade, who wonder if their business will be decimated when Royal Parade toilets are dealt with.

The harsh lesson is much better planning and organisation is needed. Builders need to have supplies before committing to work. Planning permission can't be left to work out in January or February. Filey Town Council should be given more than 8 hours to look at plans. Local disability groups should be consulted on new design, and access.

All these actions affect people's businesses and livelihoods. They affect hundreds and thousands of visitors. Filey deserves better service. A written apology should be made to Mr Robson, and all those on Coble Landing for the delay and impact on their businesses. This delay was avoidable.

There is no excuse for lack of signage, and websites still saying toilets are open. No excuse for poor directions, giving incorrect street address. Correct signage was promised to the planning committee on 20th April 2023.

1. Temporary toilets were rejected by Mr Battersby, I could not persuade this committee to meet as a group of 3 ahead of 16th June 2023.

2. A head height shower has been promised (email from Mr Battersby). Maintenance report for last year showed 4 blockages due to sand. Is there a sand trap in this design?

3. The petition has identified some very important compliance issues with building regulations for disability aspects of the prefabricated block. Despite a detailed letter of 8th May 2023, and a data protection request, no plans showing amended access or barriers have been provided. Majority of the doors open onto the road.

4. I acknowledge that a Teams meeting took place with Mr Battersby and Mr Briggs on 1st June 2023, for which I am grateful.

5. Unresolved is the issue of a safety barrier, the capacity of the toilets has been reduced from 16 units to 7. The doors open onto a busy road. A similar set of cubicles in Scarborough already attracts queues of 25 people on a regular basis. See photograph.

6. The request is for all toilets blocks to be open on the front all year round. There may be an overlap here with charging policy.

7. In addition to the 1523 supporters for this Petition, over 700 Filey residents were consulted for Vision for Filey, at a consultancy cost of £30,000 plus. Those residents advocated more opening for toilets. See page references 27, 51 and 53 in the Vision for Filey document.

8. Access to toilets is not just about a bottom-line cost saving. People's health and wellbeing depend on access. Especially to those who are elderly and those with a disability. Post covid more people venture out, seeking fresh air and exercise.

9. My Petition specifically says not to impose charges until there has been a review. The issue is how to fund the cost? This request is on a par with consultation that has taken place over the policy to charge or not for garden collection bins in Selby.

10. It is Wednesbury unreasonable to charge Filey residents and visitors and businesses to pay for toilets, until there has been a proper review and consultation. So please put charging on hold until a policy decision has been made.

Other options :

- take money from car park fees?
- charge in summer time only?
- Not to charge business who pay rent , and rely on the toilets
- residents discount
- lower charge 20 pence
- what impact will charging have on visitor numbers.

Filey is, for example, very different to Scarborough, the cafes and kiosks are not overburdened with toilet facilities

- surely implied a business paying rent , has worked on rent being at level that includes access to toilets.

- ask Bridlington how their policy works ie free entry

Why was the toilet capacity reduced by 55% with no consultation?

How many people will be on the beach in July, August, September? Is there sufficient capacity with just 7 cubicles? - who is going to monitor this ?

What happens when it rains? - no shelter

Why are there no green climate adaptations? Solar panels, and water collection?

Opening times - this committee should direct please there should be consultation .

Vision for Filey - Mr Cairns outlined various paragraphs relevant to the provision of local public toilets from this document

“ basically saying toilets are essential for elderly and visitors, and should be open longer “

Yet SBC still shut them - why?

This is a really important document to help set policy for public toilets, my request is that North Yorkshire Council appoint someone to read this policy document to help set policy going forward. I am not expecting Councillors to read this for the meeting on 16th June 2023.

The Provision of Public Toilets

He outlined relevant paragraphs from this document plus written evidence from Visit Britain

Items on the petition, not yet dealt with:-

Free access to toilets pending review and consultation

Plus :

Provision of footbath

Provision of safety barrier

More flexible opening hours for Filey toilets

Mr Bill Massey had requested that he provide a question/statement in relation to this matter and was invited, by the Chair, to do this at this stage. Mr Massey outlined his support of the issues set out by the petitioner and asked that the new facilities be provided free of charge, be better than the previous ones and be open all year round. He also asked for reconsideration of the placement of a barrier at Coble Landing to address safety concerns.

Harry Briggs, Interim Head of Service – Operations, Transport and Countryside (SCA), submitted the following response to the petition, which was read out by the Clerk due to a technical failure preventing Mr Briggs from accessing the meeting remotely:-

“Thank you for the opportunity to respond to the ePetition filed by Mr Jonathan Cairns. Both Karl Battersby as Director and I have met with Mr Cairns and exchanged extensive communications on public convenience provision in Filey and the wider County. We have also met as a management team and discussed the issues raised in the petition and I am pleased to provide the following service response.

In terms of background; in October 2022 in dialogue with Filey Town Council, Scarborough Borough Council agreed to fund improvement works to two public conveniences in the town – Filey Ravine and Filey Country Park. During dialogue with the Town Council and Borough Councillors, it was agreed to demolish both facilities and replace with two new identical purpose built modular buildings. The design and specification was drawn up in partnership with the Town Council and the former Borough Council Portfolio Holder, this included the inclusion of pay on entry technology. The block at Filey Ravine, lies within the Towns’ Conservation area, so the demolition required full planning consent, regrettably this had a significant impact on the project timeline. Officers have continued to work hard to deliver the project and we anticipate both facilities to be open to the public by Sunday 25th June 2023.

Petition point 1. Provide temporary toilets for Coble Landing, whilst the new toilets are being demolished and replaced.

Service response –

Officers have worked on sourcing temporary provision while the improvement works take place. Unfortunately unlike at Country Park, identifying a suitable location near to Filey Ravine with access to services and which does not impact on adjacent businesses has not been possible. Approximately 270m away from the former facilities at Filey Ravine is a newly refurbished facility complete with disabled provision, in recognition of the situation, the entry fee here was waived until the improvement scheme at Ravine is complete.

Petition point 2. To provide free access at the point of entry to all toilet facilities in Filey, so as to be compatible with the Thirsk and Malton Area, in which Filey is now based.

Service response – North Yorkshire Council, Environmental Services, Racecourse Lane, Northallerton, DL7 8AD. The provision of public conveniences is a non-statutory service, as such the former Borough Council had a longstanding policy of implementing pay on entry technology where appropriate, to offset the cost of operating the service. Filey already has both free and chargeable facilities and this will continue. It is important to note that free provision continues to be offered to disabled users through the National Radar toilet access scheme. As the new management team we recognise that public conveniences is one of many areas of Council provision that varies across the County, following Local Government Reorganisation. A programme of work to review provision is due to start over the coming months to agree a new consistent approach to the service, this will involve the role of pay-on-entry technology and a strategic review of the network.

Petition point 3. To ensure that all toilet facilities are open all year round (allowing for reduced hours in winter)

Service response –

The former Borough Council operated a reduced network of sites over winter when demand was at its' lowest. Our public conveniences see significant seasonal change in usage, so opening, closing and cleaning toilets with few, if any users, is operationally inefficient. The vast majority of our sites are also unheated making the sites susceptible to damage from freezing pipework, more so if there is little water demand. To open all facilities all year will require budget growth, at this stage we cannot commit to this. We can however commit to the all year round opening of Filey Ravine, for the foreseeable future.

Petition point 4. To ask the council to reinstate the footbath at the side of Ravine toilets, and to ensure a suitable safety barrier is installed

Service response –

As part of the specification drawn up with Town and former Borough Councillors the scheme includes a foot and full height external shower. Officers have worked extensively with colleagues in Highways to agree the final layout following the small amount of pathway regrading necessary. Following the re-profiling of the pavement the need for a barrier has been removed.

Petition point 5. To have flexible opening hours for the Ravine toilets in the month of December to support the Festive event.

Service response –

The new facilities incorporate automated opening/closing technology and can be configured to open a reduced number of cubicles in the off season. Using this technology it is the intention to operate Ravine toilets as an all year facility.

I trust the above information is of use to the Chair and I welcome the thoughts of the Committee in due course.”

Members debated the details provided and the following issues were highlighted: -

- It was clarified that the ACC had no power to implement any of the suggested actions outlined in the petition but could recommend that consideration be given to issues raised by the Committee to the Authority's Executive.
- A Member emphasised that the new toilets were not placed in just the Thirsk and Malton area but were in North Yorkshire, therefore, comparing these solely to other facilities in the ACC area was inappropriate. She stated that a review of all facilities would be taking place in the near future to ensure that they all operated on a consistent basis throughout North Yorkshire.
- A Member suggested that the issues around safety raised by the petitioner should be referred to the Executive for further investigation, particularly in relation to health and safety concerns and DDA compliance.
- It was stated that consideration of the issues raised should be welcomed by the Committee as it provided an opportunity to refer concerns to the Executive in respect of safety, winter opening, and charges being imposed. The Member highlighting this raised particular concerns regarding the safety of the toilets coming off the beach and the need for a barrier there.
- A Member, also a Filey Town Councillor, welcomed the news regarding the forthcoming opening of the new toilets, following extensive work carried out in partnership with the Town Council. She noted that the introduction of charging for the use of the toilets had been implemented by a Filey Councillor. She suggested that the Committee took this opportunity to ensure that a review of public toilet provision throughout North Yorkshire took place to determine a common policy for all areas, through the Executive. The Chair recognised the requirement for a consistent approach and outlined how a review would be undertaken shortly to implement this.
- A Member noted that the issues relating to the safety of the newly provided toilets in Filey lay with Highways and they would determine whether they were safe and legal in relation to their proximity to the road.
- It was stated that an appropriate, consistent policy for public toilets throughout North Yorkshire was being developed, which would take account of charges and opening times, but in the interim the Committee could request the Executive to consider the health and safety concerns raised in respect of the new facilities in Filey and request an indication from the Executive of the likely timeline for the introduction of a consistent policy throughout North Yorkshire for the provision of public toilets.
- The local Councillor for Filey stated that he had listened to the debate with interest. He noted the large numbers of local people that had signed the petition and also the large number of visitors that were attracted to Filey. He recognised the need for a consistent approach throughout North Yorkshire and welcomed the opportunity to forward the issues of concern to the Executive. He suggested, however, that until the review had been carried out the new toilet facilities in Filey should be provided free of charge, with particular concerns for the wellbeing of elderly people, who were less likely to venture out should there be no free toilet facilities available. He considered that this matter should be submitted to the Executive alongside the other issues suggested. In response to this another Member stated that it was difficult for the Committee to make a judgement on the pricing issue without the full details being available, with a further Member stating that a full history of the situation being required for an informed decision on this to take place. Whilst supportive of the suggestion a Member considered that the issue of charging could have implications for all other public toilets in North Yorkshire should there be agreement not to charge for the Filey facilities, ahead of the review. It was noted that prior to the provision of the new facilities the toilets had been free, although subsequently there had been an agreement that had seen the operation and charging for such facilities been devolved to the Town and Parish Councils.
- Members undertook a vote on the issues to be referred to the Executive in relation to the petition with the matter of charging included. This was defeated.

Resolved that it be recommended to the Executive –

- (i) That a response to the issues raised on Filey Toilets in relation to Health and Safety requirements and compliance with the Disability Discrimination Act be provided
- (ii) That an indicative timeline in respect of the proposed county wide review of public conveniences be published as soon as possible.

8. Discussion with the Constituency MP, Kevin Hollinrake

Kevin Hollinrake, MP, had hoped to join the meeting remotely, but unfortunately, due to a technical failure, he had been unable to do so.

Resolved that this item be deferred to a subsequent meeting.

9. Area Constituency Committees in the new North Yorkshire Council

The Manager of Democratic Services, Daniel Harry, presented a report on the Area Constituency Committees in the new North Yorkshire Council allowing Members to discuss a guide on Area Constituency Committees' ways of working for this next iteration of the committees.

He highlighted the following from the report:-

- The report was developed alongside the Executive Member for Corporate Services and the Chairs and Vice-Chairs of ACCs.
- Arrangements for Meetings – including ordinary meetings, special meetings, additional meetings and hybrid meetings.
- The introduction of Mid-Cycle briefings for Chair, Vice-Chair and Group Spokespersons – to be utilised for Work Programme and agenda setting but avoid using as an opportunity for an additional meeting.
- A Corporate Director has been assigned to each Committee to assist with any issues in relation to the provision of reports or the attendance of Officers – Richard Webb has been assigned to Thirsk and Malton ACC.
- An essential part of the local agenda will be liaison with Parish and Town Councils, and the newly developed Community Partner Networks will assist in the development of that co-ordination.
- Liaison with Overview and Scrutiny would be an intrinsic part of the work of ACCs.
- Funding of £50k, held by the Corporate Director of Community Development, would be available to each ACC, with an appropriate framework for obtaining this being developed. The funding would be assigned to local projects following recommendations from the ACC.
- Details of potential areas of work for the ACCs were detailed in the report. This included identifying meaningful liaison with Community Safety organisations to ensure that there was a focus to the issues being considered, through the analysis of relevant data.

Members discussed the report and the following issues were highlighted:-

- It was clarified that issues raised through the Public Questions/Statements section would not usually be debated at that stage by Members, but the issues raised could be discussed during consideration of the Work Programme to determine whether these could be the subject of future agenda items.
- Issues relating to the consideration of Policing matters were discussed. A Member asked that, in future, just the recounting of Police data be avoided, with information as to how they are addressing issues being provided. A Member considered that attendance at ACC meetings was also important for the Police as they gained details on local matters, and from Council provided services.

- It was suggested that there was a need to continue to monitor Council services, with some details contained in the existing work plan being carried forward and to maintain the updates from the Constituency MP.
- The timing of meetings and the location of venues required careful consideration, as indicated in the earlier public question. There was also a need to consider how meetings were made easier access with appropriate infrastructure in place to enable remote access and to provide live streamed meetings. It was noted that where there was ICT equipment currently available the practice of broadcasting meetings would continue. The feasibility of obtaining equipment to allow access to all meetings was under consideration, and a report would be considered in due course. Members welcomed that the position regarding remote access to meetings, as it was felt that the current situation had seen a backward step from the previous position, which saw District and Borough Councils live streaming meetings. Members emphasised that ensuring the appropriate technology and ICT was in place was essential to engagement with the ACCs.
- It was suggested that a sharing of work programmes between the various ACCs would be of benefit, as it could be seen what issues neighbouring Constituency Committees were concerned about and determine whether there was any cross-over. It was noted that The Chairs and Vice-Chairs of the ACCs met regularly which allowed cohesive work to take place between the various ACCs.

Resolved –

That the report and issues raised be noted and appropriate action be undertaken to address the areas of concern outlined, accordingly.

10. Appointments to Outside Bodies

Members noted that a review of the various Category 2 and 3 outside bodies was about to take place and suggested that appointments to these bodies be carried out when that review had been completed.

Resolved –

That the appointments to Category 2 and 3 outside bodies be deferred until a review of the representation on those bodies has been completed.

11. Work Programme

Considered -

The report of the Assistant Chief Executive (Legal and Democratic Services) providing a Work Programme for Members to consider, develop and adapt.

As discussed in item 9, above, planning of the work programme would be undertaken at the mid-cycle briefings for the ACC and informal meetings of the ACC to ensure that the programme reflected the issues pertinent to local communities and to the Council, going forward. A revised work programme would be developed in line with the issues raised in the earlier report alongside the local matters.

Resolved -

That the Work Programme be developed accordingly and presented to subsequent meetings of the ACC for further consideration and development.

12. Next Meeting

Resolved -

That the next scheduled ordinary meeting of the Area Constituency Committee would take place on Friday 29th September 2023 at 10am at a venue to be confirmed.

The meeting concluded at 4.25pm.

SML