

North Yorkshire Council

Scarborough and Whitby Area Constituency Committee

Minutes of the meeting held on Friday, 22nd March, 2024 commencing at 10.00 am.

Councillor Liz Colling in the Chair plus Councillors Tony Randerson, Derek Bastiman, Eric Broadbent, David Jeffels, Janet Jefferson, Rich Maw, Clive Pearson, John Ritchie, Subash Sharma, Phil Trumper and Neil Swannick.

In attendance: Councillor Barbara Brodigan, Chair of the Children and Families O&S Committee

Officers present: Ellis Cooper, St John Harris, Helen Jackson and Richard Marr

Apologies: Councillors David Chance, Heather Phillips and Roberta Swiers.

Copies of all documents considered are in the Minute Book

58 Apologies for Absence

Apologies noted (see above).

59 Minutes of the meeting held on 1 December 2023

Resolved –

That the Minutes of the meeting held on 1 December 2023, having been printed and circulated, be taken as read and confirmed and signed by the Chair as a correct record.

60 Declarations of Interest

In respect of item 7 (Whitby Maritime Hub - public consultation) Councillor Trumper declared a personal interest since he was Chair of the Whitby Maritime Hub Steering Group.

In respect of item 8 (Long Term Plan for Towns (Scarborough)), Councillors Bastiman, Colling and Jefferson each declared a personal interest:

- Councillor Bastiman since he was Executive Member for Open to Business and a North Yorkshire Council representative on the Scarborough Town Board.
- Councillor Liz Colling since she had been invited to become the second North Yorkshire Council representative on the Scarborough Town Board.
- Councillor Janet Jefferson since she was President of Scarborough Chamber of Trade and Commerce and Chair of Scarborough Anti-Theft Group.

61 Feedback from previous meetings - Chair's report

The Chair was pleased to advise that following the multi-agency bathing water summit held in Scarborough last October, an environmental expert, Professor Darren Grocke from Durham University had been recruited to analyse seaweed in a project funded by the Council and McCain Foods to identify the source of pollution affecting bathing water quality in Scarborough's South Bay.

In respect of the committee's Economic, Regeneration, Tourism and Transport Project Development Fund, the Chair reported that for this year's £50k allocation, six projects had been selected to progress to scoping stage for decision by the committee at its next meeting on 7 June 2024. For the 2024-25 allocation, further project proposals would be discussed by members of the committee early next month.

62 Public Questions & Statements

One public question was submitted to the committee by Alison Hume.

Question

Following the closure of Eskdale School on 31 August and transfer of pupils to the newly amalgamated and named Whitby School (formerly Caedmon College Whitby) from 1 September, the school will continue to serve the catchment area which is currently shared between CCW and Eskdale School.

Children from Stainsacre are now expected to walk 2.26 miles to Whitby School along the Cinder Track. This journey takes an adult approximately one hour.

As any local will be able to tell you, this part of the Cinder Track is unlit, pot-holed, untreated in winter, surrounded by trees, streams and woodland, passes over a long, high viaduct with very low walls, is blighted by anti-social behaviour at the Whitby end and in an area with a patchy mobile phone signal.

It is suitable for dog walkers and well-used by cyclists as part of the National Cycle Network, but completely unsafe for 11 year old + children to walk unaccompanied, particularly in the dark. I refer to an assessment made on the 23rd January 2024 by a NYC Highways Officer on the route that children will be expected to take to school. The assessment report says that there's been no consideration of personal safety, but rather just an examination of the highways and topographical journey and concludes that the journey is safe 'accompanied as necessary'.

What is the Council doing to address this urgent question of safety - for example by improving the surface, drainage and lighting or providing school transport or staffed walking bus/active travel to accompany children on this journey?

Thank you for your attention to what is an urgent question of safety for parents of Whitby School pupils living in Stainsacre.

Officer response

This is the reply on behalf of Children and Young People's Service and Highways Officers.

Thank you for your question.

Pupils are entitled to free home to school transport to the nearest or catchment school for a home address where it is over the statutory walking distance via the nearest available route.

The statutory walking distances are used to determine whether a child is eligible to free travel to school. The distances are prescribed by the Education Act 1996 as up to 2 miles for children under 8 and up to 3 miles for older children. There is also extended eligibility for children aged 8 and over, on low income grounds (ie children entitled to free school meals or whose parent qualifies to the maximum level of working tax credit with no

reduction to their income) where the walking distance remains at up to 2 miles.

The nearest available walked route to Caedmon College, Whitby, using the cinder track, has been assessed as safe to walk, accompanied as necessary by a responsible adult. The measured distance of this route is less than 2.5 miles.

When assessing a route, the Road Safety Team have regard to the Road Safety GB - Assessment of Walked Routes to School Guidelines. These guidelines look at the relationship of pedestrians and traffic and suitability of the surface to walk on, taking into account a number of factors including road accident records, sight lines of crossing points and traffic flow; the latter is taken into account at the start and end of the school day when pupils would be walking the route.

The presence or absence of street lighting on a route is not considered to be a factor in assessing the safety of a route. When assessing the safety of an available route, only the potential risks created by traffic, the highway and topographical conditions are considered.

The matter of personal safety concerns of children travelling alone are not considered factors when assessing if a route is safe to walk or not, as personal safety is the responsibility of the parent or carer of the child. The council is under no obligation to provide free transport because parents perceive the route to be unsafe on the grounds of personal safety and security.

Where a child lives within the statutory walking distance to a school parents are responsible for arranging their child's travel to school. There is no expectation that the child will walk. It is for parents to determine what arrangements would be suitable for their child.

In response, Ms Hume commented that the cinder track was not a highway and expressed disappointment that the council was not prepared to make any improvements to that stretch of the cinder track.

Councillor Broadbent advised that parents had a route of appeal through the Appeals (Home to School Transport) Committee.

The Chair, Councillor Colling expressed concern that the safety assessment of a walking route was limited to the potential risks created by traffic, the highway and topographical conditions and she proposed that the committee revisit this matter.

63 Scrutiny Task and Finish Group - Special Educational Needs and Disability (SEND) Provision in the Scarborough and Whitby Area

Considered – report of the Scrutiny Task and Finish Group in respect of SEND provision in Scarborough and Whitby.

The Chair of the Task and Finish Group, Councillor Colling introduced the report thanking Councillor Ritchie for raising this matter and referring to the very productive evidence gathering session with parents, carers, school governors and other stakeholders at Scarborough Town Hall on 26 October 2023 which helped shape the report's recommendations. She was pleased that the Children and Families O&S Committee had endorsed the report's recommendations at its meeting in December for onward consideration by the Executive on 16 April 2024.

The Chair of the Children and Families O&S Committee, Councillor Barbara Brodigan then addressed the meeting, echoing Councillor Colling's comments, and commending the methodology of this scrutiny review which had been shared with all councillors. The O&S committee would revisit the report at the end of the year to check progress with the

implementation of the report's recommendations.

Other councillors then commended the report noting:

- LEAs across the country were struggling to cope with the financial constraints on SEND provision whilst still delivering a service
- It was apparent that some young people with SEND and their families were not being listened to. The scrutiny review ensured their voices were heard
- One of the key issues was the time it took to assess and identify children with SEND and then to produce and implement an Education, Health and Care Plan (EHCP) for them. Faster detection, earlier implementation of EHCPs and more resources were all needed
- One of the findings of the enquiry day last October was that some of the third sector organisations were not aware of each other. To address this, the Council would be facilitating a meeting of such organisations

Councillor Swannick noted that a lack of educational psychologists within the local education authority was creating a bottleneck in the undertaking of SEND assessments across the county. He welcomed the appointment of a senior educational psychologist but wondered how quickly the recruitment of additional staff (two trainees would also be starting this year) would help clear the backlog?

The Chair would request a written reply from the Children and Young People's Service which would be shared with the committee.

Resolved –

That the suggestions of the Task and Finish Group, as set out below, be endorsed by the Scarborough and Whitby Area Constituency Committee and considered further by the Executive on 16 April 2024:-

Schools

- a) Promote access to training and resources for Schools through SENCO (Special Educational Needs Co-ordinators) Networks, Locality Board websites and parent carer forums.
- b) Ensure that Schools are aware of their legal duties in relation to part-time timetabling as part of their duties.
- c) Continue to promote the development of Targeted Mainstream Provision across all areas of the County to ensure an increase in this provision and equity across the localities.

External Communications

- d) Review the information/resources that the Directorate make available with service users and families to make them more visible, user-friendly and accessible, including the Local Offer and the Local Area SEND Strategy.
- e) Review existing documents/website information setting out what children, young people and their families can expect as part of their SEND journeys, in terms of what they can expect from practitioners and Schools, as part of assessment and support planning, and in compliments, complaints and appeals processes.
- f) Regularly publish clear data on the timescales being achieved for SEND processes.
- g) Review SEND communication arrangements, so people are not left waiting for responses and follow-up actions to be made in a timely fashion.

Internal Processes and liaison with Partners

h) Share the findings of this review with relevant parts of the system in order to promote good practice and promote the benefits of hosting TMPs, including:

- Scarborough, Whitby and Ryedale Locality Board
- Scarborough, Whitby and Ryedale SENCO Network
- Headteacher briefings
- SEND and Alternative Provision Local Area Partnership Board
- Local Authority and Parent Carer Communications and Engagement Strategic Group

i) That County SENCO Networks and Locality Board Events be promoted as a vehicle for sharing good practice.

j) Share the findings of this review with Commissioners in the Humber and North Yorkshire Integrated Care Board to understand views regarding access to and provision of Speech and Language Therapy.

Wider working with the Third Sector

k) Explore with Parent Carer Voice how the work of various Parent Carer Charities is promoted and linked.

l) To continue to support and promote FEAST (Food. Entertainment. Arts. Sport. Together - Holiday Activities and Food Programme for North Yorkshire, funded by the Department for Education) for eligible families for children with disabilities.

64 Whitby Maritime Hub - public consultation

Considered – a presentation by Ellis Cooper, Economic Development Service, on the recent public consultation on plans to develop the new Whitby Maritime Hub on Endeavour Wharf. The Hub would provide training and certification opportunities for the maritime, marine and offshore industries in addition to providing accommodation to maritime businesses and service providers. Following the public consultation which had indicated broad support for the scheme, a planning application would be submitted for determination in June and an anticipated start on site in September with completion in October 2025.

Resolved – That the presentation be noted.

65 Long Term Plan for Towns (Scarborough)

Considered – a presentation by Helen Jackson, Regeneration Projects Manager about the Government initiative, Long Term Plan for Towns which included Scarborough. This was a 10 year plan for the town worth £2m a year which divided into a capital/revenue funding split of 75:25. The Plan covered the three themes of safety and security; high streets, heritage and regeneration; and transport and connectivity. The emphasis was on using the money wisely to lever in match funding from other partners. The Government had supplied a pick list of some 30 interventions around these themes which could be included in the Plan without further approval from Government. Examples of such interventions were CCTV, street lighting and shopfront improvements. The Scarborough Town Board could also opt for off menu activities but these would require the submission of a business case. Ms Jackson undertook to circulate the full pick list to the committee, also checking whether creating accommodation above shops was included.

Following the presentation, questions from members concerned:

- How the limits of Scarborough were defined for the purposes of the LTPT
- The importance of engaging with local businesses and getting them behind the Plan
- How to use the limited funding - £2m a year – to optimal effect
- Parish council involvement on Scarborough Town Board

In reply, members were advised that:

- The area qualifying for the LTPT was strongly directed by Government and the Office for National Statistics. The geography must be continuous and could not be expanded to other settlements such as Whitby. It already included Eastfield and a case was being made to extend it to the top of Scalby.
- Ms Jackson acknowledged that business representation on Scarborough Town Board was critical and welcomed Councillor Jefferson's invitation for her to come and speak to Scarborough Chamber of Trade and Commerce and to Scarborough Anti-Theft Group about the LTPT
- Ms Jackson commented that for larger projects some of the £2m could be rolled over to a successive year and that the revenue component was welcome by enabling the Plan to fund, say, events and activities in Scarborough town centre
- Parish council involvement on Scarborough Town Board was still to be considered

Resolved – That the presentation be noted.

66 Whitby Public Realm improvements - public consultation

Considered – a presentation by Richard Marr, Highways Area Manager, on the recent public consultation on the Town Deal scheme to improve the public realm in and around the swing bridge. The consultation was not wedded to any specific ideas but was looking for comments and suggestions on how to enhance the public spaces and green infrastructure around the Swing Bridge with a particular focus on pedestrians. A total of 269 responses were received with the vast majority (87%) local residents and aged 45 and over (81%). For the majority of the ideas proposed, views were quite evenly split for and against, with only the proposals to introduce planting at Tin Ghaut and traffic signals at Spital Bridge junction enjoying support of over 60%. A majority opposed the planting of the monkey puzzle tree and the replacement of the Langborne Road/Station Road/New Quay roundabout with a junction into Langborne Road. These ideas would be reconsidered. In respect of next steps, work on Spital Bridge junction would commence after the summer, whilst for the Swing Bridge area this initial consultation would help determine a detailed design for the area which would be subject to further consultation. The final design would then go out to tender for works to commence in 2025.

In reply to members' questions, Mr Marr advised that:

- The principal purpose of the consultation was to enable a rethink of the public realm in that area and generate discussion and debate about what was possible. Some elements of the design would be dictated by highway considerations and he acknowledged that no scheme would command 100% support
- The removal of the roundabout was proposed to change the mentality of the driver to see Langborne Road as a side street, but was not key to the success of the project

Some members expressed disappointment at the low number responding to the consultation but it was pointed out that this had been so with the previous three Whitby Town Deal public consultations. Some members felt too that because the way the Town Deal funding was spent was prescribed by Government, members of the public may feel it could be spent on other priorities.

Resolved – That the presentation be noted.

67 Scarborough & Whitby Area Constituency Committee Work Programme 2023/24

Considered -

The report of the Assistant Chief Executive (Legal and Democratic Services) asking members to review the Work Programme, taking into account the outcome of discussions on previous agenda items and any other developments taking place across the area. Members' attention was drawn to the long list of potential topics for the committee to consider. These could be dealt with in a variety of ways – e.g. informal briefings, briefing notes, presentations and reports – and would be the subject of further discussion by the committee at the monthly briefing on 10 May 2024. As proposed by the Chair at Item 5, it was agreed to invite Children and Young People's Services to the next meeting on 7 June 2024 to explain further about the safety assessment of walking routes to school with particular reference to the cinder track.

Members' discussion then turned to the suitability of meeting venues in Whitby. It was acknowledged that this venue was adequate although not ideal in terms of audio equipment, microphones and induction loop, but could not yet support remote attendance. This has been raised with the Executive Member and Democratic Services. In terms of public awareness about the meeting, it was noted that it was incumbent on members of the committee to promote the meeting to their constituents, and that members of the public could subscribe to receive notifications about upcoming meetings through the council website. It was suggested that guidance on this could be added to the agenda front page of future meetings.

Resolved - That the Democratic Services Officer update the work programme to reflect the decisions made during the meeting.

68 Any Other Items

There was no urgent business.

69 Date of Next Meeting

Friday 7 June 2024

70 Reports circulated for information only

70a Schools, educational achievement and finance

Given the below average levels of attainment in local schools evident in the report, it was agreed that this matter be added to the list of potential topics for consideration by the committee.

70b Rural connectivity

70c Plans for Scarborough Ambulance Station - councillor visit - 15 February 2024

It was confirmed that the cost of constructing the new ambulance station in Scarborough had risen from £7m to £21m.

The meeting concluded at 11.38 am.