

North Yorkshire Council

Scarborough and Whitby Area Committee

Minutes of the meeting held on Thursday, 3rd October, 2024 commencing at 10.00 am.

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

In attendance: Councillor George Jabbour.

Officers present: Chris Bourne, Mark Codman, St John Harris, Richard Marr, Joe Russell, Christine Phillipson and Helen Watson

Other Attendees: Alison Hume MP, Graham North (York and North Yorkshire Combined Authority), David Mortimer (Esk Valley Railway Development Company) and Lisa Williams (Esk Valley Railway Development Company)

Copies of all documents considered are in the Minute Book

85 Apologies for absence

Councillor Bastiman submitted an apology for lateness since he was attending a funeral.

86 Minutes of the meeting held on 7 June 2024

Resolved

That the Minutes of the meeting held on 7 June 2024, having been printed and circulated, be taken as read and confirmed and signed by the Chair as a correct record.

87 Declarations of interest

Councillor Chance declared a personal interest in Agenda Item 7. Coastal parking issues including the overnight parking of motor caravans, since the Sands End revetment and Whitby Promenade were both located in his division.

Councillor Swannick declared a personal interest in Agenda Item 10. Esk Valley Railway - a New Beginning, since he was a Director of Esk Valley Railway Development Company.

88 Feedback from previous meetings - Chair's report

With reference to the additions agreed to the work programme at the June meeting, the Chair advised that Scarborough and Whitby Youth Councils and registered provider, Beyond Housing had been invited to address the Area Committee at informal briefings in the first instance to help determine the form and content of any report that may come to a formal meeting.

In respect of the proposed special meeting of the Area Committee on sea bathing water quality, the Chair advised that because of the ongoing testing and investigations, this was now likely to be held in early 2025.

The Chair reminded the committee that the work programme was regularly reviewed at mid-cycle briefings, and given the committee's heavy workload, it was not always possible to add requested items to the next meeting of the committee.

In respect of the Long Term Plan for Scarborough, the revised allocation for this programme was expected to be announced after the Government's October budget. The full engagement results from the public consultation earlier this year on the Long Term Plan were now available and would be circulated to the committee.

89 Public participation

One public question was submitted to the committee by Michelle Naylor. The officer response was given under Agenda Item 7 below.

Question

We are extremely concerned that Whitby Promenade is being used by an increasingly large amount of traffic, driving at speed and it is only a matter of time, before someone just stands out of the door of a beach hut, possibly a child and is hit by a passing car.

In light of this growing risk, will the Council consider introducing a byelaw for Whitby Promenade?

Byelaws as to promenades

The local authority may, for the prevention of danger, obstruction, or annoyance to persons using the esplanades or promenades within the district, make byelaws prescribing the nature of the traffic for which they may be used, regulating the selling and hawking of any article, commodity, or thing thereon, and for the preservation of order and good conduct among the persons using the same.

90 Attendance of MP Alison Hume

In providing an overview to the committee of some of her areas of work, concerns and priorities, the MP reflected on a busy three months since she had been elected. This included speaking in the House about the need for a women's refuge in Scarborough, pressing for updates on the infected blood enquiry, calling for the introduction of a registration scheme for short-term holiday lets in light of the acute housing issues in Whitby and other parts of the constituency, and highlighting the poor state of rural bus services. She looked forward to the intervention of the Mayoral Combined Authority on this latter issue. The MP would shortly be elected Chair of the All Party Parliamentary Group (APPG) for Coastal Communities and served as an officer on the APPG on Autism. Ms Hume had lobbied Alex Norris MP in the Housing, Communities and Local Government Department to honour the previous Government's £20m commitment to Scarborough through the Long Term Plan; this payout would be determined after the Government's October budget. The MP was a member of both the Scarborough and Whitby Town Deal Boards and was working to deliver tenants for the new Whitby Maritime Training Hub. The MP had raised the poor performance of smart meters in the Esk Valley and wider area with the Energy Secretary but was confident that this issue could be addressed when contracts came up for renewal next year. Among other priorities for the MP were: job losses at the Woodsmith mine, local dentistry provision, the electric bus industry, and driving uptake of Pension Credit and other measures to assist pensioners.

Following this introduction, the issues raised by elected members included:

- The effect on pensioners of the Government cutting the winter fuel allowance and how these were being mitigated
- The better option of hydrogen as a vehicle fuel than rechargeable electric batteries
- East Coast NHS services and the current industrial action by microbiologists
- The justification for a women's refuge and alternative ways to assist victims of domestic violence
- The potential use of the planning policy intervention of a Primary Residence Scheme to provide more homes for local people
- The importance of supporting the local farming community and agricultural economy

The Chair thanked Alison Hume MP for her attendance and her responses to members' questions.

91 Coastal parking issues including the overnight parking of motor caravans

Considered a presentation by Helen Watson, Improvement Manager Area 3 Highways, on the long standing problem of motor caravans parking overnight on certain streets in coastal locations, and the proposal to introduce overnight motorhome parking restrictions at Sandsend, Royal Albert Drive and Cayton Bay through an Experimental Traffic Regulation Order (ETRO) to help address this issue. ETROs were a useful tool as they enabled the council to trial a restriction in a 'live' situation for up to 18 months, with the consultation period running alongside the trial for the first 6 months. An ETRO was flexible as it allowed for immediate feedback and minor changes within the first 6 months, and if changes were made, the 6-month consultation period would start again. A decision on making the scheme permanent or removing it would need to be taken within 18 months of the ETRO first coming into force. Updating her presentation, Ms Watson explained that further pre-consultation work meant that the ETRO was now expected to commence in November. The Area Committee would be consulted on the results of the ETRO and the proposed next steps in summer next year. Meanwhile, the Highways service continued to gather parking data and evidence of ongoing complaints for other streets in order to build a strong legal position and so withstand challenges from objectors, if further restrictions were proposed in other locations.

In reply to the public question about the risk to pedestrians on Whitby Promenade, Richard Marr, Highways Area Manager advised that Whitby Promenade was not part of the publicly maintained highway, and before local government reorganisation, was an asset of Scarborough Borough Council (SBC) which was responsible for the enforcement of the byelaw for that area. Since the creation of North Yorkshire Council, the Highways service had started to look at this and similar areas with vehicular access to explore how traffic could be better managed through Traffic Regulation Orders. The byelaw for promenades including Whitby Promenade enacted by SBC had only recently come to his attention. Mr Marr was working with Legal Services and Parking Services to establish if the byelaw could be enforced as an interim measure before the planned implementation of the more robust permanent Traffic Regulation Order.

Asked by Ms Naylor about timescales, Mr Marr replied that he hoped the existing byelaw could start to be enforced fairly quickly; however, the TRO could take much longer because there were conflicting factors which needed to be addressed first, for example, access for blue badge holders with chalets on the Promenade and the current closure of the cliff lift.

Members then discussed the presentation and public question and made the following comments:

- Welcomed the proposed approach to Whitby Promenade given the ongoing risk to pedestrians but expressed concern that Highways were not previously aware of the byelaw
- The original Whitby Urban District Council byelaw for the Promenade was revised by SBC in 2005 and was enforced historically by the beachmaster
- Welcomed the proposed ETRO: (i) to prevent motorhomes monopolising limited parking spaces (ii) because of fire safety concerns around concentration of gas bottles (iii) because a minority of motorhome owners irresponsibly disposed of waste and litter
- Voiced concern at the possible displacement effect of the ETRO on residential streets nearby (this would be monitored through the ETRO)
- More and better facilities were also needed for caravans and motorhomes

In reply to questions, members were advised that:

- The proposed prohibition of the overnight parking of motorhomes warranted a consultation period longer than the usual 21 days because of the complexity of the matter and the ability at the same time to test the impact of the ETRO
- Highways would work closely with Parking Services to ensure the ETRO was enforced and to monitor seasonal variations
- The ETRO would not lapse after the first six months but would continue for a further 12 months whilst/until a decision was taken on whether or not to make the scheme permanent
- Continuous parking bays rather than individually marked bays allowed for more vehicles to park in that space
- The ETRO was an attempt to strike a balance between the interests of motorhomes and other highway users
- The question of whether improved facilities for caravans and motorhomes could/should be provided by the council for example, by the creation of an aire in a car park, would be considered as part of the officer response to all the issues raised during the public consultation

Resolved that the committee:

- (i) note the update
- (ii) welcome the review of the byelaw and enforcement arrangements in respect of prohibiting motor vehicles on Whitby Promenade
- (iii) request that an update on the enforcement of this byelaw be submitted to the committee at the next meeting on 29 November.

92 Receipt of petition against the proposed ban of motorhome overnight parking in locations in Scarborough

Considered the following petition:

'Please do not ban campers from parking up overnight on Royal Albert Drive. The local businesses of this town need their trade.

If you push them out of town then they will either avoid Scarborough altogether or spend less time and less money in the town and on the seafront.

Turn parts of Royal Albert Drive into an Aire and charge a modest amount per night up to let's say 3 nights at a time.

Enforce a ban on tents, fires, bbqs etc as they obviously belong on a camp site. And make the parking accessible for decent sized campers and RVs.

As a Council it's noted that you installed chemical toilet facilities at the public toilets on

Royal Albert Drive, so we would presume this was to encourage RVs and campers to stay.'

Richard Marr, Highways Area Manager, referred to the officer response to the petition in the published report. As part of the analysis and officer response to the ETRO public consultation, the council would be considering the merits of the potential provision of an aire or similar for motorhomes and caravans.

Members discussed the petition. There was support for the ETRO as detailed under the previous item, whilst recognising the potential benefits of an appropriately located aire and support for an aire or similar also to be considered.

Resolved that the committee:

- (i) Thanks the petitioner for his petition; and
- (ii) Welcomes the opportunity that the six month public consultation provides to review the impact of the ETRO in relation to the concerns raised by the petitioner and so help determine what further action may be required including examining the potential provision of new facilities for motorhomes and caravans.

93 Area Committee Economic Development, Regeneration, Tourism and Transport Project Development Fund endorsements - October 2024

Considered a report of the Corporate Director of Community Development seeking the committee's endorsement that the Corporate Director spends £40,000 of the Economic, Regeneration, Tourism and Transport Project Development Fund on the development of the safe sea swimming and seabird nesting schemes and reduces the allocation to the offshore economic opportunities scheme by £6,000 to that already approved of £20,000 at the June meeting of the committee.

Joe Russell, Principal Regeneration Officer, introduced his report setting out the strong case for all three schemes, whilst noting the unsuccessful procurement exercise for the offshore wind economic opportunities study. This was because the time required to compile and review the historical work around the ports together with the level of local consultation required entailed a cost which exceeded the allocated budget of £20,000. The alternative proposal in his report was therefore to seek an independent peer review of the extensive work already undertaken on offshore wind which would meet timescales, in particular with the development of the Whitby Maritime Hub, and mitigate the risk of any omissions. Further, Mr Russell would set aside time to ensure all the important information was provided to the peer review. This reduced the cost of the offshore wind project by £6,000 to £14,000. The report then proposed that the £6,000 saved be allocated instead to the seabird nesting scheme.

Members then discussed the report making the following comments:

- The importance of the local offshore wind industry and of getting the messaging right on the reasons for reducing the budget for the feasibility work
- Given the industry's importance, the proposal to retain the £6,000 already approved in reserve should further costs be incurred in the feasibility work
- The wholehearted support for the safe sea swimming and seabird nesting schemes whilst maintaining the originally proposed budget for the latter scheme of £14,000.

Resolved that the committee:

- (i) endorses that the Corporate Director, Community Development spends £34,000 of the Economic, Regeneration, Tourism and Transport Project Development Fund on the following schemes:
Safe Sea Swimming - £20,000

Seabird Nesting - £14,000

Total - £34,000

- (ii) recommends that the Offshore Economic Opportunities budget remains at £20,000 (no change from previous decision) (now allocated as £14,000 for alternative methodology plus reserve of £6,000)
- (iii) requests updates on all approved schemes to the next meetings of the committee on 29 November 2024 and 21 March 2025.

94 Esk Valley Railway - a New Beginning

Considered a presentation by Lisa Williams, General Manager of Esk Valley Railway Development Company on the newly published report 'Esk Valley Railway: a New Beginning' which set out the case for investment in the railway. Members were advised that the growth of Whitby in the last 20 years meant that the service did not meet the needs of the communities it served. The service provided year-round essential connections to education, hospitals, and shopping whilst boosting the local (including night time) economy, however was hamstrung by two problems: frequency of trains and journey time. In 2016, Section 106 funding worth £7m resulting from the development of the potash mine was obtained for service and infrastructure improvements but there was still no agreement by North Yorkshire Council and Network Rail as to how it should be implemented. Ms Williams urged the committee to:

- Publicly support the report
- Support the EVRDC funding bid to the York and North Yorkshire and Teeside Mayors for the Strategic Business Study proposed in the report
- Press for early implementation of the 'quick win' proposals to enable the daily year-round eight train service along the railway line

Members then discussed the presentation raising the following points:

- Agreement with the thrust of the presentation and the need to invest the Section 106 funding in the railway for the benefit of both residents and visitors
- Support for the 'quick wins' in the report including the use of request stops to speed up some services and at least eight trains a day to provide a commuter and schools service

Members were advised in a briefing note by Graham North, Rail Strategy and Performance Officer, York and North Yorkshire Combined Authority, that despite all the difficulties that the railway had faced in recent years, North Yorkshire Council had worked hard in partnership with Network Rail, Northern Trains and Transport for the North to assess the options and develop the final designs for the infrastructure enhancements to the Esk Valley Line that would facilitate additional services on the line. He expected Network Rail to complete their detailed design work by the end of 2024 and by then the council would also have drawn down the remaining Section 106 funds from Anglo American and thus would have a full understanding of the funding available at that point. Mr North added in reply to members' questions that some of the Section 106 monies had been spent on project work and resources but most was still available. Contracts had been signed with Network Rail to progress this spending and technological and other innovations were being explored with external partners to improve the service. In the meantime, Network Rail had been undertaking work to improve the infrastructure along the line.

Resolved that the committee:

- (i) Receives the presentation;
- (ii) Sends a letter of support as requested by the EVRDC to the York and North

- Yorkshire and Teeside Mayors for the Strategic Business Study proposed in the report; and
- (iii) Requests a progress report on the Section 106 monies to the next meeting of the committee on 29 November.

(In accordance with his declaration at Agenda Item 3, Councillor Swannick after introducing the presentation took no part in the debate nor the determination of this item)

95 Parish sector liaison

Considered a presentation by Mark Codman, Parish Liaison and Local Devolution Manager and Christine Phillipson, Principal Democratic Services Officer, which provided an overview of the extensive parish sector in North Yorkshire and the work of both the Parish Liaison, Local Devolution and Community Rights Team, and Local Area Support Team to support the sector. Mr Codman's team's current focus was on the review of the NYC Parish Charter, the devolution agenda to local councils, parish liaison meetings, parish sector engagement, consultation and the Community Rights process, whilst Ms Phillipson's team maintained local council information including parish councillors' registers of interests on the NYC website, and dealt with related code of conduct issues such as training, sensitive interests and standards complaints. The handling of standards complaints was the extent of NYC's jurisdiction in respect of parish/town council governance; for other matters the sector relied on support from the Yorkshire Local Councils Association and other bodies.

Members then discussed the presentation making the following comments:

- The importance that all North Yorkshire Council members understood the parish sector and how to work well with it. This was to be the subject of an all member briefing
- The importance of regular, healthy dialogue with local councils

In reply to members' questions, officers noted:

- The struggle sometimes to recruit and retain parish councillors
- The importance of having a single point of contact for parish councils
- The potential opportunities for parish councils to merge following the Local Government Boundary Commission review of the county

Resolved that the presentation be received.

96 Scarborough and Whitby Area Committee Work Programme 2024/25

Considered the latest draft of the committee's work programme for 2024-25. In addition to new items raised earlier in the meeting, the following requests were made by members:

- (i) Request Rachel Joyce, Assistant Chief Executive Local Engagement, in her presentation on the Scarborough town centre action plan on 29 November to provide an update on enforcement in the town centre;
- (ii) Update on the de-registration of designated Children's Centres in the area and their new use (21 March 2025)
- (iii) Whitby Cliff lift update
- (iv) Hydraulic fracking project at Burniston Mill update

The Chair advised that in view of the committee's heavy work programme consideration would need to be given at the next mid-cycle briefing to how these items should be accommodated, whether by a written update appended to the agenda, informal briefing, or by scheduling an extra meeting of the committee.

In respect of the item on Scarborough, Whitby and Staithes Harbours scheduled for 29 November, the Head of Harbours and Coastal Infrastructure had requested further detail of what matters members would like covered in his report. The following were agreed:

- Harbour Strategy and Investment Plan
- Harbours infrastructure including Scarborough West Pier
- Dredging
- Staithes Harbour Acts

Resolved that the work programme be updated in due course to reflect the decisions made during the meeting.

97 Any Other Items

There was no urgent business.

98 Date of Next Meeting

29 November 2024

99 Reports circulated for information only

100 Resilience and Emergencies Annual Update 2024

The meeting concluded at 1.42 pm.