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| |  |  |  | | --- | --- | --- | | Adam Chugg Town Clerk & RFO |  | A COWEY (Mrs) Deputy Clerk & Civic Officer |   PANNETT PARK | WHITBY | YO21 1RE  TEL: (01947) 820227 | E MAIL: info@whitbytowncouncil.gov.uk | |
| Dear Councillor, | 30th October 2024 |

You are **summoned** to attend the **MEETING** of the **TOWN COUNCIL OF WHITBY** to be conducted at the Pannett Gallery on **Tuesday 5th November 2024 at 6:00pm,** the agenda for which is set out below.

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| Town Clerk | *To:* Councillors Abbott, Barnett, Bolton, Brown, Coughlan, Dalrymple, Harrison, Harston, Layman, Mulheran, Nock, Redfern, Riddolls, Smith, Smith, Turner and Wild |

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

1. APOLOGIES FOR ABSENCE

To receive and resolve upon apologies for inability to attend.

1. DECLARATION OF INTERESTS

To declare any interests which members have in the following agenda items.

1. PUBLIC PARTICIPATION

Standing Orders will be suspended for up to 15 minutes to allow for questions or statements submitted by members of the public (limited to 3 mins per person).

1. EXTERNAL REPORTS

To receive reports on behalf of external bodies if present

1. Anglo American
2. North Yorkshire Police
3. North Yorkshire Council
4. MINUTES [attached below]
5. To **approve,** as an accurate record, minutes of the following meetings:
   1. Full Council 10th September 2024
6. To **receive** the (draft) minutes of the following Committee Meetings:
   1. Planning and Licensing Committee 24th September 2024
   2. Human Resources Committee 4th September 2024
   3. Joint Management Committee 17th September 24
7. COMMITTEE RECOMMENDATIONS

None.

1. NOTICES OF MOTION

7 (1)

Proposed by : Cllr Riddolls Seconded By : Cllr Abbott

‘If a Cllr is not able to attend a meeting, then it is up to the Cllr to send apologies to the Town Clerk. If the Cllr wishes to appoint a particular substitute to attend in their place, then they can make their wishes known at the same time. Otherwise, at the beginning of a meeting if there is a substitute attending and the meeting is short of numbers, then the substitute can join the meeting as a voting member if the committee is short of elected members.’

Note: Cllrs need to be mindful of Standing Orders and Terms of Reference when considering this motion.

Standing Orders Section 4 deals with Committees and Sub-Committees.

The most relevant section is 4(e)(v) which states that:

‘[the Council] may, subject to Standing Orders 4 (b) and 4 (c) above, appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer [1 clear] day before the meeting that they are unable to attend.’

Cllrs should also be mindful of the Terms of Reference of each Cttee in respect of this motion – for example, Planning Cttee requires members to be trained; the Human Resources Cttee does not permit substitutes.

**7 (2)**  Proposed by: Cllr Barnett Seconded by: Cllr Layman

I move that, in recognition of the sovereignty of Full Council, the Terms of Reference of ALL committees be amended in such a way as to constrain the powers of said Committees to passing resolutions limited to offering RECOMMENDATIONS to Full Council for full scrutiny,whereafter final decision-making shall be determined by RESOLUTION OF FULL COUNCIL and by no other means.

1. NORTH YORKSHIRE BOUNDARY CONSULTATION

The second round of consultation on the proposed changes has opened and lasts until the 9th of December. A presentation about this from the Local Government Boundary Commission is attached to this agenda.

I am very grateful to Cllr Harston for his work on a draft submission to be made by WTC. This has been circulated to all Cllrs and has been included in the papers for this meeting.

At the meeting, Cllrs will have the opportunity to feedback on this draft ahead of submission of a final document before the deadline.

1. CONSULTATION ON REMOTE MEETINGS

The government has announced a consultation to consider enabling remote attendance and proxy voting at local authority meetings, including those of town and parish councils.

A link to this consultation can be found below:

<https://www.gov.uk/government/consultations/enabling-remote-attendance-and-proxy-voting-at-local-authority-meetings/enabling-remote-attendance-and-proxy-voting-at-local-authority-meetings>

The National Association of Local Councils has published the following response on its website:

‘’NALC WELCOMES THE GOVERNMENT ANNOUNCEMENT ON REMOTE MEETINGS

We strongly welcome the deputy prime minister's announcement that the government is committed to allowing councils to hold remote council meetings.

Since temporary COVID-19 powers ended in May 2021, we have been at the forefront of a national campaign, working closely with the Association of Democratic Services Officers and Lawyers in Local Government and supported by other bodies such as the Society of Local Council Clerks.

In her [speech](https://www.nalc.gov.uk/e/t/c/E9E970A5-28CE-4177-AE4FB395C8AABA5A/?link=37246CF0-D5A2-455F-A3A15974133F9F31) to the Local Government Association Conference on 24 October, Angela Rayner MP said, "It's not our place, for example, to decide whether councillors should attend your meetings remotely or use proxy votes when they need to." She then announced a consultation to "let councils make the decision for themselves."

The government has published the [consultation paper](https://www.nalc.gov.uk/e/t/c/E9E970A5-28CE-4177-AE4FB395C8AABA5A/?link=99577C32-82A5-458C-84540B0E138A4632), which closes on 19 December 2024. We will respond and encourage all parish and town councils, county associations, and individual councillors and clerks to participate in this essential consultation. Your responses are vital in demonstrating the strong support for this flexibility, building on the momentum from the previous call for evidence.’’

As Cllrs can see, NALC are strongly in favour. At the same time, it should be noted that Councils are likely to have to invest in further equipment to make this possible.

Councillors can consider points to make in responding to this consultation at the meeting ahead of a submission being sent by WTC.

1. PENSIONS PERMISSION

The North Yorkshire Pension Scheme have advised that the Town Council needs to give formal permission for me to join the pension scheme.

‘With regard to your own membership of the North Yorkshire Pension Fund the Local Government Pension Scheme (LGPS) regulations categorise town councils as a Designating Body. An employee of a Designating Body can only join the LGPS if the town council nominates them as eligible for membership of the scheme. To allow yourself as Clerk (or any other member of staff) to join the LGPS, the town council will need to pass a 'resolution' which would say that either yourself as a named individual will be given access to the LGPS or the holders of the Clerk position will have access. We have previously only received a resolution which named the individual rather than the position of Clerk.

If you therefore wish to have membership of the Local Government Pension Scheme through North Yorkshire Pension Fund please can you arrange for a resolution to be passed at the next council meeting and provide a scanned copy of the signed council minutes. Please note if you arrange for pension contributions to be deducted before the resolution has been passed the resolution will need to state that is effective from the date you started paying contributions.’’

At the meeting, the Council will be asked to confirm my membership from the 1st of November 2024, as the November payroll will be the first month I make contributions.

1. REPORTS FROM REPRESENTATIVES ON EXTERNAL BODIES

An opportunity for members appointed to represent the town council on named bodies to report on activity since the September Council meeting.

1. MAYOR'S REPORT

Civic engagements since 10th September 2024 and other activities undertaken to note.

1. CLERK’S REPORT

Please note the new Town Clerk presented a report on priorities to the October Extraordinary Full Council. He will provide a further verbal update to this meeting.

One additional point of interest for Cllrs is as follows. We have received the following from our gas engineer: ‘I can confirm it is not regulation that a gas alarm has to be fitted in the boiler room.’

1. FLOODING AWARENESS - STANDING ITEM

Tides above 5.5 metres up until 14th January 2025

* 14-19 November 2024
* 15-17 December 2024
* 2-3 January 2025