

WHITBY TOWN DEAL BOARD

DATE: THURSDAY 5TH AUGUST 2021

TIME: 10AM UNTIL 12NOON

VENUE: VIA ZOOM VIDEO CONFERENCE

AGENDA PACK

1. APOLOGIES
 - Rosemary DuRose | Beyond Housing
 - Liz Small | NYCC
2. MINUTES OF LAST MEETING (ATTACHED) AND MATTERS ARISING
3. REGISTER OF INTERESTS
4. REVIEW OF THE TERMS OF REFERENCE (CURRENT ToFR ATTACHED)
5. TOWN DEAL BOARD MEMBERSHIP (CURRENT MEMBERSHIP ATTACHED)
6. BUSINESS CASE DEVELOPMENT
7. ELECTION OF CHAIR PERSON FOR NEXT PHASE
8. AOB
9. SCHEDULE OF MEETINGS

Proposed Friday 15th October 2021 TBC

Friday 14th January 2022 TBC

Friday 11th March 2022 TBC

WHITBY TOWN DEAL BOARD

THURSDAY 29TH APRIL 2021

10AM VIA ZOOM VIDEO CONFERENCE

DRAFT MINUTES

IN ATTENDANCE

CHAIR Gareth Edmunds GE Anglo American	Marc Cole MC SBC
Mike Greene MG SBC	Michael King MK WTC
Robert Goodwill MP RG	Richard Marr RM NYCC
Rosemary DuRose RDR Beyond Housing	Liz Small LS NYCC
John Field JFi Whitby Civic Society	Cllr Linda Wild, LW WTC
James Farrar JF YNYER LEP	Matt Joseph MJ SBC
Alex Richards AR SBC	Ed Asquith EA Four Tigers Media
Chris Burrows CB SBC	Helen Jackson HJ SBC
Mel Bonney-Kane MBK CaVCA	Kerry Levitt KL MINUTES SBC
Paul Fellows PF NYMNPA	Lisa Quinn LQ Towns Fund Delivery Partner

1. APOLOGIES

- Karl Battersby | NYCC
- Richard Flinton | NYCC
- Tricia Kane | MHCLG
- Clare Harrigan | Beyond Housing
- Cllr Steve Siddons | SBC

2. MINUTES OF LAST MEETING & MATTERS ARISING

2.1 Minutes of the meeting held on Friday 19th March 2021 agreed as a true record.

2.2 No matters arising.

3. TOWNS FUND PROJECT PRIORITISATION

3.1 HJ gave a presentation on the process Scarborough Borough Council went through to assess the projects.

3.2 All projects went through the Council's project assurance processes with assessment by the Council's regeneration, legal, finance and estates teams to ensure they were deliverable and affordable in light of the reduced funding offer. Independent assistance was also provided by the LEP looking at the management and commercial cases.

3.3 A summary document, circulated prior to the meeting, was prepared grouping the projects into three categories based on the outcome of the assessments:

- Recommended for inclusion at Stage 2
 - Whitby Maritime Training Hub
 - Carbon Neutral Village - Broomfields Farm
 - Part Pedestrianisation of Whitby Riverside and associated cycling infrastructure to Mayfield.
- Recommended for consideration to include at Stage 2
 - Old Town Hall & Market Place Whitby
 - Eastside Wellbeing Centre
 - Whitby Wayfinding and Gamification
 - Whitby Wild Eye – nature and arts tourism
- Recommended for reallocation
 - Flowergate Innovation Hub
 - Pannett Art Gallery Extension

3.4 GE went on to set the context of the Town Investment Plan and the objectives and challenges contained within. A decision on the projects to take forward needs to be taken from a strategic view and it was hoped a consensus would be reached.

3.5 MK felt the project summaries presented were not rigorous enough to make an informed decision and would have preferred to see something numerable to compare against the 5 business cases.

3.6 The Board held a discussion around each of the projects.

3.6.1 Whitby Maritime Training Hub (WMTH)

The Board agreed that the WMTH was a transformational project that aligned highly with the TIP objectives. The following points were noted;

- Governance must be in place
- A reputable partner must be secured to manage the new facility
- Potential unintended consequences on existing training and education providers must be considered and addressed

The Board agreed the Whitby Maritime Training Hub should be recommended for inclusion to Stage 2.

3.6.2 Part Pedestrianisation of Whitby Riverside and associated cycling infrastructure to Mayfield

The current trial of the scheme has not been well received to date. There are a number of issues on the ground which need addressing. Better 'mock ups' of the proposal are needed so the public can see what it would like with proper signage in place. RM acknowledged there had been issues which the team are working through. Over 100 responses have been received from the public so far which will be analysed and fed back to the Board. It was acknowledged that the bridge will need to close more and more during the summer.

WTC opposed the recommendation to include the scheme for progression to Stage 2 and queried if the scheme could be delivered within existing NYCC budgets or from other grant sources. RM clarified that NYCC don't have any budget to make improvements to the area and is not aware of any potential funding streams at present.

RG proposed the Board vote on the recommendation to include the Part Pedestrianisation of Whitby Riverside and associated cycling infrastructure to Mayfield for progression to Stage 2. JF seconded the motion.

Board members who voted in favour of recommending the Part Pedestrianisation of Whitby Riverside and associated cycling infrastructure to Mayfield for inclusion to progress to Stage 2: BH, CB, JF, RG and MG.

Board members who voted against recommending the Part Pedestrianisation of Whitby Riverside and associated cycling infrastructure to Mayfield for inclusion to progress to Stage 2: MK, LW, MBK.

Board members who abstained from the vote: PF, RDR, JFi.

The motion was passed and the Part Pedestrianisation of Whitby Riverside and associated cycling infrastructure to Mayfield will be recommended for inclusion to progress to Stage 2.

3.6.3 Carbon Neutral Village: Broomfield Farm

The Board raised concern about providing public money for a private development and how it could be ensured that the developers would deliver on the promises that the homes will be sold as principle residences for local people and not sold as 2nd homes or holiday lets. MG advised SBC are currently looking at what powers it has around 2nd homes and the legal team will work to build a clause into the 3rd party grant agreement with the developers for the Towns Fund funding .

It was noted that the Town Deal was providing funding for the additional elements of the homes to make them carbon neutral and without this funding the development would be a standard housing development.

MK requested why the scheme had been reduced by 6houses and how it can be assured the scheme won't reduce further. HJ clarified that the 60homes originally quoted were an estimate and now that the plans have been drawn up, only 54 homes will fit within the area available. If the scheme was to reduce further, it would come back to the Board to take a further view.

MK proposed the Board vote on the recommendation to include the Carbon Neutral Village: Broomfield Farm for progression to Stage 2.

Board members who voted in favour of the recommendation to include Carbon Neutral Village: Broomfield Farm for progression to Stage 2: MBK, BH, JF, CB, RDR, RG

Board Members who voted against the recommendation to include Carbon Neutral Village: Broomfield Farm for progression to Stage 2: MK, LW

Board members who abstained from the vote: PF, JFi, MG.

The motion was passed and the Carbon Neutral Village: Broomfield Farm will be recommended for inclusion to progress to Stage 2.

3.6.4 Whitby Wild Eye

The Board raised concern that although this project was deliverable within the timescales, it did not have public support within Whitby and it would receive a lot of negativity if it was recommended for progression to Stage 2.

The Board agreed that Whitby Wild Eye would not be recommended for progression to Stage 2.

3.6.5 Flowergate Innovation Hub

The Board agreed with the recommendation to not include the Flowergate Innovation Hub for progression to Stage 2.

3.6.6 Pannett Art Gallery Extension

This project aligned strongly with the TIP priorities and the Board questioned why it was recommended for reallocation. The Borough Council's assessment team felt there was a risk it would not be delivered within the timescales of the Towns Fund and given the reduction in funding available, it was not affordable.

The Board agreed it was a very good project and voiced strong support. However, it was noted that if it was included it would be at the detriment of other projects such as the Old Town Hall and Eastside Wellbeing Centre.

MG offered the Pannett Art Gallery project delivery team development support from SBC to continue to develop and work up the project so it was in a position to be able to access alternative funding streams. MBK also offered the services of CAVCA and JFi also offered support to develop.

As the sponsoring body for the project, WTC expressed disappointment that it was not recommended for inclusion to Stage 2 but agreed to withdraw the Pannett Art Gallery project from the selection process on the basis of affordability.

Pannett Art Gallery Extension will not be recommended for inclusion to progress to Stage 2.

3.6.7 Old Town Hall & Market Place Whitby

There was good support from the Board for this project. It was felt the project contributed more to the TIP than identified in the summary and it was not an option to not take the opportunity to secure the future of the building.

Concerns have been raised by the public with the proposals to alter the Market Place in front of the Town Hall. LW advised that the plans are in early development and no decisions have been made yet and will be done so through engagement with stakeholders and the public.

The Board agreed that the Old Town Hall & Market Place would be recommended for inclusion to progress to Stage 2.

3.6.8 Eastside Wellbeing Centre

The project has removed the element to provide environmental improvements to the Calla Beck area and will be concentrating on providing wellbeing benefits and opportunities to access services for the community.

The Board were supportive of the project and felt that it was the chance to deliver something in the heart of the community and balance out the other activity.

The Board agreed that the Eastside Wellbeing Centre would be recommended for inclusion to progress to Stage 2.

3.6.9 Whitby Wi-Fi and Wayfinding

JF asked for clarification on the Wi-Fi element of the project because the LEP and NYCC are investing in public Wi-Fi in Whitby. AR confirmed that the Wi-Fi referred to is the infrastructure been delivered by the LEP/NYCC and the Towns Fund 'ask' is to cover the wayfinding infrastructure.

MK felt that this project was not a core element of the TIP and queried if it could be funded through the Welcome Back fund. MG advised that it could not be funded through this fund.

The Board agreed that due to funding still been available within the pot after the allocation of the other projects, Whitby Wayfinding would be recommended for inclusion to progress to Stage 2.

6. **AOB**

No other business.

7. **DATE OF NEXT MEETING**

- Wednesday 19th May 2021 @ 2pm

WHITBY TOWN DEAL BOARD

TERMS OF REFERENCE

The Whitby Town Deal Board (WTDB) is not a formally constituted body and shall hold no monies or assets.

1. DUTIES AND TERMS OF REFERENCE / ROLE OF THE BOARD

1.1 The WTDB is a strategic body created as a vehicle following Whitby being identified as a Town that **may benefit** from the Governments £3.6bn Towns Fund. The WTDB brings together the private, public and voluntary sectors to provide strategic leadership to **develop and** deliver an Investment Plan and schedule of interventions to secure government funding, and which sets out a clear understanding of the area, focusing on its assets, opportunities and challenges. It will be the vehicle through which the vision and strategy for Whitby is defined. The Strategy should align with the rest of the Borough and the local economic region.

The WTDB will provide strategic insight on the challenges and opportunities facing the area by:

- a) Championing the WTDB economic vision and promote bold, deliverable interventions that will define the Investment Plan;
- b) Communicating with the business community and residents around economic growth and delivery of the interventions;
- c) Sharing knowledge practice and intelligence within the WTDB area and beyond, both regionally and nationally, and;
- d) **Proposing allocation of resources to deliver economic growth, secure finance and encourage local and national bodies to match resources to achieve the WTDB's ambitions.**

1.2 The Board shall:

- a) **Develop and oversee the delivery of an evidence based Investment Plan.**
- b) Co-ordinate public, private and third sector activity to **develop and** deliver the interventions in using the framework of the Towns Fund Prospectus and any further guidance that may be issued.
- c) To have regard to the three strands of the Prospectus and develop the interventions and maximise the impact of those interventions;

(i) Urban Regeneration, planning and land use

(ii) Skills and Enterprise infrastructure

(iii) Connectivity

a. Promote Whitby as a prime location for inward investment, international trade and to proactively help more locally based companies export their goods and services.

b. Actively promote and support equality and diversity to ensure the needs and aspirations of all, regardless of age, sex, gender identity, disability, sexual orientation, race, socio-economic group, religion or belief, physical abilities, or learning abilities, or any other characteristic are met..

c. Respond to opportunities that arise from government initiatives to support economic development within Whitby.

d. Support the localisation agenda by negotiating freedoms and flexibilities with government on actions which encourage more local devolution and accountability.

e. Co-ordinate and influence government and others on matters that benefit the economy.

f. Attend public consultation events

g. Attend events to promote the WTDB Town Investment Plan and emerging interventions.

1.3 The role of the Board is to:

- Develop and agree an evidenced based Town Investment Plan
- Develop a clear programme of interventions
- Co-ordinate resources and engage stakeholders

1.4 The Board Shall:

Delegate to the Chair of the Board the authority to make urgent decisions, having consulted by way of email with Board members, where a Board cannot be convened in a timely manner to consider a matter.

The decision shall be published as soon as practically possible once taken.

2 MEMBERSHIP

2.1 The members of the Board shall be appointed by the Board and may be removed at any time by the Board.

2.2 The WTDB must comprise of representatives of;

(a) All tiers of local government

(b) The Member of Parliament for the constituency including Whitby Town

(c) Local Business and Investors

(d) The York, North Yorkshire and East Riding Local Enterprise Partnership

(e) Communities

2.3 The WTDB may also comprise of representatives from;

(a) Anchor institutions such as;

- Universities and Further Education providers
- Academies and Schools
- the NHS
- Development Corporations
- Local Sports Teams
- Cultural and Creative Organisations
- Housing Sector, including developers and housing associations

(b) Arm's length bodies and other non - departmental agencies such as, but not exhaustively;

- Homes England
- Environment Agency
- Historic England

(c) Other private sector representatives and developers who operate on a national and international platforms who understand the requirements for investment and can help identify the best use of private and public funds. The Board will engage with national or international private investors and developers to understand their requirements for investment and identify the best use of public and private funding

2.4 Applications for new Board Members shall be determined by the Board at any time.

- 2.5 A Board Member shall cease to be a member of the WTDB in the following circumstances;
- a) Such Board Member gives written notice to the Chair of their notice of resignation;
 - b) Such Board Member's death;
 - c) Such Board Member's bankruptcy making of any arrangement or composition with their creditors, or liquidation, or in the case of an organisation, winding up, liquidation, dissolution or administration or anything analogous to any of the foregoing occurring in relation to a Member in any jurisdiction;
 - d) Such Board Member is removed from membership by a resolution of the Board that it is in the best interests of the Board that the membership is terminated.
- 2.6 Board Members may be removed from the WTDB as set out in Appendix 1 (Whitby Town Deal Board Code of Conduct). Any Board Member removed may not be reappointed.

3 THE CHAIR AND DEPUTY CHAIR

- 3.1 The Board shall appoint the Chair and Deputy Chair.
- 3.2 In the absence of the Chair, the Deputy Chair will assume the responsibilities of the Chair.
- 3.3 In the absence of both the Chair and Deputy Chair at a formal meeting of the WTDB, those present for the meeting of the Board will vote and appoint a Chair for that meeting only.
- 3.4 The WTDB Delivery Team (see 4.2) will consult the Chair from time to time on progress of works required to be undertaken on individual interventions and the developing Investment Plan.
- 3.5 The Chair may convene an informal meeting of all or some of the Board Members to inform progress of a particular matter arising under the development of individual interventions.
- 3.6 The Chair may meet third parties and attend events on any matter pertaining to the Investment Plan and individual interventions to progress activity and outcomes.

4 ADMINISTRATION OF THE BOARD

- 4.1 Scarborough Borough Council shall provide secretarial and administrative support to underpin the work of the WTDB.
- 4.2 The role of the Whitby Town Deal Board Delivery team will be to facilitate and manage the work plan of the WTDB. The WTDB Delivery Team will consist of Officers of SBC and where appropriate external consultants and professional service providers, officers and staff of partner agencies.

5 SUBSTITUTES

- 5.1 Suitable substitutes representing Board members are permissible subject to prior agreement with the Chair.

6 ATTENDANCE AT MEETINGS

- 6.1 The Board will meet monthly until submission of the Investment Plan and thereafter quarterly. The Board may meet at other times during the year as agreed between the members of the Board and may approve recommendations via written procedure.
- 6.2 Informal Board Meetings may take place from time to time. Other persons and external advisers may be invited to attend all or part of any meeting as and when appropriate as observers and shall be entitled to speak at the meeting with the prior permission of the Chair but shall not be entitled to vote.
- 6.3 With the prior agreement of the Chair, any Board Member may participate in a meeting by means of a conference telephone or similar communications equipment whereby all persons participating in the meeting can communicate with each other and participation in a meeting in this manner shall be deemed to constitute presence in person at such meeting and shall be entitled to vote and be counted in a quorum accordingly.

7 NOTICE OF MEETINGS

- 7.1 Meetings of the Board shall be called by the secretary to the WTDB at the request of the Chair of the Board. The agenda and papers for meetings shall be approved by the Chair.
- 7.2 Unless otherwise agreed, notice of each meeting confirming the venue, time and date together with an agenda of the matters to be discussed at the meeting shall be forwarded to each member and any other person required to attend no

later than 5 business days before the date of the meeting. Any supporting reports and/or papers shall be sent to each member of the Board and other attendees (as appropriate) at the same time and minutes published on Scarborough Borough Council's website.

- 7.3 The agenda and reports (that are not exempt under legislative arrangements) shall be published on Scarborough Borough Council's website.
- 7.4 There will be occasions when the business of the meeting will be subject to confidentiality for reasons of commercial confidentiality or sensitivity, information provided by the government in confidence, information pertaining to individuals or third party information that is subject to common law duty of confidentiality.

8 QUORUM

- 8.1 A quorum shall be 5 Board Members present in person.
- 8.2 Where a decision must be taken under the provisions of 2.3 and 10.5 there must be a quorum of 5 in responses received from Board Members.

9 DECLARATION OF INTEREST

- 9.1 Arrangements for declarations of interest are found within the WTDB Code of Conduct (Appendix 1).

10 VOTING ARRANGEMENTS

- 10.1 Each member of the Board shall have one vote which may be cast on matters considered at the meeting by a show of hands. Votes can only be cast by members attending a meeting of the Board.
- 10.2 The general rule about decision-making by the Board is that any decision of the Board must be a majority decision at a meeting (or a decision taken in accordance with paragraph 2.3 and 10.5 of these Terms of Reference).
- 10.3 Where a conflict of interest exists as set out in the WTDB Code of Conduct, a Board Member may take part in the debate but may not vote.
- 10.4 Save where they have a personal interest, the Chair will have a casting vote. In this context, this refers to whoever is present and discharging the function of the Chair for the purpose of the meeting.

- 10.5 A resolution in writing, sent electronically to all Board Members entitled to receive notice of a meeting of the Board and signed by a majority of the members shall be valid and effectual as if it had been passed at a meeting of the Board duly convened and held and may consist of several documents in materially the same form each signed by one or more Board Member in the event a Board Meeting may not be convened in a timely manner.

11 COMMUNICATION AND REPORTING

- 11.1 The proceedings and resolutions of meetings of the Board, including the names of those present and in attendance, shall be minuted by the secretary of the Board.
- 11.2 Minutes of meetings of the Board shall be approved in draft form by the Chair and disseminated to Board no later than ten working days following the meeting. Minutes shall remain in draft until approval by the Board at the Board's next meeting.
- 11.3 Approved minutes of the Board shall be published on the website of the Scarborough Borough Council, with the exception of minutes relating to items deemed confidential as set out in 7.4 above.
- 11.4 The Board shall produce an annual report about its activities.

12 THE BOARD'S RELATIONSHIP WITH SCARBOROUGH BOROUGH COUNCIL (SBC)

- 12.1 The Board is responsible for;
- a) Developing and agreeing an evidenced based Town Investment Plan
 - b) Developing a clear programme of interventions
 - c) Coordinating resources and including stakeholders
- 12.2 SBC remains the accountable body for all monies received through capacity funding and any other funding that will be allocated throughout the Towns Fund
- 12.3 SBC will be represented on the Board by the Leader of the Council and / or The Chief Executive. They provide the link between the two bodies in the development of outcomes under those functions set out in 12.1.
- 12.4 The Board will be supported by the Whitby Town Deal Board Delivery Team, which will be in the employment of SBC.

- 12.5 The Board may from time to time be required to attend both formal and informal meetings of SBC to provide updates and information pertaining to the development of the Town Investment Plan, programme of interventions and stakeholder engagement.
- 12.6 SBC's Cabinet will receive reports on the progress of activities through its established quarterly performance monitoring.
- 12.7 The Board may make recommendations to the Cabinet of SBC from time to time and prior to the submission of the Town Investment Plan.

13 GENERAL MATTERS

- 13.1 Board Members shall duly sign and return the WTDB's Code of Conduct (Appendix 1) and Declaration of Interests (Appendix 2) on an annual basis.
- 13.2 The Board will have access to officer resources in order to carry out its duties through the WTDB Delivery Team.
- 13.3 The Board shall be entitled to invite relevant third parties to attend any meeting of the Board as observers and they may be entitled to speak at a meeting of the Board with the prior permission of the Chair but shall not be entitled to vote.
- 13.4 The Board shall give due consideration to all laws and regulations as appropriate.
- 13.5 The Board will, from time to time, consider projects and proposals of a "commercial in confidence" or sensitive nature that will not be for publication under existing legislative provisions (Data Protection and Freedom of Information). All Board Directors and invited third parties will observe the need for confidentiality in this respect. 8
- 13.6 The WTDB will be subject to the privacy legislation contained within Data Protection Act 2018, Freedom of Information Act 1998 and the Environmental Protection Regulations (various). Such requests will be serviced by SBC in accordance with SBC policies and procedures.
- 13.7 Members of the public may wish to contact the WTDB. Any such contact will be managed by the WTDB Delivery Team and contact details will be published on Scarborough Borough Council website.

The Delivery Team may where appropriate, engage with the Chair and/or wider Board.

14 REVIEW

- 14.1 The Government may publish further guidance on the operation and function of Town Deal Boards and these Terms of Reference must be reviewed in accordance with any such guidance.
- 14.2 The Board may amend these terms of reference at any time.








WHITBY TOWN DEAL BOARD

BOARD MEMBERSHIP


VOTING MEMBERS

- ✚ **CHAIR: GARETH EDMUNDS** | EXTERNAL AFFAIRS DIRECTOR | ANGLO AMERICAN
- ✚ **DEPUTY CHAIR: BARRY HARLAND** | HEAD OF RESPONSIBLE BUSINESS | WHITBY SEAFOODS
- ✚ **CLLR STEVE SIDONS** | LEADER | SCARBOROUGH BOROUGH COUNCIL
- ✚ **MIKE GREENE** | CHIEF EXECUTIVE | SCARBOROUGH BOROUGH COUNCIL
- ✚ **ROBERT GOODWILL MP**
- ✚ **RICHARD FLINTON** | CHIEF EXECUTIVE | NORTH YORKSHIRE COUNTY COUNCIL
- ✚ **JAMES FARRAR** | CHIEF OPERATING OFFICER | YORK, NORTH YORKSHIRE & EAST RIDING LOCAL ENTERPRISE PARTNERSHIP
- ✚ **MEL BONNEY-KANE** | CHIEF EXECUTIVE | COAST AND VALE COMMUNITY ACTION
- ✚ **ROSEMARY DUROSE** | CHIEF EXECUTIVE | BEYOND HOUSING
- ✚ **DR JOHN FIELD** | CHAIR | WHITBY CIVIC SOCIETY
- ✚ **PAUL FELLOWS** | HEAD OF STRATEGIC POLICY | NORTH YORK MOORS NATIONAL PARK AUTHORITY
- ✚ **CHRIS BURROWS** | HARBOUR MASTER | PORT AUTHORITY
- ✚ **CLLR LINDA WILD** | TOWN MAYOR | WHITBY TOWN COUNCIL
- ✚ **MICHAEL KING** | CLERK | WHITBY TOWN COUNCIL
- ✚ **CLLR JOHN CUMMINS** | HAWSKER CUM STAINSACRE PARISH COUNCIL

ADVISORY MEMBERS

-  **MARC COLE** | DIRECTOR | SBC
-  **ALEX RICHARDS** | REGENERATION MANAGER | SBC
-  **HELEN JACKSON** | REGENERATION PROJECTS MANAGER | SBC
-  **KARL BATTERSBY** | NYCC
-  **LIZ SMALL** | NYCC
-  **PATRICIA KANE** | DEPUTY AREA LEAD | CITIES & LOCAL GROWTH UNIT | BEIS
-  **CLARE HARRIGAN** | HEAD OF DEVELOPMENT & REGENERATION | BEYOND HOUSING

SECRETARY

-  **KERRY LEVITT** | PROJECTS OFFICER | SCARBOROUGH BOROUGH COUNCIL