

MALTON TOWN COUNCIL

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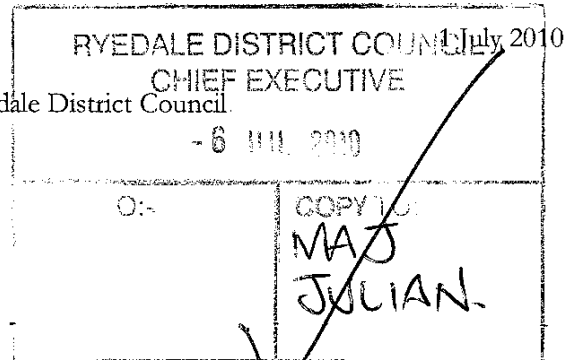
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To the Chairman, Members, and Chief Executive of Ryedale District Council.

Dear Ladies and Gentlemen

**Wentworth Street Car Park**

I write on behalf of the Malton Town Council.



Back in the 1950s for, even in the context of those days, a nominal sum, the land which now accommodates the Wentworth Street car park was transferred into the public ownership of the Malton Urban District Council. This transaction was made between the Council and the Fitzwilliam Estate to cater for the growing use of private vehicles by business people, shoppers and particularly the users of the livestock market. The constant growth since that date of casual visitors, shoppers from the hinterland, and the farming community accessing the town makes that original purpose even more relevant today than when the transfer was first made. For the whole of that period this car park has been an essential element in the economic well-being of the Malton centre, and it continues to provide that same essential service.

Most would commend the vision of the parties to that transfer. The only criticism that might be leveled at them would be their failure to anticipate that the land might some day be rebranded as a potential golden egg, and the base purpose lost. It is recognised that the transfer documents do not protect the future of the land in the way that surely the parties would have ensured was the case if they had been able to visualise the temptations that would be present fifty years ahead. You might however accept that the Estate would have reasonably considered that the very fact of transferring the land to public ownership would have secured the necessary protection.

The Town Council, together with the vast majority of interested parties within the community of Malton and Norton, take the view that the Ryedale District Council, the inheritor of this responsibility, is and should continue to act as the custodian of the land and the spirit and purpose of the arrangement which led to it being transferred into the protection of public ownership. The District Council should not consider itself free to dismiss the spirit of the arrangement, and dispose of the land for whatever other purpose or potential benefit. If the original purpose was no longer relevant it would be understandable, even appropriate, that the custodians seek to find a more effective and beneficial use of the land for the Malton/Norton community. In this case the original purpose is more relevant than ever.

It is argued that the benefits that accrue from the existing site can be replicated following disposal via the use of planning controls. We are advised that the highest priority element is the re-provision within the scheme of a car parking capacity at least equal to the existing. This represents the first major risk in this venture. The District Council can only exercise the planning function under the powers that exist at the time. It does not control planning legislation which is continually changing. It is equally aware that it is not guaranteed to be the final arbiter on planning issues. Can the District really be confident that it can ensure via planning controls the continuing availability, within a future development, of car parking facilities for visitors and local shoppers wishing to access the town? How long does it really believe that it can ensure via planning controls continuing capacity for the parking of farm vehicles throughout livestock market days?

It is clear that any disposal and future development of the site into private hands will lead to a significant and broad retail offer on the site. A commercial prerequisite for the retailer will be the provision of easy access and, in the Malton context, on site accommodation for customer cars. So this will be provided. There will inevitably be a very real incentive to retain as much as possible of these customers' purchasing capacity on site. The retailer will investigate and test every avenue to overcome restrictions which he believes obstruct his ability to keep trade captive. Here arises the second major risk. Can the District achieve the necessary improvements in the link from this site to the commercial and retail centre of the town? Given the assured abundance of retail offer on the site combined with the ease of access to customers, there is a very real danger of the town centre becoming isolated from its traditional customers and potential new trade. There will be a huge cost in securing a sufficient improvement of this link, and it cannot be guaranteed to work. The risk is obvious.

In respect of cost, there will also be wider issues to address to accommodate the arrival on this site of such an operation. The traffic network in Malton already struggles to cope with existing demands. The increase in traffic activity generated by this new outlet will demand major changes to the network, again at huge cost. Will Community House be safe? Will it need to be rebuilt elsewhere? Can the District Council be sure that the surplus capital receipt which it hopes to secure will even be sufficient to resolve the issues directly associated with this potential development?

The District Council concedes the value of the service that this site provides, and assures all concerned that it is in a position to ensure that this will be reprovided within or around the new scheme. The Town Council is very firmly of the view that the various and many risks present in the proposed course of action are simply too great. Even if, after careful assessment of the risk, the District Council remains inclined to continue with the proposed action, we are compelled to ask why it is so necessary to take this risk. In its proposals the District appears to have decided that in the assessment of informal tenders the highest ranking element by far should be price. The District Council is not debt-laden. In fact it holds, on behalf of the community, significant capital reserves. Are there schemes in the pipeline which are so important to the well-being of the community that the risk is worth taking? Indeed, would it be right if the custodial responsibilities were relaxed to the extent that proceeds would be redirected beyond the immediate Malton/Norton community and its hinterland?

The Town Council has resolved unanimously and without reservation that it should recommend that you reject the recommendation that will be made to you at the meeting of the District Council on Thursday 29 July. It is confident that its view properly represents the collective view of the people of the Malton and Norton community, and that it is strongly supported by a large majority of the business sector and the farming industry of the hinterland.

Finally I will refer again to the vision of the parties to the transfer of the land back in the fifties. Was it not entirely reasonable that the Fitzwilliam Estate should consider that, to meet the intended purpose for as long as it remained relevant, a transfer to public ownership would confer the greatest available protection for the arrangement? The purpose and effect is now more relevant than ever. Please recognise this custodial responsibility in coming to your decision on this matter.

We are grateful for your consideration.

Yours faithfully



Mike Skehan  
Clerk