

# NOTICE

is hereby given of the

## STATUTORY ANNUAL MEETING

of

### NEWBY AND SCALBY PARISH COUNCIL

Under Schedule 12, Local Government Act 1972, Part II, Paragraph 7(1)

will be held in the

**COUNCIL OFFICES,  
SCALBY ROAD,  
SCALBY,**

on

**WEDNESDAY, 13<sup>th</sup> MAY 2009**

**COMMENCING AT 6.45 P.M.**

**Or immediately after the Annual Parish Meeting,  
whichever is the later**

and

**ALL MEMBERS OF THE COUNCIL ARE HEREBY  
SEVERALLY SUMMONED AND REQUIRED TO ATTEND TO  
TRANSACTION THE FOLLOWING BUSINESS: -**

### **PUBLIC SESSION**

- (1) Members of the **Council are requested to be present** in order to answer any queries or give any information on matters raised by Parishioners.
- (2) Members of the public and press are invited to attend the meeting. They are reminded that they can raise any matters of interest relating to the Parish and Members of the Council will deal with these matters from before the commencement of the Council meeting.

**M McGuinn**

**Clerk and RFO To The Council**

Council Offices, Scalby Road, Scalby, Scarborough YO13 ORA

Tele: 354018. Email: [newby.scalbypc@btconnect.com](mailto:newby.scalbypc@btconnect.com)

**Thursday 7<sup>th</sup> May 2009**

1 of 1

# **AGENDA**

## **PROCEDURAL MATTER**

Councillor R I Thompson in his capacity as retiring Chairman to chair the meeting until the election of a new chairman.

### **1 ELECTION OF CHAIRMAN**

**A** In accordance with Sections 15(1) & 15(2) & 34(2) Of the Local Government Act 1972 and in accordance with Standing Order 78(1) to receive any further nominations for Chairman of Council for the Year 2009 to 2010.

**B** In accordance with Sections 15(1) & 15(2) & 34(2) Of the Local Government Act 1972 and in accordance with Standing Order 78(1) to consider the nominations received prior to the meeting, details of which the clerk will read out, and to elect a Chairman of the Council for the Year 2009 to 2010.

### **2 CHAIRMAN'S DECLARATION OF ACCEPTANCE OF OFFICE**

In accordance with Standing Orders to receive the elected Chairman's Declaration of Acceptance of Office and Observance of the Code of Conduct to be witnessed by the Clerk as the Proper Officer of the Council.

## **PROCEDURAL MATTER**

The new Chairman to take the chair.

### **3 APOLOGIES FOR ABSENCE**

To receive details of absences.

### **4 ELECTION OF VICE CHAIRMAN**

**A** In accordance with Standing Order 78(1) to receive any further nominations for Vice Chairman of Council for the Year 2009 to 2010.

**B** In accordance with Standing Order 78(1) to consider the nominations received prior to the meeting, details of which the clerk will read out, and to elect a Vice Chairman of the Council for the Year 2009 to 2010.

### **5 DECLARATIONS OF INTEREST**

To receive declarations of interest, if any, for the agenda items listed below.

### **6 TO APPOINT REPRESENTATIVES TO OUTSIDE BODIES**

To reaffirm existing appointments to outside bodies.

*(Details of current outside bodies and the parish representatives to be tabled at the meeting).*

### **7 DATES OF MEETINGS**

To reaffirm the schedule of meetings (Attached) previously agreed and minuted under Council Minute 83/09 of the meeting held on 8<sup>th</sup> April 2009 or to instruct the Clerk on any desired changes.

## **8 TO CONSIDER SUBSCRIPTIONS TO BE PAID ANNUALLY**

To consider and if thought fit approve the list of known annual subscriptions. *(To be tabled at the meeting)*

## **9 INSPECTION OF DEEDS OR TRUST DOCUMENTS**

All documents are available for inspection in the Clerk's office at any time prior to the meeting and will be available at the meeting. Schedule of the documents held to be tabled at the meeting.

## **PROCEDURAL MATTER**

To suspend the meeting in accordance with Standing Order 23(s) to allow representative(s) of Scarborough Borough Council to provide feed back on previously raised road traffic or street scene issues and to receive details of any new issues requiring attention.

## **10 REPORTS FROM OUTSIDE BODIES (IMPORTANT ISSUES ONLY)**

To receive **Reports** from Council Representatives **on any relevant matters of interest or concern** discussed at the meetings **which directly or indirectly affects this parish:**

- 10.1 **Allotments Friends Group** – Mr G Dale or other representative to report on the lettings and any other relevant matter regarding the upkeep and management of the allotments
- 10.2 **In Bloom Group** – Mr P Staveley or other representative
- 10.3 **Scalby Football Club** – Mr P Afford (Chairman)
- 10.4 **CAP Group.** – Councillor Ridley
- 10.5 **Safety Council** – Councillor S G Foote.
- 10.6 **Roads Liaison Committee** – Councillors R I Thompson and B F Watson
- 10.7 **Coastal Area Parish Forum** – Councillors S G Foote and B F Watson
- 10.8 **North Yorkshire & Cleveland Coastal Forum** – Councillor B F Watson
- 10.9 **Yorkshire Local Councils' Association** – Councillors S G Foote and B F Watson.
- 10.10 **Twinning Association** – Councillors C Ridley and R I Thompson
- 10.11 **York & North Yorkshire Playing Fields** – Councillors S G Foote & P C Snow
- 10.12 **Yorkshire Coast & Moors County Area Committee** – Councillor R I Thompson
- 10.13 **North York Moors National Park Authority** – Councillor R I Thompson in his capacity as a member of the Authority to provide feedback on matters of interest.

## **11 MINUTES**

- 11.1 To approve and sign as a correct record the minutes of the Council Meeting held on 8<sup>th</sup> April 2009. Attached.
- 11.2 The Clerk to report regarding the position of this item on the agenda previously raised by Councillor Watson.

## **12 MATTERS OF REPORT FROM THE MINUTES**

To consider any matters of report only from the minutes not covered by an agenda item.

## **13 CORRESPONDENCE (To be tabled at the meeting unless otherwise stated)**

- 13.1 To consider a letter dated 29 April 2009 from the NYCC (attached) regarding a Review of Passenger Transport Services and to instruct the Clerk on the required response
- 13.2 Further to minute 75/09.2 of the last meeting, to consider a letter dated 21 April 2009 from the Cleansing Manager of the SBC (attached) and to instruct the Clerk on the required response
- 13.3 To consider an invitation from the SBC to order hanging baskets and brackets in 2009 and to determine whether they should be placed on the Council Offices or the Parish Hall if ordered
- 13.4 To consider a letter dated 20 April 2009 from the Head of Technical Services of the SBC (attached) regarding the termination of the Highways Agency in March 2011 and to instruct the Clerk on the required response.
- 13.5 To receive a letter dated 14 April 2009 from the Equality and Human Rights Commission (attached) regarding the forthcoming Equality Bill
- 13.6 To consider an invitation from the SBC (attached) to attend the next Transport Forum and to instruct the Clerk on the required response
- 13.7 To consider a letter dated 7 April 09 from the SBC (attached) regarding the establishment of a 'Business Panel' and to instruct the Clerk on the required response
- 13.8 To consider a copy letter from a parishioner to Councillor Watson regarding cold calling. Attached.

## **14 QUALITY STATUS**

To remain on the agenda pending developments.

## **15 NEWSLETTER**

To receive a verbal report from the clerk on the next issue.

## **16 SCALBY VIADUCT**

To remain on the agenda pending developments.

## **17 NEW MODEL CHARTER AND NEW MODEL AGREEMENT**

To consider an invitation dated 27 April 2009 from the SBC to attend a Parish Charter signing ceremony at 2 pm on 10 June 09 at the Town Hall, Scarborough. *(SBC has been reminded that the YLCA have not yet approved the Charter)*

## **18 GOOD CITIZEN AWARD**

Further to minute 75/09.4 of the last meeting, to consider this matter further.

## FINANCE & GENERAL PURPOSES ISSUES

### **19 ANNUAL REPORT & ACCOUNTS, ANNUAL RETURN TO EXTERNAL AUDITORS AND BUDGET REPORTING**

19.1 To approve the Annual Report & Accounts for the financial year 1 April 2008 to 31 March 2009 and compile the answers in Section 2 for the Annual Governance Statement. (Attached.)

**Pursuant to section 1 (2) of the Public Bodies (Admission to Meetings) Act 1960 it is proposed that, because of the confidential nature of the business to be transacted, the public and the press leave the meeting during consideration of Agenda item 19.2, 19.3, 19.4, 19.5, 19.6 and 19.7**

19.2 To consider a report by the Clerk and RFO on the effectiveness of the Internal Auditor (attached)

19.3 To consider the Annual Internal Audit Report in Section 4 of the Annual Return and deal with the comments raised by the Internal Auditor together with a report thereon by the Clerk and RFO (attached) and to instruct the Clerk on the required response to the External Auditors.

19.4 To receive the Annual Return to the External Auditors for the financial year 1 April 2008 to 31 March 2009 (attached) and to deal with items 19.5, 19.6 and 19.7 in relation thereto.

19.5 To receive and approve the Bank Reconciliation (attached)

19.6 To receive and approve the explanation of all significant variances

19.7 To receive and approve the spot check items (see attached) for the Annual Return (copies of supporting documents to be tabled at the meeting) N.B. see Section 4 as this ties in with the comments of the Internal Auditor in Section 4 of the Annual Return

19.8 To approve the Schedule of Accounts to be Paid for May 2009, Schedule 2

19.9 To receive the Cash Book and Statement of Account for April 2009.

19.10 To approve the Budget Report to the end of April 2009, to be tabled at the meeting

## ENVIRONMENTAL AND DEVELOPMENT ISSUES

### **20 PLANNING APPLICATIONS – SCARBOROUGH BOROUGH COUNCIL**

To consider the following planning applications:

1	Proposal Site Applicant Application No. SBC Decision	Erection of Conservatory to rear of Property 374 Scalby Road, Scarborough Mr A Samauroo 09/00704/HS Delegated
2	Proposal Site Applicant Application No. SBC Decision	Proposed 2 storey Extension 6 Cleveland Avenue, Newby Mr T Kaye 09/00780/HS Delegated
3	Proposal Site Applicant Application No. SBC Decision	Erect a single storey, timber framed, glazed Orangery Melbourne House, South Street, Scalby Mr and Mrs Senior 09/00713/HS Delegated
4	Proposal Site Applicant Application No. SBC Decision	Erect a single storey, timber framed, glazed Orangery Melbourne House, South Street, Scalby Mr and Mrs Senior 09/00714/LB Delegated
5	Proposal Site Applicant Application No. SBC Decision	Proposed extension to dwelling 10 Greylands Park Avenue, Newby Mr P Spenceley 09/00762/HS Delegated
6	Proposal Site Applicant Application No. SBC Decision	Re-submitted application for full demolition and rebuild Scalby Lodge Cottage, Burniston Road, Newby Duchy of Lancaster 09/00720/FL Delegated
7	Proposal Site Applicant Application No. SBC Decision	Replace existing soft wood front door with upvc door 48 North Street, Scalby Mrs E A Tymon 09/00607/FL Delegated
8	Proposal Site Applicant Application No. SBC Decision	Proposed pitched roof two storey side extension with dormer windows to front and rear elevations 5 Queen Elizabeth Drive, Scalby Mr and Mrs T Mackenzie 09/00617/FL Delegated

9	Proposal Site Applicant Application No. SBC Decision	Proposed 3 Bedroom detached dwelling/house The Croft, 44 High Street, Scalby Mr Simon Dawson 09/00764/FL DEL
10	Proposal Site Applicant Application No. SBC Decision	Detached garage in the back garden 27 Cross Lane, Newby Mr Douglas Scott 09/00781/HS Delegated

## **21 PLANNING APPLICATIONS – NORTH YORK MOORS NATIONAL PARK**

To consider the following planning applications:

1	Proposal Site Applicant Application No.	Application for erection of a part two storey and part single storey extension to provide 11 no. additional self contained suites Ox Pasture Hall Hotel, Lady Edith's Drive Lifestyle Hotels Ltd NYM/2009/0217/FL
2	Proposal Site Applicant Application No.	Application for erection of a part two storey and part single storey extension to provide 11 no. additional self contained suites Ox Pasture Hall Hotel, Lady Edith's Drive Lifestyle Hotels Ltd NYM/2009/0218/LB

## **22 PLANNING APPLICATIONS – NORTH YORKSHIRE COUNTY COUNCIL**

None received at the time of issuing the agenda.

### **23 LOW HALL COTTAGE**

To note that the NYMNPAs are arranging for maintenance/tidying works e.g. repainting, clearing the gutters etc at the Cottage in the near future

### **24 18 HAY LANE**

To consider a letter dated 9 April 09 from the SBC (attached) regarding an alleged business use of this property

### **25 FLOODING ISSUES**

To consider any flood related issues.

## **SPORTS & RECREATIONAL ISSUES**

### **26 LINDEN ROAD OPEN SPACE**

Further to minute 84/09 to consider dates for a meeting

### **27 ALLOTMENTS - UPKEEP**

To receive a report from the Clerk (if any)

## **28 SCARBOROUGH RUGBY CLUB – PROPOSED NEW LANDSCAPING SCHEME**

To consider a diagram of a suggested planting scheme as discussed with the Chairman of the In Bloom Group (attached).

**Pursuant to section 1 (2) of the Public Bodies (Admission to Meetings) Act 1960 it is proposed that, because of the confidential nature of the business to be transacted, the public and the press leave the meeting during consideration of Agenda items 29 and 30.**

## **29 PARISH HALL**

- 29.1 To receive an update from Councillor Bastiman and the Clerk
- 29.2 To consider instructing Solicitors for the sale of the Caretaker's Cottage in order to protect the interests of the Trustees and Parish Councillors
- 29.3 To consider a letter dated 29 April 2009 from the Organiser of the Scarborough Open Bowls Tournament (attached) and to instruct the Clerk on the required response
- 29.4 To consider a letter dated 23 April 2009 from Mr R Kaye of Scarborough Borough Council in response to a letter from the Clerk and RFO (attached) and to instruct the Clerk on the required response.
- 29.5 To consider the establishment of a Management Committee for the Parish Hall to deal with day to day matters as a monthly delay for payments or agreeing spending on essential works and other operational issues is not conducive to good management.

## **30 ANNUAL REVIEW OF CLERK'S TERMS AND CONDITIONS OF EMPLOYMENT**

To remain on the agenda pending determination

**M McGuinn** (CILCA), **Clerk to the Council**,  
Council Offices, Scalby Road, Scalby, Scarborough YO13 0RA. Telephone: 354018 and Email:  
newby.scalbypc@btconnect.com  
**Thursday 7<sup>th</sup> May 2009**



**ADDENDUM TO AGENDA  
FOR MEETING WEDNESDAY 13<sup>th</sup> MAY 2009**

**20 PLANNING APPLICATIONS – SCARBOROUGH BOROUGH COUNCIL**

To consider the following planning application:

11	Proposal Site Applicant Application No SBC Decision	Erection of detached garage 1 Lady Edith's Avenue, Newby Mr and Mrs Stuttard 09/00823/HS DEL
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**M McGuinn** (CILCA), **Clerk to the Council**,  
Council Offices, Scalby Road, Scalby, Scarborough YO13 0RA.  
Telephone: 354018 and Email: [newby.scalbypc@btconnect.com](mailto:newby.scalbypc@btconnect.com)  
**Monday 11<sup>th</sup> May 2009.**