

# NOTICE

is hereby given of an

## ORDINARY 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, 14<sup>th</sup> OCTOBER 2009**

**COMMENCING AT 7.15 P.M.**

and

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

### **PUBLIC SESSION AT 7.00PM**

- (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 7 p.m. before the commencement of the Council meeting.

**M McGuinn**

**Clerk To The Council**

Council Offices, Scalby Road, Scalby, Scarborough YO13 ORA

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

**Thursday 8<sup>th</sup> October 2009**

# AGENDA

## 1 APOLOGIES FOR ABSENCE

To receive details of absences.

## 2 DECLARATIONS OF INTEREST

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

### PROCEDURAL MATTER 1

To suspend the meeting in accordance with Standing Order 23(s) to present the following Allotment Awards:

1	Best Kept Allotment	-	Mr P Tindall
2	Most Improved Allotment	-	Mrs Sarah Brown
3	Largest Marrow	-	Mr George Dale

### PROCEDURAL MATTER 2

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.

## 3 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:

- 3.1 **Allotments Friends Group** – Mr G Dale or other representative
- 3.2 **In Bloom Group** – Mr P Staveley or other representative
- 3.3 **Scalby Football Club** – Mr P Afford (Chairman)
- 3.4 **CAP Group.** – Councillor Ridley
- 3.5 **Safety Council** – Councillor S G Foote.
- 3.6 **Roads Liaison Committee** – Councillors R I Thompson and B F Watson
- 3.7 **Coastal Area Parish Forum** – Councillors S G Foote and B F Watson
- 3.8 **North Yorkshire & Cleveland Coastal Forum** – Councillor B F Watson
- 3.9 **Yorkshire Local Councils' Association** – Councillors S G Foote and B F Watson.
- 3.10 **Twinning Association** – Councillors C Ridley and R I Thompson
- 3.11 **York & North Yorkshire Playing Fields** – Councillors S G Foote and P C Snow
- 3.12 **Yorkshire Coast & Moors County Area Committee** – Councillor R I Thompson
- 3.13 **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.

## 4 MINUTES

To approve and sign as a correct record the minutes of the Council Meeting held on 9<sup>th</sup> September 2009. (*Attached*)

## 5 MATTERS OF REPORT FROM THE MINUTES

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

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

- 6.1 To consider an invitation to attend the next Transport Forum on 9 December 2009 (**Attached**) and to instruct the clerk on the required response.
- 6.2 To consider an invitation to be part of a small group to act as the Committee for guiding CPRE's interests in the coastal area of North Yorkshire (**Attached**) and to instruct the clerk on the required response.
- 6.3 To consider an email from the YLCA (**Attached**) concerning a Waste Partnership Conference on 6 November 2009 and to instruct the clerk on the required response.
- 6.4 To consider an email from the YLCA (**Attached**) concerning courses available on employment issues for smaller Councils and to instruct the clerk on the required response.
- 6.5 To consider a letter dated 2<sup>nd</sup> October 09 from the Chairman of Scalby Football Club (**Attached**) and to instruct the clerk on the required response.
- 6.6 To consider a letter dated 5<sup>th</sup> October 09 from the Rural Action Yorkshire (**Attached**) and to instruct the clerk on the required response.
- 6.7 To receive a letter dated 1st October 09 from the YLCA (**Attached**) and to note that Councillor R Thompson has been successful in being appointed as a parish representative on the Coast and Moors Area Committee
- 6.8 To consider a letter from the Mr B Kendall of the Allotments Friends Group (**Attached**) and to instruct the clerk on the required response.

## **7 QUALITY STATUS**

To remain on the agenda pending developments.

## **8 SCALBY VIADUCT**

To remain on the agenda pending developments.

## **9 TWINNING MATTERS**

Further to minute 186/09.1 of the last meeting, to consider the response received from the Borough Council concerning the siting of the Pornic sign (**Attached**)

## **10 'LEADER' PROGRAMME – PARISH/COMMUNITY CARETAKER SCHEME**

The Chairman and Councillor B Miller to report on a meeting held on 23<sup>rd</sup> September 2009

# **FINANCE & GENERAL PURPOSES ISSUES**

## **11 FINANCIAL MATTERS (Details to be tabled at the meeting)**

- 11.1 To approve the Schedule of Accounts to be paid for October 2009, Schedule 7.
- 11.2 To approve the Schedule of Accounts to be paid for October 2009 in respect of the Community Hall, Schedule 7.
- 11.3 To receive the Reconciled Cash Book and Statement of Account for September 2009.
- 11.4 To receive the monthly report on Reserve Account Balance as at September 2009.
- 11.5 To receive the Audit Report for September 2009.
- 11.6 To approve the Budget Report to the end of September 2009.
- 11.7 To receive a report on the 2010 to 2011 budget and precept and to determine the level of the Parish Precept for this period. (**Attached**)

11.8 To consider a report by the Clerk and RFO regarding the suggested earlier production of financial information for meetings (**Report previously circulated**) and to consider if the meeting dates for council meetings should be moved to from the second week to the third week of the month to allow sufficient time for financial information to be issued with the agenda papers.

11.9 To receive NALC Employment Briefing E12-09 (**Attached**) and consider approving the recommended implementation date as 1 April 09 for the agreed settlement

## ENVIRONMENTAL AND DEVELOPMENT ISSUES

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

To consider the following planning applications:

1	Proposal Site Applicant Application No. SBC Decision	Conversion of existing derelict building with change of use to form 2 x flats 413-415 Scalby Road, Scarborough Mr Andrew Hayes 09/01748/FL Delegated
2	Proposal Site Applicant Application No. SBC Decision	Individual cut out aluminium composite letters applied direct to front elevation of building Yew Tree Café, High Street, Scalby Mr Simon Gridley 09/01810/AA Delegated
3	Proposal Site Applicant Application No. SBC Decision	Proposed rear two storey extension utilising roof space to service existing loft bedroom 21 Newlands Park Drive, Newby Mr and Mrs Paul Dobson 09/01842/HS Delegated
4	Proposal Site Applicant Application No. SBC Decision	Replacement of existing wooden conservatory with larger upvc conservatory 3 Newby Farm Road, Scalby Mr Alan Jennison 09/01856/HS Delegated
5	Proposal Site Applicant Application No. SBC Decision	New garage to side of house 41 Moor Lane, Scalby Mr and Mrs Johnston 09/01897/HS Delegated
6	Proposal Site Applicant Application No. SBC Decision	Studio home office and pool on site of existing stables and garage Barmoor House, Barmoor Lane, Scalby Hernandez Gonez 09/01902/HS Delegated
7	Proposal Site Applicant Application No. SBC Decision	Two-storey rear extension 41 Scalby Avenue, Scalby Mr David Walker 09/01899/HS Delegated

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

To consider the following planning application:

1	Proposal	Erection of extensions to front and rear together with replacement roof and relocation of double garage
	Site	111 Hackness Road, Scalby
	Applicant	Mr John Bingham
	Application No.	NYM/2009/0488/FL

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

None received at the time of issuing the agenda

### **15 PLANNING APPEAL – 54 HACKNESS ROAD**

To note that an appeal has been lodged against the Borough Council's refusal of planning permission for demolition of the existing dwelling and creation of 6 new build eco houses and to consider whether to make any further comments to the Inspector (***Parish Council comments made on the application and the Borough Council's refusal notice are attached***)

### **16 PLANNING POLICY - EXTENSIONS TO PROPERTIES**

Further to minute 192/09.1 of the last meeting, to consider the response received from the Borough Council regarding their policy in relation to extensions close to property boundaries (***Attached***)

### **17 FLOODING ISSUES**

17.1 Further to minute 193/09.1 of the last meeting, to consider the response received from the Borough Council regarding the Beck at the rear of 340-344 Scalby Road together with a further letter from Mr Sheader (***Attached***)

17.2 To consider any other flood related issues.

### **18 PROPOSED DOG WASTE BIN – LANCASTER WAY**

To consider a letter dated 28<sup>th</sup> September 09 from the SBC (***Attached***) and to instruct the clerk on the required response.

## **CONFIDENTIAL ISSUES**

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 19, 20 and 21.

### **19 NEWBY AND SCALBY COMMUNITY HALL**

19.1 To receive a report from Councillors D J Bastiman and R Pickersgill on the progress to date.

19.2 In their capacity as Corporate Trustees of the Community Hall and in compliance with S.82 of the Charities Act relating to the disposal of an asset which is surplus to requirements, Councillors are requested to authorise Councillor D J Bastiman and one other Councillor to sign the Transfer Deed for the sale of the caretaker's cottage for and on behalf of all Trustees.

Councillors are also recommended to pass a resolution, in their capacity as Corporate Trustees, to confirm that they have complied with S.36 of the Charities Act in relation to the sale of the cottage which requires the Trustees to confirm that:

- they have procured a survey of the cottage from a competent valuer to establish its market value.
- the sale was publicly marketed
- in their opinion, the agreed sale price represents good value

- 19.3 **VAT**  
To receive a report from the clerk and if thought fit to endorse his recommendation.  
**(Attached).**
- 19.4 **FARMERS MARKET**  
To receive a report form the clerk and if thought fit to endorse his recommendation.  
**(Attached).**
- 19.5 To set a date and time for the next meeting of the Management Committee.

**20 COOMBOOTS QUARRY**

The Clerk to report on a meeting held with Mr Stephen Hesmondhalgh regarding the ownership status of Coomboots Quarry

**21 ANNUAL REVIEW OF CLERK'S TERMS AND CONDITIONS OF EMPLOYMENT**

Further to Minute number 196/09 of the last meeting the Chairman, Vice-Chairman and Councillor B Miller to report the outcome of a meeting held with Ian Strong of the YLCA and to confirm the resultant new job description and new terms and conditions for the scale and rate of pay of the clerk and RFO.

**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)  
**Thursday 8<sup>th</sup> October 2009**

## ADDENDUM TO AGENDA FOR MEETING WEDNESDAY 14<sup>th</sup> OCTOBER 2009

### 12 PLANNING APPLICATIONS – SCARBOROUGH BOROUGH COUNCIL

To consider the following planning application:

8	Proposal Site Applicant Application No SBC Decision	Detached double garage 4-6 Scalby beck Road, Scalby Mrs Haith 09/01881/HS Delegated
---	---	---

**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)

**Friday 9<sup>th</sup> October 2009.**

## ADDENDUM No 2 TO AGENDA FOR MEETING WEDNESDAY 14<sup>th</sup> OCTOBER 2009

### 13 PLANNING APPLICATIONS – NORTH YORK MOORS NATIONAL PARK

To consider the following planning applications:

2	Proposal  Site Applicant Application No.	Application for removal of condition 10 of planning approval NYM/2009/0676/FL to allow occupation of the residential part of the live/work unit to be occupied not in association with the associated workspace Foxhill Paddocks, Throxenby Mr Ian Harrison NYM/2009/0676/FL
3	Proposal Site Applicant Application No.	Application for erection of conservatory to the rear Beckdale House, Hackness Road, Scalby Mr and Mrs N Thomas NYM/2009/0681/FL

**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 12<sup>th</sup> October 2009.**