

**MINUTES of the MEETING OF  
NEWBY AND SCALBY PARISH COUNCIL**  
held in the Council Offices, Scalby Road, Scalby,  
on **WEDNESDAY, 8<sup>th</sup> OCTOBER 2008**

**COUNCILLORS PRESENT**

Councillor R I Thompson, (Chairman in the Chair)  
Councillors: D J Bastiman, S G Foote, R Pickersgill & C Ridley

**ALSO IN ATTENDANCE**

M McGuinn, Clerk & Mr P J Afford

**234/08 APOLOGIES FOR ABSENCE ACCEPTED**

Councillors B Miller, P C Snow & B F Watson

**235/08 DECLARATIONS OF INTEREST**

- 235/08.1 Councillor Ridley declared a personal interest in all Borough Council planning applications as members of the Borough Councils Planning Committee and took no part in the decisions and left the meeting.
- 235/08.2 Councillor Bastiman declared a personal & prejudicial interest in all planning issues and applications in his capacity as Portfolio Holder on Scarborough Borough Council with responsibility for Planning Issues. He took no part in the discussions and left the meeting.
- 235/08.3 Councillor Pickersgill declared a Personal & Prejudicial Interest in the planning applications for Yorkshire Coast Homes as a Board Member and took no part in the discussions or decisions.

**PROCEDURAL MATTER**

It was **RESOLVED** that the clerk write to John Riby (with a copy to the CEO) of Scarborough Borough Council to register the councils strong dissatisfaction that no representatives have attended any meetings since Nigel Wintringham last attended.

**236/08 MINUTES**

It was **RESOLVED** to approve and sign as a correct record the minutes of the Council Meeting held on 10<sup>th</sup> September 2008.

**237/08 MATTERS OF REPORT FROM THE MINUTES**

None.

**238/08 CORRESPONDENCE (To be tabled at the meeting unless otherwise stated)**

- 238/08.1 A letter dated 15<sup>th</sup> September 2008 from SBC regarding the community Payback/Probation Service was **RECEIVED**. A copy was provided for Mr Afford in order that the Football Club could make use of the free labour.
- 238/08.2 A letter dated 15<sup>th</sup> September 2008 from the Citizens Advice Bureau was **RECEIVED**.

- 238/08.3 A letter dated 16<sup>th</sup> September 2008 from SBC's North Yorkshire Coast Community Partnership was **RECEIVED**.
- 238/08.4 A letter dated 16<sup>th</sup> September 2008 from SBC regarding the removal of telephone boxes was **RECEIVED**.
- 238/08.5 A letter dated 18<sup>th</sup> September 2008 from MENCAP Scarborough was **RECEIVED**.
- 238/08.6 A letter dated 19 September 2008 from SBC regarding the Review of the Dog Warden Service was **RECEIVED** and the clerk asked to respond accordingly.
- 238/08.7 The clerk read out a letter of thanks from the treasurer of Scalby Toilet Trust which was **RECEIVED**.

### **239/08 REPORTS FROM OUTSIDE BODIES (IMPORTANT ISSUES ONLY)**

The following reports, where indicated, were **RECEIVED** from Council Representatives:

- 239/08.1 CAP Group.** – No report
- 239/08.1.1** The police report, circulated at the meeting, was **RECEIVED**.
- 239/08.2 Safety Council** – No report.
- 239/08.3 Roads Liaison Committee** – No report.
- 239/08.4 Coastal Area Parish Forum** – No report.
- 239/08.5 North Yorkshire & Cleveland Coastal Forum** – Councillor Thompson reported on the effects of the Marine Bill and Renewable energy sources using wind power and wave power.
- 239/08.6 Yorkshire Local Councils' Association** – No report.
- 239/08.7 Twinning Association** – No report.
- 239/08.8 York & North Yorkshire Playing Fields** – No report.
- 239/08.9 Yorkshire Coast & Moors County Area Committee** – No report.
- 239/08.10 North York Moors National Park Authority** – No report.

<b>FINANCE &amp; GENERAL PURPOSES ISSUES</b>
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### **240/08 FINANCIAL MATTERS (Details tabled at the meeting).**

- 240/08.1 It was **RESOLVED** to approve the **Schedule of Accounts to be Paid for October 2008, Schedule 7**

240/08.2 The **Cash Book and Statement of Account for September 2008** were **RECEIVED**.

240/08.3 The **Internal Audit Report for August 2008** was **RECEIVED**.

**241/08 BUDGET REPORTING**

It was **RESOLVED** to approve the Budget Report to the end of August 2008.

**242/08 QUALITY STATUS**

242/08.1 A verbal report from the clerk on the progress to date in respect of the proposed web site was **RECEIVED**.

242/08.2 *The overall aims of quality status to remain on the agenda pending developments.*

**243/08 NEWSLETTER**

A verbal report from the clerk on the progress to date was **RECEIVED**.

**244/08 NEW MODEL CHARTER AND NEW MODEL AGREEMENT**

A verbal report from the clerk on the progress to date was **RECEIVED** and it was **NOTED** that YLCA had yet to confirm their approval and that SBC is to hold a further consultation meeting on Wednesday 22 October 2008. The clerk was thanked for his efforts and It was **RESOLVED** that either the clerk or the Acting Clerk attend the meeting in order to protect the best interests of the parish council.

**245/08 CUMBOOTS QUARRY**

245/08.1 An update from the clerk was **RECEIVED**. It was noted that the fencing contractor had been instructed by the clerk at a recent site meeting and the work would be carried out as soon as weather permitted.

245/08.2 The clerk confirmed he had been contacted by Mr S Hesmondhalgh regarding his registered title and the clerk outlined his course of action to resolve this issue. It was **RESOLVED** that if Mr Hesmondhalgh is proven to be the owner then the parish council would reconsider its position at that time, with the likely outcome being to relinquish its claim as the land is considered a liability rather than an asset.

**ENVIRONMENTAL AND DEVELOPMENT ISSUES**

**246/08 PLANNING APPLICATIONS – SCARBOROUGH BOROUGH COUNCIL**

The following planning applications were considered and the decisions taken thereon are as shown below:

1	Proposal Site Applicant Application No.	Demolition of existing buildings within the conservation area. 18 East Park Road, Scalby KFB Scarborough Ltd 08/01782/CA
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	SBC Decision Decision	By Committee Object for the same reasons given previously. Councillors feel that the case for demolition in a conservation area has not been proven and that the existing property could be refurbished and continued to be used as a single dwelling
2	Proposal Site Applicant Application No. SBC Decision Decision	Creation of 10 New Flats with off street parking 18 East Park Road, Scalby KFB Scarborough Ltd 08/01781/fl By Committee Object on the same grounds as previous applications. This is an overdevelopment of the site and the footprint of any new development should be restricted to the existing main dwelling footprint and should exclude the outbuildings as this space will be needed for car parking. In addition there is no provision for affordable housing which has been excluded purely from a cost viewpoint and the argument that this policy did not apply on the original application is irrelevant as it is what happens now which is relevant.
3	Proposal Site Applicant Application No. SBC Decision Decision	<b><u>PROCEDURAL MATTER</u></b>  As Councillor Pickersgill had declared a personal & prejudicial interest as had Councillors Bastiman and Ridley then the meeting was not quorate. As a result the delegated authority given to the clerk was invoked in order to make the decision.  Proposed access ramp 54 Gatesgarth Close, Newby Yorkshire Coast Homes 08/01120/fl By delegated authority No objections
4	Proposal Site Applicant Application No. SBC Decision Decision	Proposed Chimneys 72 Station Road, Scalby Mr & Mrs Tomlinson 08/01673/fl By delegated authority No objections
5	Proposal Site Applicant Application No. SBC Decision Decision	Erection of extension over garage, rear extension and internal alterations to attic and dormer window and re-cover roof 28 Hackness Road, Newby Mr R Wells 08/01839/fl By delegated authority
6	Proposal Site Applicant Application No. SBC Decision Decision	New Dwelling and garage block White Lodge, 24 High Mill Drive, Newby Mr & Mrs G Kemp 08/0191/fl By Delegated Authority

	Decision	No objections
7		<b><u>PROCEDURAL MATTER</u></b>  As Councillor Pickersgill had declared a personal & prejudicial interest as had Councillors Bastiman and Ridley then the meeting was not quorate. As a result the delegated authority given to the clerk was invoked in order to make the decision.
	Proposal Site Applicant Application No. SBC Decision Decision	Proposed dropped kerb for disabled access Community Centre, 431 Scalby Road, Newby Yorkshire Coat Homes 08/01901/LB By Delegated Authority No objections
8	Proposal Site Applicant Application No. SBC Decision Decision	Replacement rosewood/white uPVC windows and door 95 Cross Lane, Newby Mr M Purnell 08/01837/fl By Delegated Authority No objections

**247/08 PLANNING APPLICATIONS – NORTH YORK MOORS NATIONAL PARK**

None received.

**248/08 PLANNING APPLICATIONS – NORTH YORKSHIRE COUNTY COUNCIL**

None received.

**249/08 SCALBY VIADUCT**

To remain on the agenda pending developments.

**250/08 FLOODING ISSUES**

250/08.1 Consideration was given to the wooden footbridge over Church Becks (identified in the Atkins Report as needing removal of the central pier ) and to what action is required to ensure that the flow of water does not continue to be restricted in order to reduce the potential risk of flooding caused by debris creating a Dam effect. It was **RESOLVED** that the clerk ask the Environment Agency as to when they intend implementing the recommendation in order to reduce the risk of flooding.

250/08.2 No other flood related issues raised.

**SPORTS & RECREATIONAL ISSUES**

**251 REDEVELOPMENT OF PAVILION & CENTENARY CELEBRATIONS**

251/08.1 An update from representatives of the Cricket & Football Club on the progress to date was **RECEIVED**.

251/08.2 The matter of the cost for the centenary celebrations was discussed and It was **RESOLVED** that the parish council would look favourably on any request for financial assistance from the clubs in recognition of the extremely good works the clubs do in keeping young persons off the streets and occupied in worthwhile pursuits. Mr Afford

was invited to approach the council in writing if the clubs wish to take up this offer.

251/08.3 No other matters raised relating to the upkeep and management of the playing fields.

### 252/08 ALLOTMENTS - VACANT PLOTS & UPKEEP

252/08.1 A report from the clerk on the vacant plots and upkeep of allotments was **RECEIVED** and it was noted that the majority of rents had been paid and it was anticipated that all rents would be paid by the end of October.

252/08.2 An update from the clerk on the progress with the Friends Group Committee and Constitution was **RECEIVED** and it was noted that the voting slips received to date showed a clear winner for both the Chairman and Vice Chairman positions on the committee and for the 5 members of the committee.

252/08.3 Councillor Foote proposed that future policy should dictate that multiple plot holdings (which is a historical legacy) should not be allowed and any plot which is relinquished be split into half plots given the demand for them. It was **RESOLVED** that this be borne in mind for the new committee and their charter and constitution be drafted accordingly.

### 253/08 LINDEN ROAD PLAYGROUND

Consideration was given to the unmade and rough footpath surface which runs between the Scalby School Playing Fields and the Playground's southern boundary, in light of wheelchair access. Currently able bodied parishioners walk through the Playground whereas the playground and the current footpath surfaces are not suitable for wheelchairs access. It was **RESOLVED** to ask SBC if funds could be provided to carry out this work and if necessary could they obtain grants to fund it as it is a matter which ought to be resolved in order to comply with the Disability Discrimination Act as people who use wheelchairs are being excluded.

### 254/08 CHRISTMAS LIGHTS

254/08.1 An update from the clerk on the Christmas lights in general and his discussions with SBC with regard to a light to be erected above the Co-op Shop at Newlands Park Drive was **RECEIVED**. It was noted that the light would be in the form of an angel.

254/08.2 The clerk informed councillors that SBC are to make a charge for erecting lights at the shops of £250 and £100 for the light above the co-op shop. It was **RESOLVED** that this cost be accepted as the display is a well received asset to the community of that area.

254/08.3 The clerk confirmed he had spoken to the shop manager for the co-op and is awaiting their reply as to whether or not they will pay for an external waterproof socket for the light. It was **RESOLVED** to accept this and if necessary the parish council will bear a reasonable cost.

254/08.4 The clerk confirmed that he had spoken to the landlady of the Newlands Hotel and that she did not intend buying any lights but wanted the parish council to consider

putting some of the lights on the large conifer in the hotels grounds at the corner of Newlands Park Drive and Cleveland Avenue. It was **RESOLVED** that the current arrangements be retained and her offer politely declined.

## GENERAL ISSUES

It was **RESOLVED** that pursuant to section 1 (2) of the Public Bodies (Admission to Meetings) Act 1960 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 22 & 23.

### 255/08      **PARISH HALL**

255/08.1      The minutes of the meeting of Councillors held on the 1<sup>st</sup> October 2008 were **RECEIVED** and It was **RESOLVED** unanimously to approve the recommendations A to E (*with the caveat “with permission of the Chairman” being inserted in section C between the words “necessary” and “to” in the final sentence*) and the clerk and Councillor Bastiman were authorised to negotiate the best deal possible with SBC. The clerk appended the minutes accordingly and the chairman signed them on behalf of the council.

255/08.2      It was recognised that there will be a great deal of additional work for the clerk who had produced a list of 29 items already identified as needing consideration or evaluation etc and it was anticipated that as negotiations develop more items will be established.

255/08.3      It was **RESOLVED** that the clerk required the support of the current acting clerk to carry out normal operational duties to enable the clerk to concentrate on the parish hall issues along with Councillor Bastiman and the clerk was authorised to negotiate accordingly. It was further **RESOLVED** that this is a cost which needs to be incurred so that the Clerk has sufficient time resource to work alongside Councillor Bastiman in order that they can jointly produce the right deal for the parish council and the parish council can demonstrate that the best interests of the parishioners is safeguarded.

It was noted that the clerk, in conjunction with Councillor Bastiman and the Chairman would produce a press release as there are parishioners already contacting the clerk and Councillor Bastiman about this matter.

### 256/08      **BUDGET CONSIDERATIONS**

A report from the clerk (tabled at the meeting) on the draft budget for the financial year 2009/2010 based on anticipated expenditure for that financial year was **RECEIVED** and It was **RESOLVED** to accept the recommendation and proceed accordingly.

**There being no further business on the agenda**

**the Chairman declared the meeting closed at 8.50 pm**



**Chairman**