

**MINUTES of the MEETING OF
NEWBY AND SCALBY PARISH COUNCIL**
held in the Council Offices, Scalby Road, Scalby,
on **WEDNESDAY, 9th APRIL 2008**

COUNCILLORS PRESENT

Councillor D J Bastiman, Chairman in the Chair
Councillors: S G Foote, R Pickersgill, C Ridley, P C Snow, R I Thompson & B F Watson

ALSO IN ATTENDANCE

County Councillors A Backhouse & H Swiers, M McGuinn, Clerk to the Council,
and 1 Member of the Public

68/08 APOLOGIES FOR ABSENCE

Councillor B Miller and Mr P J Afford, Chairman of Scalby Football Club

69/08 DECLARATIONS OF INTEREST

69/08.1 Councillors Watson & Ridley declared a personal interest in all planning applications as a member of Scarborough Borough Council Planning Committee and took no part in the discussions or decisions.

69/08.2 Councillor Bastiman declared a personal interest in all planning issues on the agenda in his capacity as Portfolio Holder on Scarborough Borough Council with responsibility for overall planning policy. Councillor Pickersgill chaired all planning issues and during the discussions and decision making Councillor Bastiman merely observed the procedures and took no other part in those proceedings.

69/08.3 Councillors Watson and Ridley declared a personal and prejudicial interest in agenda item 14.3.1 relating to the suggestions from the Newby Community Action Group as they are members of that group. Both Councillors left the meeting whilst the matter was discussed and resolved.

PROCEDURAL MATTER

It was **RESOLVED** to suspend the meeting in accordance with Standing Order 23(s) to allow Nigel Wintringham of Scarborough Borough Council to provide feedback on previously raised road traffic or street scene issues and to receive details of any new issues requiring attention.

Meeting suspended at 7.20pm

Feedback was provided on the previously raised street scene and traffic issues and explanations given for any delays in implementing the works.

New issues were raised and Mr Wintringham agreed to deal with these and report back at the next meeting.

With regard to the bus route for Coldyhill Lane it was **RESOLVED** that the clerk contact NYCC to request that they provide funding in order to make it a viable proposition for the bus company to run a service on this route.

Councillor Pickersgill reported that he had personally witnessed staff driving the wrong way along Fieldstead Crescent to gain access to the car park and it was **RESOLVED** that the clerk write to the Headteacher of Scalby School to report this action and to request that it ceases forthwith.

At the request of the Chairman it was **RESOLVED** to bring forward Agenda Item 13.9 –Parking on Grass Verges and Pavements.

The clerk read out the areas collated to date and it was **RESOLVED** that the details be passed to Bruce Bedford for consideration of a TRO, when the clerk has completed his evidence gathering.

Meeting in session at 7.45pm

70/08 MINUTES

It was **RESOLVED** to approve and sign as a correct record the minutes of the Council Meeting held on 12TH March 2008.

71/08 MATTERS OF REPORT FROM THE MINUTES

None

72/08 FINANCIAL MATTERS

72/08.1 It was **RESOLVED** to approve the **Schedule of Accounts to be Paid for April 2008, Schedule 1**

72/08.2 It was **RESOLVED** to receive the **Cash Book and Statement of Account for March 2008.**

72/08.3 It was **RESOLVED** to receive the **Internal Audit Reports for February and March 2008.**

72/08.4 The clerk reported that the Annual Return to the External Auditors had been received and once again the Parish Council is not one of the 5% selected to provide more in depth information.

72/08.6 The clerk confirmed that he would begin the process of preparing the Annual report & Accounts and Balance Sheet for the year 2007/2008 to be presented to be approved by the Parish Council and presented at the Annual Parish Meeting.

72/08.7 The Chairman sought approval from councillors to raise the matter of the date for the Annual Parish Meeting and it was **RESOLVED** to accept this. Following debate it was **RESOLVED** that it would make sense to hold the meeting immediately after the May Council Meeting on the 14th May 2008 and the clerk was instructed to proceed accordingly.

73/08 CORRESPONDENCE (To be tabled at the meeting unless otherwise stated)

73/08.1 A communication from the Standards Board was **RECEIVED.**

73/08.2 A letter from NYCC regarding a short guide to Overview & Scrutiny was **RECEIVED.**

- 73/08.3 A letter dated 13 March 2008 from NYCC regarding congestion in the North York Moors National Park was **RECEIVED** and the Clerk was instructed to liaise with Councillor Thompson on the required response.
- 73/08.4 An email from YLCA regarding the Y&H Rural Affairs Forum – Parish Climate Change Adaptation Conference was **RECEIVED** and It was **RESOLVED** that Councillors inform the clerk if they wished to attend.
- 73/08.5 A letter dated 31 March 2008 from SBC regarding a meeting of Councillors and Clerks with SBC was **RECEIVED** and It was **RESOLVED** that Councillor Foote will attend along with the clerk and if available Councillor Thompson would also attend.
- 73/08.6 A letter dated 22 March 2008 from a parishioner regarding the planning application for 18 East Park Road, Scalby was **RECEIVED** and the contents noted which were in accord with the Parish Council's view that the application be refused.
- 73/08.7 A letter dated 18 March 2008 from SBC regarding funding for community shops was **RECEIVED**. It was **RESOLVED** that the clerk forward a copy of the letter to David Steele of Smith's Gore to pass onto the new tenants of Scalby Stores in order that they can pursue this matter. It was also **RESOLVED** that the clerk forward a copy of the letter to Councillor Backhouse.
- 73/08.8 An email from Councillor Backhouse, distributed at the meeting, was **RECEIVED** and Councillor Backhouse confirmed it was for information only but would keep the Parish Council appraised of developments.
- 73/08.9 A report from the Clerk following his telephone conversation with the Rugby Club and distributed at the meeting was **RECEIVED**. It was **RESOLVED** that the Parish Council be involved with the Club on a jointly funded venture for the planting of the roadside along the boundary of the new site as this is a prime location and the gateway into the parish and will enhance the In Bloom aspirations of both the Parish Council and SBC. In due course, following discussions with the Club, the clerk was asked to hold discussions with SBC Parks & Countryside staff and to liaise with the In Bloom Group in order to draw up a planting scheme for both sides of the road in order to create a 'corridor of blooms' and to establish the likely cost.

74/08 REPORTS FROM OUTSIDE BODIES (IMPORTANT ISSUES ONLY)

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

- 74/08.1 **CAP Group**. – No Report.
- 74/08.2 **Safety Council** – No Report.
- 74/08.3 **Roads Liaison Committee** – No Report.
- 74/08.4 **Coastal Area Parish Forum** – No Report.
- 74/08.5 **North Yorkshire & Cleveland Coastal Forum** – No Report.

- 74/08.6 Yorkshire Local Councils' Association** – No Report.
- 74/08.6.1** An email from YLCA and a letter distributed at the meeting regarding the holding of one of its quarterly meetings on a Saturday morning was **RECEIVED** and It was **RESOLVED** that the clerk liaise with Councillor Foote in order to complete the questionnaire.
- 74/08.6.2** Feedback from the delegates who attended the YRCC Conference on the 7th to 9th March 2008 was **RECEIVED** .
- 74/08.7 Twinning Association** – Councillor Thompson reported on the latest committee meeting which dealt mainly with the arrangements for the Twinning Visit.
- 74/08.8 York & North Yorkshire Playing Fields** – No Report.
- 74/08.9 Yorkshire Coast & Moors County Area Committee** – No Report.
- 74/08.10 North York Moors National Park Authority** – No Report.

75/08 QUALITY STATUS

To remain on the agenda pending developments.

75/08 NEWSLETTER

- 75/08.1** Feedback from the Clerk on his negotiations with the Delivery manager of Top Trader regarding the non-delivery of the Newsletter was **RECEIVED**.
- 75/08.2** A draft copy of the Newsletter distributed at the meeting was **RECEIVED** and It was **RESOLVED** that Councillors take it away and read it and advise the clerk of any amendments etc., within the next 7 days in order that the content may be finalised in readiness for printing and issue.
- 75/08.3** It was **RESOLVED** that the newsletter be issued at the beginning of May and the clerk suggestion that its issue be reported in the SEN Friday Columns so that parishioners are alerted to the fact that it should be received along with the Top Trader was agreed.
- 75/0/4** The clerk, referred to the previous problems of delivery with the Top Trader and suggested that copies be made available at the library, doctors surgeries and Proudfoots Supermarket. It was **RESOLVED** that this be implemented and it was also suggested that copies be made available at Newlands Post Office.

76/08 TWINNING – CIVIC RECEPTION

- 76/08.1** Feedback from Councillor Foote on the progress to date with the arrangements for the Buffet, Filey Men's Harmony Group and Acopella was **RECEIVED**. Drinks reception to commence at 11.30am, with Acopella at 12 noon, then food followed by the harmony group. It was **RESOLVED** that an appropriate donation would be made to the performers funds.

76/08.2 An update from the Clerk on the arrangements for the drinks was **RECEIVED**. It was **NOTED** that the clerk to obtain a different red wine to the last time and will liaise with Councillor Pickersgill.

77/08 NEW MODEL CHARTER AND NEW MODEL AGREEMENT

To remain on the agenda pending further developments.

FINANCE & GENERAL PURPOSES ISSUES

78/08 BUDGET REPORTING

78/08.1 The Budget Report to the end of March 2008, tabled at the meeting was **RECEIVED**. The income budget had been exceeded by 9.56% which included the sum of £1,013 received from SBC on 9 April 2008 for the balance of the Model Agreement monies. The Expenditure was 5.68% below budget. The clerk commented that this was a pleasing result.

78/08.2 Councillors expressed their grateful thanks and appreciation to the clerk for the detailed financial information and the way in which income and expenditure is tightly controlled and the clarity in which it is reported.

79/08 ALLOTMENTS

A letter from Smiths Gore dated 14th March 2008 regarding the proposed rental increase for the allotments was **RECEIVED** and It was **RESOLVED** to accept the increase and asked the clerk to confirm this to the Duchy.

80/08 INSURANCE RENEWAL

A report from the clerk on his negotiations to obtain alternative and comparative cover at a lower premium was **RECEIVED**. He reported that a firm of Insurance brokers, Came & Co, had negotiated a specific local authority combined policy with Norwich Union and that a comparison quote based on last years renewal produce a saving in excess of £300. In addition the policy offered a no claims discount and a further discount if the Parish Council agreed to be tied in for 3 years. The clerk confirmed he had requested a quotation for the June 2008 renewal and this will be placed before the May Council meeting.

81/08 CUMBOOTS QUARRY AND ALLOTMENTS

81/08.1 Estimates (tabled at the meeting) for fencing were **RECEIVED** and It was **RESOLVED** that a second quote be obtained.

81/08.2 In view of the fact that the Parish Council is liable for any accidents at Cumboots Quarry and the allotments It was **RESOLVED** that after obtaining the second estimate the clerk liaise with the Chairman and has the work implemented immediately in order to minimise the risk of accident and to ensure that the Public Liability cover is not negated.

82/08 REQUEST FOR DONATION

A letter dated 19th March 2008 from Good Neighbours Community Transport was **RECEIVED** and It was **RESOLVED** not to make a donation.

83/08 REPLACEMENT BENCH

Following the removal of the memorial bench for Harry Taylor and its re-siting at Church Becks Green It was **RESOLVED** to purchase a suitable replacement in accordance with the specification and costs tabled at the meeting. The bench is to be an Allington wooden bench at a cost of £360 excluding VAT. The clerk was asked to make the arrangements for purchase and fitting.

ENVIRONMENTAL AND DEVELOPMENT ISSUES

84/08 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. SBC Decision Decision	Extension scheme for increased living accommodation plus conservatory 33 Fieldstead Crescent, Newby Mr D Watson & Ms J Robshaw 08/00418/fl By Delegated Authority Recommend refusal as this is regarded as an over development of the site as the scale and siting of the extension will have an overbearing effect on the neighbouring property resulting in a cramped site and loss of visual amenity for the neighbouring property.
2	Proposal Site Applicant Application No. SBC Decision Decision	Erection of proposed dwelling on plot 1 Rear of 89 North Street, Scalby Wilson Construction Services 08/00417/fl By Delegated Authority No objections
3	Proposal Site Applicant Application No. SBC Decision Decision	Construction of a chimney 43 Newby farm Road, Newby Mr & Mrs D Oates 08/00340/fl By Delegated Authority No objections
4	Proposal Site Applicant Application No. SBC Decision Decision	Erection of side extension to form two bedrooms at first floor and car port below 8 Greylands Park Drive, Newby Mr B Fewster 08/00381/fl By Delegated Authority No objections

5	Proposal Site Applicant Application No. SBC Decision Decision	To extend existing conservatory 1 Beech Drive, Scalby Mr & Mrs Dobson 08/00477/fl By Delegated Authority No objections
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85/08 PLANNING APPLICATIONS – NORTH YORK MOORS NATIONAL PARK

The following planning application was considered and the decisions taken thereon are as shown below:

1	Proposal Site Applicant Application No. Decision	Retrospective application for change of use of attached annexe to use as all year round holiday let Low Moor Farm, Barmoor Lane, Scalby P Penny NYM/2008/0213/CU/INV No objections providing there is a condition imposed to restrict the use of this annexe as a holiday let only with a maximum permitted stay of 6 weeks. The reason being is to ensure that the annexe does not become permanent living accommodation.
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86/08 PLANNING APPLICATIONS – NORTH YORKSHIRE COUNTY COUNCIL

None received at the time of issuing the agenda.

87/08 DELEGATED AUTHORITY ON PLANNING APPLICATIONS

84/08.1 An email from Gordon Somerville to the Clerk and a copy of the delegated policy was **RECEIVED**.

87/08.2 An email from a Planning Officer to Councillor A Backhouse regarding the use of delegated authority for contentious cases and the Clerk suggestion to Councillor Backhouse that the Cabinet should review and change the delegated policy for contentious cases as at present Borough Councillors, especially members of the Planning Committee, are impotent whereas the Planning Officers are omnipotent was **RECEIVED**.

88/08 NYMNP CONSULTATION ON DRAFT RENEWABLE ENERGY, HOUSING AND DESIGN GUIDE (Parts 1, 2, & 3) SUPPLEMENTARY PLANING DOCUMENT

A report from the Clerk was **RECEIVED** and It was **RESOLVED** to accept the recommendation and proceed accordingly.

89/08 STANDARD PLANNING APPLICATION FORM

A letter dated 27th March 2008 from SBC was **RECEIVED**.

90/08 SCALBY VIADUCT

To remain on the agenda pending developments.

91/08.8 FLOODING ISSUES

A letter from Mr Foster, read out by the clerk, was **RECEIVED**. The Chairman thanked Mr Foster, who was in attendance, for his involvement in resolving this issue.

92/08 PARKING ON GRASS VERGES & PAVEMENTS

PROCEDURAL MATTER

This matter was dealt with in the discussions with Mr Wintringham

An update from the clerk on the sites recorded to date to be used to support a request that the Borough Council introduce an Area Wide Traffic Order banning parking on verges and pavements was **RECEIVED**. It was **RESOLVED** that when the clerk had compiled sufficient evidence the details be passed to Bruce Bedford for action with a view to a TRO being introduced.

SPORTS & RECREATIONAL ISSUES

93/08 REDEVELOPMENT OF PAVILION & CENTENARY CELEBRATIONS

93/08.1 No report

93/08.2 No matters relating to the upkeep and management of the playing fields were raised.

94/08 LINDEN ROAD PLAYGROUND

94/08.1 A report from the clerk on the progress to date with the new swing was **RECEIVED** and it was **NOTED** that the installation was due to take place on the 14th April 2008.

95/08 LINDEN ROAD OPEN SPACE

95/08.1 Councillor Backhouse confirmed that the application was to be considered at the Yorkshire Coast and Moors County Area Committee on Thursday 17 April 2008. The clerk confirmed he had received a letter from the Head of Legal Services of NYCC confirming this and that the officer recommendation is to approve the registration.

95/08.2 An email from Councillor A Backhouse regarding the introduction of benches and picnic tables and planting together with the possible siting of a teen shelter on the open space was **RECEIVED**. The clerk, at the request of the Chairman had produced a questionnaire to be used to gauge the views of all residents who surround this open space. Councillor Backhouse was grateful for this and agreed that this was the way forward and he would produce the results of the survey in due course for the Parish Council to consider this matter further.

96/08 ALLOTMENTS - VACANT PLOTS & UPKEEP

A report from the clerk on the vacant plots and upkeep of allotments was **RECEIVED**.

GENERAL ISSUES

97/08 PUBLIC LIABILITY INSURANCE COVER

An update from the clerk on the signs required to protect the parish council's interests and those of its insurers for Foulseyke Pond, Carr Lane Playing Field, Church Becks Green & Coomboots Quarry was **RECEIVED** and It was **NOTED** that the signs were in the process of being produced by the sign writer.

**There being no further business on the agenda
the Chairman declared the meeting closed at 8.55 pm**

Chairman