

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

COUNCILLORS PRESENT

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

ALSO IN ATTENDANCE

Mr P J Afford & 2 members of the public

158/08 APOLOGIES FOR ABSENCE

Apologies were **RECEIVED** from Councillors B Miller, C Ridley & P C Snow.

159/08 DECLARATIONS OF INTEREST

- 159/08.1 Councillor Watson 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.
- 159/08.2 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 Bastiman merely observed the procedures and took no other part in those proceedings.
- 159/08.3 Councillor Pickersgill declared a personal & prejudicial interest in agenda item 13(1) relating to the planning application for Yorkshire Coast Homes in his capacity as a member of the board of directors.

PROCEDURAL MATTER

The meeting was not suspended as no representative from SBC was resent.

Clerk asked to contact J Riby and ascertain why.

In addition the following matters need attention:

- 1 Lack of action at Rambla Nursing Home grass verge, despite promises no action taken to combat parking on the grass verge.
- 2 Audible warning on traffic lights at Coldyhill Lane not working or switched off. Blind lady was left confused as to how she could cross the road. Ask SBC to action.
- 3 Double Yellow lines at Hillcrest Road – update on implementation.
- 4 On street parking is a problem on Greenstead Road and Fieldstead Road Junction at school run times.
- 5 Footpath from Scalby Road to Scalby Village in need of attention.
- 6 Grass on left hand overhanging verge at the Throxenby Mere causing problems for the safety of cyclists. Right hand verge has been cut but not the left hand verge.

A letter dated 19 June 2008 from a parishioner, which would have been passed to SBC at the meeting is to be sent direct to Nigel Wintringham for action.

160/08 MINUTES

It was **RESOLVED** to approve and sign as a correct record the minutes of the Council Meeting held on 14TH May 2008.

161/08 MATTERS OF REPORT FROM THE MINUTES

None

162/08 CORRESPONDENCE

- 162/08.1 A letter dated 19th June 2008 from NYCC regarding the overview and scrutiny annual report was **RECEIVED**.
- 162/08.2 An update from the Yorkshire & Humber Assembly on their Regional Spatial Strategy was **RECEIVED**.
- 162/08.3 A letter dated 17 June 2008 from SBC regarding the progress to date on recycling was **RECEIVED**.
- 162/08.4 A letter of thanks from Scalby Football Club, the details of which were read out at the meeting was **RECEIVED**. It was **RESOLVED** that as both clubs provide a very useful service to the youth of the parish both in terms of developing their character and ability to interact socially as well as providing a useful outlet for their energies that they should be supported. It was further **RESOLVED** that financial support be considered over and above that provided by the Burchell Trust for the upkeep of the playing surfaces and Mr Afford was asked to liaise with the clerk in February 2009 when the council's budget is prepared in order to provide financial costings of the upkeep costs for the year 2009/2010 for consideration.
- 162/08.5 A letter dated 19 June 2008 regarding meeting the officers was **RECEIVED** and the clerk was asked to confirm that Councillors Pickersgill, Thompson & Foote will attend.
- 162/08.6 A press release and information from YLCA regarding The Yorkshire & Humber Assembly was **RECEIVED**.
- 162/08.7 A letter dated 25 June 2008 from SBC objecting to the withdrawal of telephone boxes at various locations was **RECEIVED**.
- 162/08.8 A letter from York Nightstop Charity was **RECEIVED**.
- 162/08.9 A letter from St Laurence's church, circulated at the meeting, was **RECEIVED** and It was **RESOLVED** that the clerk ask SBC to consider increasing the amount of the Model Agreement money.
- 162/08.10 A letter from Gordon Somerville was read out by the clerk and **RECEIVED**.

162/08.11 A letter from A Capella, read out at the meeting, thanking councillors for the donation for their services at the Civic Reception was **RECEIVED**.

163/08 REPORTS FROM OUTSIDE BODIES (IMPORTANT ISSUES ONLY)

The following **Reports**, where indicated below, from Council Representatives on relevant matters of interest or concern discussed at the meetings which directly or indirectly affects this parish were **RECEIVED**:

163/08.1 CAP Group. – Councillor Ridley

163/08.1.1 A written report from NY Police, circulated at the meeting, was **RECEIVED**.

163/08.2 Safety Council – No report.

163/08.3 Roads Liaison Committee – Councillor Thompson provided details of the meeting.

163/08.4 Coastal Area Parish Forum – No report. Next meeting 6 August 2008.

163/08.5 North Yorkshire & Cleveland Coastal Forum – Councillor Watson reported on the election of Councillor G Allanson as chair of the Annual Forum meeting and the effects of the Marine Bill if implemented.

163/08.6 Yorkshire Local Councils' Association – No report.

163/08.6.1 Yorkshire Rural Community Council – No Report.

163/08.7 Twinning Association – Councillor Thompson provide feedback from the committee and a letter of thanks will be sent to the clerk. Reception was best yet and the food, flowers and entertainment was first class.

163/08.8 York & North Yorkshire Playing Fields – No report.

163/08.9 Yorkshire Coast & Moors County Area Committee – No report

163/08.10 North York Moors National Park Authority – Councillor Thompson confirmed there were no matters of interest to report.

It was **RESOLVED** that the matter of the Miners Cottage was unacceptable and that legal advice be sought from YLCA as to what can be done to force NYMNPA to serve a notice on the NUM. Clerk to take photos and send them to Val Dilcock and ask her to give this matter urgent priority.

FINANCE & GENERAL PURPOSES ISSUES

164/08 FINANCIAL MATTERS (Details tabled at the meeting).

164/08.1 To approve the **Schedule of Accounts to be Paid for July 2008, Schedule 4**

- 164/08.2 To receive the **Cash Book and Statement of Account for June 2008.**
- 164/08.3 To receive the **Internal Audit Reports for May & June 2008.**
- 164/08.4 The clerk sought leave to raise an issue in connection with the planting scheme at Church Becks. It was **RESOLVED** to accept this and proceed. It was **RESOLVED** to purchase a new Bee Hive litter Bin in accordance with the original intentions of the upgrade scheme.

165/08 BUDGET REPORTING

- 165/08.1 It was **RESOLVED** to approve the Budget Report to the end of June 2008, to be tabled at the meeting.
- 165/08.2 Councillor Foote queried the high balance held in the current account, which whilst attracting interest, could attract a higher rate if moved to a safe higher interest account. It was **RESOLVED** that the clerk ensures that sufficient funds remain in the current account to meet known expenditure and the balance be transferred to the National Savings Reserve Account.
- 165/08.3 The clerk sought leave to raise an issue which would have a detrimental effect on the income budget in connection with the room hire receipts from the North Side Art Society. It was **RESOLVED** to accept this and proceed. The clerk outlined the current situation with lack of members of the art group and the fact it was in danger of folding if new members could not be secured. This group provided the majority of the room hire receipts and had done so for well in excess of 10 years. It was **RESOLVED** to provide temporary financial relief to be reviewed at or around the 1 January 2009.

166/08 QUALITY STATUS

- 166/08.1 The clerk reported on his enquiries to date and confirmed he had sourced one quotation of £500 and was in the process of sourcing an alternative quote from a parishioner who is currently on holiday. It is anticipated that a fully functional web site can be up and running in a matter of days at a fraction of the cost of the original quote. It was **RESOLVED** that the clerk pursue this matter when the parishioner returns from holiday and a budget of £200 was agreed.
- 166/08.2 ***The overall aims of quality status to remain on the agenda pending developments.***

167/08 NEWSLETTER

- 167/08.1 A written report from the clerk concerning the problems with distribution and sourcing an alternative distribution channel was **RECEIVED**. Councillors felt that the suggested approach was the best solution to this matter as it would be far more cost effective. It was **RESOLVED** to accept the report and proceed accordingly.
- 167/08.2 A report from the clerk on the advice from YLCA on the requirements of the British Library was **RECEIVED**.

168/08 NEW MODEL CHARTER AND NEW MODEL AGREEMENT

An update from the clerk on his contact with YLCA was **RECEIVED** and it was noted that YLCA had not, as stated by SBC, received an updated copy of the charter or model agreement. YLCA now have details and their advice is awaited in due course

169/08 CUMBOOTS QUARRY AND ALLOTMENTS

- 169/08.1 An update from the clerk on progress to date with the fencing and signs at Cumboots Quarry confirmed that this matter was now complete. There had been one query about the positioning of part of the fence (matter now resolved) and one query about the wording of the signs (YLCA approved the wording).
- 169/08.2 A complaint had been made from a non parishioner direct to Councillor Watson and the clerk furnished with a copy of his letter to the complainant.
- 169/08.3 An update from the clerk on his actions to date with regard to the houses on Hackness Road and the required signage in order to ensure that the Public Liability Insurance cover is not negated was **RECEIVED**. Councillor agreed when the two new signs are erected at the entrances to the allotments that all reasonable steps will have been taken to demonstrate to our insurers that we have acted diligently and prudently to minimise any potential claim

ENVIRONMENTAL AND DEVELOPMENT ISSUES

PROCEDURAL MATTER

In light of the declarations of interest it was **RESOLVED** to suspend standing orders for the duration of discussions on all planning issues.

In the case of the planning applications for Yorkshire Coast Homes the clerk informed councillors that there were insufficient members who could vote and It was **RESOLVED** to deal with these two applications out with the meeting under the previously agreed delegated authority.

170/08 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	Erection of conservatory to rear elevation 9 Greylands Park Avenue, Newby S McGregor 08/01029/fl By Delegated Authority No objections
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2	<p>Proposal</p> <p>Site</p> <p>Applicant</p> <p>Application No.</p> <p>SBC Decision</p> <p>Decision</p>	<p>Demolish existing building on the site and to create 14 new build flats in a mixed style development, landscaped grounds with private gardens to ground floor units and underground parking serving all units</p> <p>18 East Park Road, Scalby</p> <p>Mr Ken Ferrie</p> <p>08/01202/CA</p> <p>By Delegated Authority</p> <p>Object. Councillors are surprised that this application is to be dealt with by way of delegated authority and that it ought to be decided by committee (as is the case for the full planning consent) as the decision is of such importance that it should not be decided by just one person.</p> <p>Councillors do not accept the reasons given for demolition and do not demonstrate that the effect of PPG15 and RMP3 have been met.</p> <p>Councillors feel that there is no reason to change their opinion expressed on the previous application which was refused under application 08/00352/CA and that the reasons for refusal cited in the refusal notice are still relevant and have not been mitigated by this new application.</p> <p>Before any decision is made a written report should be obtained from Chris Hall, Conservation Officer, confirming that he is satisfied that all conditions relevant to demolition of a property in a Conservation Area, in particular PPG15 & RMP3 have been fully satisfied.</p> <p>Such report must clearly explain in detail how the Demolition Support Statement satisfies or does not satisfy the requirements of PPG15 & RMP3.</p> <p>That report should go before the planning committee for approval before any decision is taken as it is felt that this application is inextricably linked to the full planning application 08/01041/FL which is to be decided by committee.</p>
3	<p>Proposal</p> <p>Site</p> <p>Applicant</p> <p>Application No.</p> <p>SBC Decision</p> <p>Decision</p>	<p>Creation of 14 flats with Underground Car Parking</p> <p>18 East Park Road, Scalby</p> <p>Mr Ken Ferrie</p> <p>08/010141/fl</p> <p>By Committee</p> <p>Object.</p> <p>Councillors can see no reason to change their views and to reiterate their comments made in respect of the original application for 14 flats made under application number 06/02665/FL (attached) and the two subsequent applications under application number 07/01451/FL (attached) for 10 flats.</p> <p>This application should be linked to the application 08/01202/CA and both</p>

		<p>applications decided by committee.</p> <p>The arguments for demolition do not meet the requirements of RMP3 or PPG 15 as clearly the new development is more than 20% of the site and will command more than 60% of the frontage of the site.</p> <p>Councillors feel that the scale and size of the proposed build is not materially different from the original application even allowing for an underground car park and as such does not overcome the Planning Inspectors reason for dismissing the original appeal on the grounds that it would harmfully affect neighbouring properties. Councillors feel that this equally applies to this application</p>
4	<p>Proposal Site Applicant Application No. SBC Decision Decision</p>	<p>Proposed conservatory extension 16 Queensway, Newby Ms L Wood 08/01212/fl By Delegated Authority No objections</p>
5	<p>Proposal Site Applicant Application No. SBC Decision Decision</p>	<p>Demolition and replacement of existing garage, first floor extension over existing ground floor extension on north side of site. Ground floor extension on south elevation and covered walkway to link new garage and existing dwelling Glen Cottage, Carr Lane, Scalby Mr A Leaman 08/01079/fl By Delegated Authority N objections. Councillors feel this will improve the appearance of the property.</p>
<p>The clerk sought permission to introduce a further planning application as the deadline date for reply falls before the net meeting. It was RESOLVED to accept this and proceed</p>		
6	<p>Proposal Site Applicant Application No. SBC Decision Decision</p>	<p>Variation of condition no. 5 of decision notice 05/00205/fl to permit removal of 3 trees 17 South Avenue, Scalby Mr M Ridewood 08/01216/FL No objection provided Phil Yardley approves their removal and a supplementary planting scheme is also approved by him.</p>

PRE-PLANNING CONSULTATION

A letter dated 30 June 2008 was **RECEIVED** and the decision shown below:

7	Proposal Site Applicant Decision	Proposed radio base station – Telegraph Pole on grass verge Outside golf club entrance gates, Burniston Road, Newby Lambert Smith Hampton Property Solutions It is this parish councils policy to await receipt of a planning application before making any firm comments. It is felt that the siting of any such equipment anywhere in the parish should be in an inconspicuous position rather than in full view of the public.
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171/08 PLANNING APPLICATIONS – NORTH YORK MOORS NATIONAL PARK

171/08.1 None received.

171/08.2 A notice of appeal for Mr & Mrs Fearn was read out to the meeting and it was **RESOLVED** that as is customary practice on such matters that the clerk write to the Planning Inspectorate and reiterate its previous decision not to object.

172/08 PLANNING APPLICATIONS – NORTH YORKSHIRE COUNTY COUNCIL

None received.

173/08 SCALBY VIADUCT

To remain on the agenda pending developments.

174/08 FLOODING ISSUES

It was **RESOLVED** that the clerk ask SBC to cut back the vegetation on Church Beck stream to minimise the risk of flood waters overtopping and flooding Hackness Road.

175/08 PARKING ON GRASS VERGES & PAVEMENTS

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** and it was agreed that this matter be carried forward.

SPORTS & RECREATIONAL ISSUES

176/08 REDEVELOPMENT OF PAVILION & CENTENARY CELEBRATIONS

176/08.1 An update from representatives of the Cricket & Football Club on the progress to date was **RECEIVED**.

176/08.2 There were no other matters relating to the upkeep and management of the playing fields raised.

176/08.3 A report from the clerk confirmed that the Annual return to the Charity Commission had been completed via the internet.

177/08 LINDEN ROAD OPEN SPACE

Matter of questionnaire results to be produced by 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 to remain on the agenda.

178/08 ALLOTMENTS - VACANT PLOTS & UPKEEP

- 178/08.1 To receive a report from the clerk on the vacant plots and upkeep of allotments was **RECEIVED**.
- 178/08.2 An update from the clerk on the progress with the Friends Group committee and constitution was **RECEIVED** and the clerk distributed a copy of a proposed letter to all allotment holders regarding the need for the friends group and a democratically elected committee. It was **RESOLVED** that the letter be approved and that it be issued as soon as possible as it is vital that a democratically elected committee be elected. It was **RESOLVED** that the ballot be part of the annual rent renewal letters to be issued in mid September.

GENERAL ISSUES

179/08 TWINNING – CIVIC RECEPTION

Feedback from those who attended the reception was **RECEIVED** and it was agreed that it was the best reception to date. The clerk confirmed it was within the budget.

180/08 BRITAIN IN BLOOM

- 180/08.1 A verbal report from the clerk on his negotiations with SBC was **RECEIVED** and it was noted that matter of the planting of the borders were proceeding and that floral tubs would be in place prior to the next judging at a cost of £140. It was **RESOLVED** that the chairman and the clerk liaise with Roger Burnett to agree how many planters are to be provided for the island at Newlands Shops
- 180/08.2 An update from the clerk following his negotiations with SBC over the poor state of grass cutting of Church Becks Green and the need to instruct our own Grass Cutter to attend to cut the grass was **RECEIVED**.
- 180/08 Feedback from the clerk on his contact with NYMNPA regarding the impact of the derelict cottage for which the NUM have planning permission to develop was **RECEIVED**. Action already agreed under minute number 163/08.10.

PROCEDURAL MATTER

It was **RESOLVED** 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 the matter of the Parish Hall.

181/08 PARISH HALL

- 181/08.1 A copy of a letter from the Charities Commission to Scarborough Borough Council was **RECEIVED** and consideration given to the matter of the lack of progress with the transfer of operations to the proposed new Trustees.

181/08.2 Following a frank exchange of views It was **RESOLVED** that before considering this matter further:

A the clerk seek legal opinion from YLCA as to whether or not a permanent endowment can be amended/rescinded and if so on what terms.

B In conjunction with Councillor Foote the clerk to obtain:

B1 full up to date costing from SBC for the works needed to the hall and cottage

B2 Sight of the audited accounts (agreed with the external auditors) for the financial year ended 31 March 2008 and 3 March 2007

B3 Up to date report from Surveyor who provided original report on the current state of repair

When all relevant details are to hand the clerk is to call a single item agenda meeting to consider this matter in more details.

There being no further business on the agenda

the Chairman declared the meeting closed at 9.35 pm

Chairman