

**MINUTES of the MEETING OF
NEWBY AND SCALBY PARISH COUNCIL**
held in the Council Offices, Scalby Road, Scalby,
on **WEDNESDAY, 12th NOVEMBER 2008**

COUNCILLORS PRESENT

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

ALSO IN ATTENDANCE

County Councillor H Swiers, R Kay-Scarborough Borough Council,
M McGuinn, Clerk & 12 Members of the Public

257/08 APOLOGIES FOR ABSENCE RECEIVED

Councillors D J Bastiman & B Miller, County Councillor A Backhouse and
Mr P J Afford, Chairman Scalby Football Club

258/08 DECLARATIONS OF INTEREST

255/08.1 Councillor Ridley declared a personal interest in all Borough Council planning applications as members of the Borough Councils Planning Committee.

255/08.2 Councillor R I Thompson declared a Personal Interest in the Planning Application relating to the property at 12 Hay Lane Scalby

PROCEDURAL MATTER

It was **RESOLVED** to suspend the meeting to allow Roger Kay 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.

Meeting suspended at 7.16 pm

Various items were raised and Mr Kay agreed to provide feedback in due course

It was **RESOLVED** to continue the suspension of the meeting to allow members of the public to address councillors in respect of the planning application relating to 12 Hay Lane, Scalby and alter the order of business to bring this planning application forward for consideration. The decision taken, when the meeting was declared in session, is shown in minute number 269/08(8) below.

There followed frank exchanges of views and counter views from the members of the public and from the applicants father, who is also named Ken Anderson.

The chairman thanked everyone for their views and declared the Meeting in session at 7.30 pm

259/08 MINUTES

It was **RESOLVED** to approve and sign as a correct record the minutes of the Council Meeting held on 8TH October 2008.

260/08 MATTERS OF REPORT FROM THE MINUTES

None.

261/08 CORRESPONDENCE (To be tabled at the meeting unless otherwise stated)

- 261/08.1 A letter dated 8 October 2008 from NYMNPA regarding the direct elections to the National Park Authority was **RECEIVED**. Councillor Watson views were that the current system of elections has served us well for a number of years and he saw no reason to change the current system, which was non-political and has provided the best people to serve as members. This view was reiterated by all members present. It was **RESOLVED** that the clerk respond to NYMNPA accordingly.
- 261/08.2 A letter dated 22 October 2008 from SBC advising the dates for the Area Committees for 2008/2009 was **RECEIVED**.
- 261/08.3 An undated letter from North Yorkshire Fire & rescue regarding the Corporate report for 2008 to 2011 was **RECEIVED**.
- 261/08.4 A letter dated 23 October 2008 from SBC regarding Standards Board Code of Conduct – New Procedures was **RECEIVED** and It was **RESOLVED** that as Councillor Foote is a member of the Standards Committee and has received adequate training that this parish council had sufficient expertise and knowledge available and that no other councillors required training.
- 261/08.5 A letter dated 17 October 2008 from NYMNPA was **RECEIVED**.
- 261/08.6 A copy of an email from a parishioner regarding the new speed signs at Church Hill, Scalby, circulated at the meeting, was **RECEIVED**. Roger Kay agreed to look at the possibility of introducing a sign warning motorists approaching from Scalby Village of oncoming traffic and also the possibility of a give way sign for vehicles travelling in the same direction. The clerk was asked to thank the parishioner for bringing this to the attention of councillors and to advise him of the proposed action.

262/08 REPORTS FROM OUTSIDE BODIES (IMPORTANT ISSUES ONLY)

The following **Reports were RECEIVED**:

- 262/08.1** **CAP Group**. – PC Bilton attended and provided crime figures and some background information on policing issues. Roger Kay reported the Mischief Night vandalism on the Lancaster Park Estate, with broken trees etc. PC Bilton noted this for action.
- Councillor Ridley reported the crime figures for Newby, received at the CAP meeting held yesterday and that anti social behaviour at the Croft and the rise in Newby Burglaries were discussed as a priority.
- 262/08.2** **Safety Council** – No report.
- 262/08.3** **Roads Liaison Committee** – Councillor Thompson provided feedback on the relevant items discussed at the recent meeting namely: speeding, not wearing seat belts, VOSPA activities and ASBOS given to car and bikers for illegal activities such as riding over grassed areas and “doughnutting” car spins.

- 262/08.3.1** A letter dated 10 October 2008 from SBC regarding the Forum meeting to be held on 10 December 2008 was **RECEIVED** and the clerk instructed that Councillors Watson, Pickersgill and Thompson would attend the meeting.
- 262/08.4** **Coastal Area Parish Forum** – No report.
- 262/08.5** **North Yorkshire & Cleveland Coastal Forum** – No report.
- 262/08.5.1** An undated letter from North Yorkshire & Cleveland Coastal Forum was **RECEIVED**.
- 262/08.5.2** A letter dated 10 October 2008 from Heritage Coast regarding the management plan for 2008 to 2013 was **RECEIVED**.
- 262/08.6** **Yorkshire Local Councils' Association** – Councillor Foote reported that Pauline Elliot, Steve Wilson and Gill Wilkinson provided an extremely useful presentation. Section 106 agreements to continue and up to 50% could be requested for a 2 dwelling development.
- 262/08.7** **Twinning Association** – Councillor Thompson confirmed he had received a letter from the Mayor of Pornic acknowledging his previous letter and informed councillors that they were all invited to attend the 20th Anniversary celebrations in Pornic.
- 262/08.8** **York & North Yorkshire Playing Fields** – No report.
- 262/08.9** **Yorkshire Coast & Moors County Area Committee** – No Report.
- 262/08.10** **North York Moors National Park Authority** – Councillor Thompson provided feedback on matters of interest relating to planning, Access & Information, Captain Cook service and Standards Committee.

FINANCE & GENERAL PURPOSES ISSUES
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263/08 FINANCIAL MATTERS (Details to be tabled at the meeting).

- 263/08.1** It was **RESOLVED** to approve the **Schedule of Accounts to be Paid for November 2008, Schedule 8**
- 263/08.2** The **Cash Book and Statement of Account for October 2008 were RECEIVED** .
- 263/08.3** It was noted that due to the absence of the clerk on holiday and the late receipt of the bank account the audit could not take place in time for the meeting. It was **RESOLVED** the report be made available at the December meeting.
- 263/08.4** A letter dated 15 October 2008 from NALC concerning the Banking Crisis was **RECEIVED**.

263/08.5 A letter dated 28 October 2008 from SBC regarding Model Agreement Estimates and Precept for 2009/2010 was **RECEIVED**. The decision for the level of the precept was made at the October meeting with the precept remaining the same as for 2008/2009. It was **RESOLVED** to accept the increase of 2.75% for the Model Agreement.

264/08 BUDGET REPORTING

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

265/08 QUALITY STATUS

265/08.1 A verbal report from the clerk on the progress to date in respect of the proposed web site was **RECEIVED**. The clerk referred to an article in the Clerks & Councils magazine of a clerk placing minutes on the web site which contained personal and private salary details of employees thus breaching their personal rights for privacy. He stated that there must be an independent check made before the minutes are uploaded to the web site and councillors agreed.

It was **RESOLVED** that the chairman would be asked to approve the minutes being uploaded and that councillors would indicate to the clerk any items in the minutes which are to be treated as strictly confidential.

265/08.2 *The overall aims of quality status to remain on the agenda pending future developments.*

266/08 NEWSLETTER

A verbal report from the clerk on the progress to date was **RECEIVED and it was noted that** the cost of printing a supply of the newsletters would be £410 which is marginally above the previous printing costs. It was recognised that over a period of time a list of email recipients would be developed and that the newsletter would be available on the website thus reducing the printing costs.

267/08 NEW MODEL CHARTER AND NEW MODEL AGREEMENT

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

268/08 CUMBOOTS QUARRY

An update from the clerk on the matter of the ownership of the land was **RECEIVED**. It was **RESOLVED** that the clerk await the response from YLCA and consideration be given to informing Mr Hesmondhalgh that the parish council is willing to relinquish ownership as the land is a liability and not an asset and cannot be used for any purposeful gain.

ENVIRONMENTAL AND DEVELOPMENT ISSUES

269/08 PLANNING APPLICATIONS – SCARBOROUGH BOROUGH COUNCIL

1	<p>Proposal Site Applicant Application No. SBC Decision Decision</p>	<p>Replacement of windows and doors in uPVC 7 Coldyhill Lane, Newby Mrs J Brown 08/01866/fl By Delegated Authority No objections</p>
2	<p>Proposal Site Applicant Application No. SBC Decision Decision</p>	<p>Demolition of workshop, erection of kitchen, re-roofing of garage and alteration to study 41 Coldyhill Lane, Newby Mr & Mrs D Hiley 08/01939/fl By Delegated Authority No objections</p>
3	<p>Proposal Site Applicant Application No. SBC Decision Decision</p>	<p>Alterations & Extension 15 Linden Road, Newby Mr A Bloomfield 08/01944/fl By Delegated Authority Refusal on the grounds that it is an overdevelopment of the site, work appears to have already started and there is a real danger of Linden Road becoming a row of terraced houses if such development is allowed to take place.</p>
4	<p>Proposal Site Applicant Application No. SBC Decision Decision</p>	<p>Proposed build of new detached double garage to SW corner of property 8 Sea View Avenue, Newby Mrs J Owen 08/02070/fl By Delegated Authority No objections</p>
5	<p>Proposal Site Applicant Application No. SBC Decision Decision</p>	<p>Erection of bedroom extension for disabled person 77 Burniston Road, Newby Mr C Knight 08/02143/fl By Delegated Authority No objections but would point out that the building line appears to have been breached.</p>
6	<p>Proposal Site Applicant Application No. SBC Decision Decision</p>	<p>4 number internally illuminated and 2 number externally illuminated signs Scalby Manor Hotel, Burniston Road, Newby Mr G Sutherland, Mitchells & Butler 08/02154/fl By Delegated Authority No objections</p>

7	Proposal Site Applicant Application No. SBC Decision Decision	Conservatory extension 16 Queensway, off Coldyhill Lane, Newby Ms L Wood 08/02213/fl By Delegated Authority No objections but would point out that work has already begun.
8	Proposal Site Applicant Application No. SBC Decision Decision	Detached dwelling 12 Hay Lane, Scalby Mr K Anderson 08/02218/fl By Delegated Authority Recommend refusal on the grounds of an over-development of the site, will not improve but detract from the local area. In addition given the history of objections to developing this site and the weight of objections from neighbours the matter should not be dealt with by delegated authority and should be determined by the Planning Committee

270/08 OTHER PLANNING ISSUES RELATING TO SBC

- 270/08.1 A letter dated 20 October 2008 confirming that the planning application 08/00312/fl relating to Petts Wood, 54 Hackness Road has been withdrawn was **RECEIVED**.
- 270/08.2 A copy of a letter dated 18 September 2008 from Russell Bradley on behalf of the residents of East Park Road to SBC in respect of the Planning Application by Ken Ferrie Builders was **RECEIVED**.
- 270/08.3 A verbal request made to the clerk by a neighbour to support the view that Section 17 of the Planning and Compensation Act 1991 should be invoked by SBC on the basis that the applicant is submitting repeated applications in order to wear down the resistance of reasonable objections in order to obtain planning permission was **NOTED**. It was **RESOLVED** to thank Russell Bradley for the content of his letter and that the clerk write to SBC in support of his views. Also to point out to SBC that if they are minded to ignore this request and grant permission that a Section 106 commuted sum should be applied given that it has already been stated that it is not practicable to provide affordable housing units in this development.

271/08 PLANNING APPLICATIONS – NORTH YORK MOORS NATIONAL PARK None received.

272/08 PLANNING APPLICATIONS – NORTH YORKSHIRE COUNTY COUNCIL None received.

273/08 SCALBY VIADUCT Matter to remain on the agenda pending developments.

274/08 FLOODING ISSUES None reported.

SPORTS & RECREATIONAL ISSUES

275/08 REDEVELOPMENT OF PAVILION & CENTENARY CELEBRATIONS

- 275/08.1 In the absence of Mr Afford no report given.
- 275/08.2 A letter dated 28 October 2008 from the football club chairman was **RECEIVED** and the clerk conveyed Mr Afford's grateful thanks for informing him of the free labour which he had taken up and the pavilion is being painted and work done on Carr Lane to improve the surface by infilling potholes with hardcore..

276/08 ALLOTMENTS - VACANT PLOTS & UPKEEP

- 276/08.1 A report from the clerk on the vacant plots and upkeep of allotments was **RECEIVED**.
- 276/08.2 An update from the clerk on the progress with the Friends Group Committee and Constitution was **RECEIVED**. The clerk circulated the proposed constitution and advised councillors that he had inserted a section relating to a side agreement which would set out what rights the parish council would retain and what would be devolved to the friends group in order to ensure it was clear from the outset what the extent of their remit is. It was **RESOLVED** to accept this and approve the constitution documents.

277/08 CHRISTMAS LIGHTS

An update from the clerk on the Christmas lights in general and his discussions with SBC and the Co-op with regard to a light to be erected above the Co-op Shop at Newlands Park Drive was **RECEIVED**. Councillors were pleased to note that following the clerk's negotiations the Co-op had agreed to pay for the external light socket and timer and that an angel light had been sourced by Dick King of SBC

Councillors were pleased to note that Proudfoots would once again provide 50% of the vouchers for the winning prizes.

The clerk to produce the areas of the parish in which councillors are asked to judge.

278/08 FLORAL AWARDS FOR BUSINESS PREMISES

- 278/08.1 The results of the judging were confirmed by the clerk and he was asked to make the arrangements for the prize presentation at the December council meeting.
- 278/08.2 The clerk commented that there were only two real contenders for the awards and that it was not a viable competition in its current format. Councillor Foote agreed and felt that the In Bloom Group be asked to take this over and to extend the awards to private gardens with the parish council providing a shield and the prize money for them to award. It was **RESOLVED** to accept this as the right way forward and the clerk asked to contact the In Bloom Group accordingly.

279/08 ANNUAL ROSPA REPORT ON LINDEN ROAD PLAYGROUND

A copy of the report was **RECEIVED** and it was noted that SBC had been asked to attend to their repairs and to undertake the repairs to the parish council's equipment (where necessary) subject to costs being agreed.

GENERAL ISSUES

280/08 RURAL ACTION YORKSHIRE

Details of the Conference and AGM to be held on 29 November 2008 were **RECEIVED** and the clerk informed that councillors Watson and Thompson to attend and asked to make the booking arrangements.

281/08 THE MAKING AND ENFORCEMENT OF BYELAWS – A CONSULTATION

A letter dated 27 August 2008 was **RECEIVED**.

282/08 COMMUNITIES & LOCAL GOVERNMENT – CODE OF CONDUCT FOR MEMBERS & EMPLOYEES - A CONSULTATION

282/08.1 A letter dated 9 October 2008 regarding the consultation on the Codes of Conduct for Local Authority members and Employees was **RECEIVED** and the clerk asked to respond on behalf of the parish council.

282/08.2 An email from YLCA together with the legal briefing from NALC was **RECEIVED**.

283/08 SAFER NEIGHBOURHOODS SURVEY

Details of the survey were **RECEIVED** and Councillors agreed to complete the questionnaire individually and to return them direct.

284/08 FREEDOM OF INFORMATION ACT – NEW MODEL PUBLICATION SCHEME 2008

A YLCA Advice Note 22 was **RECEIVED** and It was **RESOLVED** to adopt the new publication scheme without modification as recommended by YLCA.

Pursuant to section 1 (2) of the Public Bodies (Admission to Meetings) Act 1960 It was RESOLVED 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 27, 28 & 29.

285/08 PARISH HALL

A verbal update from the Clerk was **RECEIVED** and Councillors were pleased to note that matters were progressing as planned and that fuller details will reported at the December meeting.

286/08 TERMS & CONDITIONS OF EMPLOYMENT

Details from YLCA/NALC on the pay negotiations was **RECEIVED** and It was **RESOLVED** to implement their recommendation with immediate effect and pay the clerk at Scale SCP 27 of LCP1 with the recommended 2.75% increase.

287/08 MILEAGE ALLOWANCES FOR CAUAL USERS

Details of the revised mileage allowances were **RECEIVED** and It was **RESOLVED** to agree the new allowances with immediate effect.

288/08 NEW RUGBY CLUB HQ

The clerk advised councillors that the club had extended an invitation to them to have a site visit on a Saturday morning due to H&S requirements. Councillors were pleased to accept and asked the clerk to make arrangement for a visit in Mid December

THERE BEING NO FURTHER BUSINESS ON THE AGENDA

THE CHAIRMAN DECLARED THE MEETING CLOSED AT 9.55PM

Chairman