

**MINUTES of the MEETING OF
NEWBY AND SCALBY PARISH COUNCIL**
held in the Council Offices, Scalby Road, Scalby,
on **WEDNESDAY, 14th MAY 2008**

COUNCILLORS PRESENT

Councillor D J Bastiman, Chairman in the Chair until election of new chairman
Thereafter Councillor R I Thompson (Chairman in the Chair)
Councillors: S G Foote, B Miller, R Pickersgill, C Ridley & B F Watson

ALSO IN ATTENDANCE

County Councillor H Swiers, Borough Councillor J Flinton, M McGuinn, Clerk to the Council,
and 2 Members of the Public

PROCEDURAL MATTER

Councillor D J Bastiman in his capacity as retiring Chairman chaired the meeting until the election of a new Chairman.

98/08 ELECTION OF CHAIRMAN

- 98/08.1 In accordance with Sections 15(1) & 15(2) & 34(2) Of the Local Government Act 1972 and in accordance with Standing Order 78(1) the Chairman sought any further nominations for Chairman of Council for the Year 2008 to 2009. There were none.
- 98/08.2 In accordance with Sections 15(1) & 15(2) & 34(2) Of the Local Government Act 1972 and in accordance with Standing Order 78(1) consideration was given to the nominations received prior to the meeting, details of which the clerk read out.
- 98/08.3 The only nomination received was for Councillor R I Thompson and It was **RESOLVED**, unanimously to elect Councillor Thompson as Chairman of the Council for the Year 2008 to 2009.

The outgoing Chairman thanked his fellow Councillors for their support during the past year and also paid tribute to former chairman Mike Nesfield, who sadly died whilst in office, and he was pleased to continue the good work which Mike had commenced.

He also congratulated Councillor Thompson as the new Chairman and wished him every success in his period of office.

99/08 CHAIRMAN'S DECLARATION OF ACCEPTANCE OF OFFICE

In accordance with Standing Orders the elected Chairman signed his Declaration of Acceptance of Office and Observance of the Code of Conduct which was witnessed by the Clerk as the Proper Officer of the Council.

PROCEDURAL MATTER

Councillor Thompson in the Chair.

Councillor Thompson thanked the outgoing Chairman for all his efforts and hard work and pledged to continue to support the ongoing plans and works and hoped to take the council forward in his year of office.

100/08 APOLOGIES FOR ABSENCE

Apologies were accepted from Councillor Snow

101/08 ELECTION OF VICE CHAIRMAN

- 101/08.1 In accordance with Standing Order 78(1) the Chairman sought any further nominations for Vice Chairman of Council for the Year 2008 to 2009. There were none.
- 101/08.2 In accordance with Standing Order 78(1) to consider the nominations received prior to the meeting, details of which the clerk read out.
- 101/08.3 The only nomination received was for Councillor S G Foote and It was **RESOLVED**, unanimously to elect Councillor Foote as Vice Chairman of the Council for the Year 2008 to 2009.

PROCEDURAL MATTER

The Chairman sought approval from councillors to move the order of business to allow Nigel Wintringham to address councillors on street scene issues. It was **RESOLVED** to accept the request and proceed accordingly.

Meeting suspended at 7.25pm.

Feedback was given on the previous issues raised and new items were raised which Mr Wintringham agreed to pursue.

The clerk confirmed that YWA lorries were adhering to the agreement not to use Cross Lane & Green Lane as he had observed the movement of the lorries over the past month or so and they were using the correct route.

Mr Wintringham was thanked for his attendance and he advised members that due to the recent reorganisation he would only be able to attend meetings on a bi-monthly basis as he had to visit other parish councils which met on the same dates. Councillors thanked him for informing them and agreed that bi-monthly would not be a problem.

Meeting in session at 7.40pm

102/08 DECLARATIONS OF INTEREST

The following declarations of interest were made:

- 102/08.1 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.
- 102/08.2 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.
- 102/08.3 Councillors Watson declared a personal and prejudicial interest in agenda item 22(5) relating to the planning application for Thompson Homes, and agenda item A21 relating to the estimates for Cumboots Quarry and the Allotments. He left the

meeting and took no part in the discussions or the decision.

102/08.4 Councillor Bastiman declared a personal interest in agenda item 18 relating to the Model Agreement & Charter as Portfolio Holder on Scarborough Borough Council. Councillor Bastiman merely observed the procedures and took no other part in those proceedings.

103/08 TO APPOINT REPRESENTATIVES TO OUTSIDE BODIES

It was **RESOLVED** to reaffirm the existing appointments to outside bodies details of which were circulated at the meeting.

104/08 DATES OF MEETINGS

It was **RESOLVED** to reaffirm the schedule of meetings previously agreed and minuted under council minute 72/08.7 of the meeting held on 9th April 2007 and subsequently circulated at the meeting.

105/08 TO CONSIDER SUBSCRIPTIONS TO BE PAID ANNUALLY

It was **RESOLVED** to approve the list of known annual subscriptions as circulated at the meeting.

106/08 INSPECTION OF DEEDS OR TRUST DOCUMENTS

It was **RESOLVED** to accept the Schedule of the deeds and documents held which were tabled at the meeting.

107/08 MINUTES

It was **RESOLVED** To approve and sign as a correct record the minutes of the Council Meeting held on 9th April 2008.

108/08 MATTERS OF REPORT FROM THE MINUTES

None raised.

109/08 FINANCIAL MATTERS (Details to be tabled at the meeting).

109/08.1 It was **RESOLVED** to approve the **Schedule of Accounts to be Paid for May 2008, Schedule 2**

109/08.2 It was **RESOLVED** to receive the **Cash Book and Statement of Account for April 2008.**

109/08.3 It was **RESOLVED** to receive the **Internal Audit Reports for April 2008.**

110/08 CORRESPONDENCE

110/08.1 A letter dated 25 March 2008 from NYCC regarding the 2008 Local Transport Plan Progress Report – Stakeholder Engagement was **RECEIVED** and It was **RESOLVED** that the clerk and the Chairman liaise and make the response.

110/08.2 A letter dated 10 April 2008 from Scarborough Borough Council providing an update on their recycling scheme was **RECEIVED.**

- 110/08.3 A letter dated 2 April 2008 from North Yorkshire County Council regarding the Children & Young People's Plan 2008 – 2011: Consultation was **RECEIVED** and It was **RESOLVED** that the clerk and the Chairman liaise and make the response.
- 110/08.4 A letter dated 7 April 2008 from NALC was **RECEIVED**.
- 110/08.5 A letter dated 24 April 2008 from YRCC regarding the Calor Village of the Year 2008 competition was **RECEIVED**.
- 110/08.6 A letter dated 27 April 2008, tabled at the meeting and read out by the clerk, from T W Miller Chairman of CPRE Scarborough Branch was **RECEIVED**.

111/08 REPORTS FROM OUTSIDE BODIES (IMPORTANT ISSUES ONLY)

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

- 111/08.1 CAP Group.** – Councillor Ridley reported on the short meeting held on 6 May 2008.
- 111/08.1 A letter dated 18 April 2008 from NY Police regarding the Rural Safer Neighbourhoods Team was **RECEIVED**.
- 111/08.2 A letter from NYP circulated at the meeting was **RECEIVED**.
- 111/08.2 Safety Council** – No report.
- 111/08.3 Roads Liaison Committee** – Councillors R I Thompson and B F Watson reported on the last meeting where the matter of the traffic lights at Green Lane Junction with Scalby Road and the 30MPH speed limit outside the new Rugby Club Ground and the making of a 40 MPH speed limit through to Burniston were discussed.
- 111/08.4 Coastal Area Parish Forum** – Councillors Watson reported that signs to deter cyclists from using Bridleways and Rights of way were to be introduced and that the Leader Project was important. BT were to remove a phone box from Suffield.
- 111/08.5 North Yorkshire & Cleveland Coastal Forum** – Councillor B F Watson reported on the meeting held on 11 April 2008 at Whitby. Forum Yearly Meeting set for 26 September 2008. If anyone had any comments on the Marine Bill councillor Watson was happy to take those forward.
- 111/08.6 Yorkshire Local Councils' Association** – No meeting.
- 111/08.7 Twinning Association** – Councillor R I Thompson reiterated the information provided by G Taylor at the APM.
- 111/08.8 York & North Yorkshire Playing Fields** – No report.
- 111/08.9 Yorkshire Coast & Moors County Area Committee** – Councillor R I Thompson reported that the meeting was abandoned and would be held on Thursday 15th May 2008 at the Oasis Family Centre on castle Road.

111/08.10 North York Moors National Park Authority – Councillor R I Thompson provided feedback on his activities.

112/08 QUALITY STATUS

To remain on the agenda pending developments.

113/08 NEWSLETTER

113/08.1 Feedback from the Clerk on his negotiations with the Delivery manager of Top Trader regarding the non-delivery of the Newsletter was **RECEIVED**.

113/08.2 It was **RESOLVED** to approve the contents of the Newsletter, as distributed with the agenda papers and for the clerk to continue his negotiations with the Top Trader and for the Newsletter to be issued as soon as ever possible.

114/08 TWINNING – CIVIC RECEPTION

114/08.1 Feedback from Councillor Foote on the progress to date with the arrangements for the Buffet, Filey Men's Harmony Group and Acopella was **RECEIVED** and it was noted that everything was on schedule.

114/08.2 An update from the Clerk on the arrangements for the drinks was **RECEIVED** and Councillor Pickersgill agreed to liaise with the clerk to visit the drinks supplier to select the red wine.

114/08.3 Councillor Thompson raised the matter of the traditional gift for the visitors and It was **RESOLVED** that Councillor Thompson be allowed to organise the gift. The clerk confirmed that the cost of the gift was already included in the budget and Councillors were content to spend a similar amount to the previous spend.

115/08 NEW MODEL CHARTER AND NEW MODEL AGREEMENT

115/08.1 Feedback from Councillor S G Foote, Councillor R I Thompson and the Clerk on the meeting held at the Town Hall on Thursday 1 May 2008 was **RECEIVED**. It was **RESOLVED** that the new model agreement wording and the model charter wording be placed on the agenda for the June meeting in order that Councillors could agree the content.

115/08.2 Councillor Foote referred to Section 106 Agreements which he raised at the meeting and had expressed the view that such funds ought to be levied on each and every development whether it was a single or multiple dwelling development. Jim Dillon the Chief Executive of SBC agreed in principle that as much money as possible should be raised by S106, where feasible. Councillor Watson suggested that careful consideration should be given as to whether or not the developer would be deterred from developing the site if the S106 was imposed.

- 115/08.3 Councillor Foote sought agreement to the Parish Council setting a policy for S106 agreements when commenting on planning applications. It was **RESOLVED** that this Parish Council will, as a matter of policy, request the imposition of a S106 agreement or planning condition on each and every new dwelling in this parish.
- 115/08.4 Matter to remain on the agenda pending further developments.

FINANCE & GENERAL PURPOSES ISSUES
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116/08 ANNUAL REPORT & ACCOUNTS, ANNUAL RETURN TO EXTERNAL AUDITORS AND BUDGET REPORTING

- 116/08.1 It was **RESOLVED** to approve the Annual Report & Accounts for the financial year 1 April 2007 to 31 March 2008 and the clerk was thanked for his work and the clarity of the information.
- 116/08.2 It was **RESOLVED** to approve the annual return to the External Auditors for the financial year 1 April 2007 to 31 March 2008 and in respect of the Annual Governance Statement were satisfied that the answers to questions 1 to 9 are to be answered with a positive "Yes" as councillors were more than satisfied that all aspects of the governance had been met.
- 116/08.3 It was **RESOLVED** that Councillors were satisfied with the arrangements for the internal audit which they were satisfied was thorough, professional and that they received adequate monthly feedback from the internal auditor in order to satisfy themselves that the interests of the Parishioners was fully safeguarded.
- 116/08.3 It was **RESOLVED** to approve the Budget Report to the end of April 2008 which was tabled at the meeting.

117/08 INSURANCE RENEWAL

- 117/08.1 A verbal report from the clerk on his negotiations to obtain alternative and comparative cover at a lower premium was **RECEIVED**. The clerk confirmed that he had managed to reduce the premium by £386.13 and this could be enhanced by entering into a 3 year tie in with the Norwich Union and in addition they also offered a no claims discount. The current insurer Allianz could not offer these benefits. The clerk also read out the improved benefits offered by Norwich Union.
- 117/08.2 It was **RESOLVED** that the clerk pursue the cover with Norwich Union and It was also **RESOLVED** to enter into a 3 year tie in.

118/08 CUMBOOTS QUARRY AND ALLOTMENTS

- 118/08.1 An update from the clerk on progress to date was **RECEIVED** and advised Councillors that he had received a further estimate which was considerably cheaper than the previous estimate.
- 118/08.2 It was **RESOLVED** to proceed with the estimate from A J Tyson in the sum of £653 plus VAT. And the clerk was instructed to proceed accordingly.
- 118/08.3 Councillor Watson referred to the possibility of effecting Village Green Status for all open spaces owned by the Parish Council and It was **RESOLVED** that the clerk make enquiries and report back to council.

ENVIRONMENTAL AND DEVELOPMENT ISSUES

119/08 PLANNING APPLICATIONS – SCARBOROUGH BOROUGH COUNCIL

To consider the following planning applications:

1	Proposal Site Applicant Application No. SBC Decision Decision	Erection of extension over garage, erection of rear extension, internal alterations to attic & dormer window, recover roof 28 Hackness Road, Newby Mr R Wells 08/00553/fl By delegated authority No objections
2	Proposal Site Applicant Application No. SBC Decision Decision	Demolition of existing garage, construction of bedroom/shower room extension 15 Fieldstead Crescent, Newby Mrs Groom 08/00585/fl By Delegated Authority No objections
3	Proposal Site Applicant Application No. SBC Decision Decision	Rear dining room extension to replace existing conservatory 2 Hackness Gardens, Newby Mrs C Javregui 08/00617/fl By Delegated Authority No objections
4	Proposal Site Applicant Application No. SBC Decision Decision	Proposed domestic conservatory 85 Throxenby Lane, Newby Mr Pratt & Miss Brown 08/00632/fl By Delegated Authority No objections

5	<p>Proposal</p> <p>Site</p> <p>Applicant</p> <p>Application No.</p> <p>SBC Decision</p> <p>Decision</p>	<p>The conversion and extension of existing derelict building with change of use to form a dwelling</p> <p>Newby Service Station, 413-415 Scalby Road, Newby</p> <p>Thompson Homes Ltd</p> <p>08/00641/fl</p> <p>By Delegated Authority</p> <p>No objections to the proposed development but would wish to see a condition imposed that the developer renew the access road, once the development is completed, to ensure that the road is in good order with any damage suitably repaired as it would be unfair on the existing owners who share the access road to have to fund any remedial works which may be necessary as a direct result of this development .</p> <p>Whilst there is only one dwelling Councillors wish to see a Section 106 condition applied as it is their adopted policy to insist that all developments, irrespective of the number of dwellings, contribute towards the impact on local services.</p>
6	<p>Proposal</p> <p>Site</p> <p>Applicant</p> <p>Application No.</p> <p>SBC Decision</p> <p>Decision</p>	<p>First floor extension over current flat-roofed annexe to form additional bedroom</p> <p>31 Throxenby lane, Newby</p> <p>Mr & Mrs A Moran</p> <p>08/00583/fl</p> <p>By Delegated Authority</p> <p>No objections but should have a pitched roof when finished</p>
7	<p>Proposal</p> <p>Site</p> <p>Applicant</p> <p>Application No.</p> <p>SBC Decision</p> <p>Decision</p>	<p>Erection of lean-to with pitched roof conservatory and utility room adjoining</p> <p>4 Thornville Avenue, Newby</p> <p>David Oulton</p> <p>08/00646/fl</p> <p>By Delegated Authority</p> <p>No objections</p>
8	<p>Proposal</p> <p>Site</p> <p>Applicant</p> <p>Application No.</p> <p>SBC Decision</p> <p>Decision</p>	<p>Two storey rear extension</p> <p>1 Ivy Bank Court, Scalby</p> <p>Mr & Mrs Richardson</p> <p>08/00681/fl</p> <p>By Delegated Authority</p> <p>No objections</p>
9	<p>Proposal</p> <p>Site</p> <p>Applicant</p> <p>Application No.</p> <p>SBC Decision</p> <p>Decision</p>	<p>Extension to form 'Wet Room' (bathroom shower) and W.C. for disabled person</p> <p>46 Cross Lane, Newby</p> <p>Mr Coulson</p> <p>0800670/fl</p> <p>By Delegated Authority</p> <p>No objections</p>

120/08 PLANNING APPLICATIONS – NORTH YORK MOORS NATIONAL PARK

None received.

121/08 PLANNING APPLICATIONS – NORTH YORKSHIRE COUNTY COUNCIL

None received.

122/08 SCALBY VIADUCT

To remain on the agenda pending developments.

123/08 FLOODING ISSUES

123/08.1 No further issues raised. The clerk commented that the work of the EA in clearing the vegetation on the banks of the sea cut had proved positive following the last floodwater surge down the sea cut.

123/08.2 It was **RESOLVED** that a letter of thanks be sent to the EA and to the Clerk to the Hackness & Harwood Dale parishes for their support.

124/08 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 further sites suggested by Councillors. It was **RESOLVED** that the clerk continue to compile the photographic evidence over the next 2 weeks before submitting this to SBC

SPORTS & RECREATIONAL ISSUES

125/08 REDEVELOPMENT OF PAVILION & CENTENARY CELEBRATIONS

125/08.1 An update from Mr P J Afford, Chairman of Scalby Football Club on the progress to date was **RECEIVED** and he promised to be able to provide more feedback at the next meeting.

125/08.2 Mr Afford raised the problem of dog fouling and It was **RESOLVED** that this be a matter to be highlighted in the next Newsletter and that the clerk ask the dog warden to visit the site to see what action can be taken to deter this problem.

126/08 LINDEN ROAD PLAYGROUND

126/08.1 The clerk confirmed that the new swing had been installed and SBC was to soil and grass seed the area of ground around the new swing which had previously been covered by the wet pour safety surface.

126/08.2 The matter of the gate at the southerly end of the playground was raised and It was **RESOLVED** that the clerk contact SBC to see if a castor could be fitted to ensure that the gate could shut freely without snagging on the tarmac surface.

127/08 LINDEN ROAD OPEN SPACE

127/08.1 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.

127/08.2 Matter of registration to remain on the agenda pending developments.

128/08 ALLOTMENTS - VACANT PLOTS & UPKEEP

128/08.1 A report from the clerk on the vacant plots and upkeep of allotments was **RECEIVED**.

GENERAL ISSUES

129/08 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 Fouslyke Pond, Carr Lane Playing Field, Church Becks Green & Coomboots Quarry was **RECEIVED** and it was noted that the signs had now been received and would be erected as soon as ever possible..

130/08 FOOTWAY LIGHTING SPECIAL EXPENDITURE 2008/2009

A letter dated 22 April 2008 from SBC was **RECEIVED** and It was **RESOLVED** that the clerk respond and include Field Lane, Scalby on the submission.

131/08 NYCC – NEW GUIDANCE FOR USE OF HOUSEHOLD WASTE RECYCLING CENTRES

A letter dated 21 April 2008 was **RECEIVED**.

132/08 BRITAIN IN BLOOM

132/08.1

Consideration was given to:

- 1 the planting of the borders around the council offices,
- 2 the provision of plant containers at the council offices in addition to the hanging baskets
- 3 the provision of plant containers for Scalby Village.

132/08.2

It was **RESOLVED** that a budget of £500 be set and the clerk asked to pursue items 1 & 2 above and in respect of item 3 above to pursue 2 planters to be sited at Newlands Park Shops with the Parks & Countryside Department of SBC.

133/08 NYMNPA – BUSINESS PLAN REVIEW

A letter dated 30 April 2008 was **RECEIVED** and It was **RESOLVED** that the clerk and the chairman liaise and make the appropriate reply.

There being no further business on the agenda

the Chairman declared the meeting closed at 9.10 pm

Chairman