

**MINUTES of the MEETING OF
NEWBY AND SCALBY PARISH COUNCIL**
held in the Council Offices, Scalby Road, Scalby,
on **WEDNESDAY, 10th JUNE 2009**

COUNCILLORS PRESENT

Councillor S G Foote, (Vice-Chairman in the Chair)
Councillors: J Attwood, B Miller, R Pickersgill, C Ridley, Mrs P C Snow and A Tyson

ALSO IN ATTENDANCE

County Councillor A Backhouse, Mr R Kaye (SBC), Mr P Staveley,
Mr M McGuinn (Clerk and RFO) and T Spencer (Clerk)

130/09 APOLOGIES FOR ABSENCE

Councillors D Bastiman, R I Thompson and B F Watson and Mr P Afford (Scalby FC)

131/09 DECLARATIONS OF INTEREST

Councillor C Ridley declared a personal interest in all planning applications as a member of Scarborough Borough Council's Planning Committee and took no part in the discussions or decisions.

PROCEDURAL MATTER

It was **RESOLVED** to suspend the meeting to allow Roger Kaye of Scarborough Borough Council to provide feed back on previously raised road traffic or street scene issues and to receive new issues requiring attention.

Meeting suspended at 7:16 pm

R Kaye provided feedback from the previously raised issues. He also advised that the Head of Technical Services and the Traffic and Transportation Manager of the SBC were to inspect the whole area in the near future to ascertain any other highway works required and would report further at the next meeting.

The following new/revised issues were reported for action:

1. The damaged pavements outside Charles William Apartments on Newlands Park Drive require attention
2. Weed growth in highway gutters requires attention on the Lancaster Park Estate

Meeting in session at 7:25 pm

132/09 REPORTS FROM OUTSIDE BODIES (IMPORTANT ISSUES ONLY)

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

132/09.1 Allotments Friends Group – Mr P Staveley reported that there were 51 people on the waiting list for allotments at the present time

132/09.2 In Bloom Group – Mr P Staveley reported on the forthcoming 'Make a Difference Day' and on the proposals for the Best Kept Gardens Competition. He was to be interviewed by Yorkshire Coast Radio on 11 June which would publicise the events

further. The Council also considered the question of prizes for the Best Kept Garden competition and it was **RESOLVED** that the In Bloom Group be asked to report to the next meeting with suggestions for the types of prizes to be awarded by the Council.

- 132/09.3 Scalby Football Club** – No report
- 132/09.4 CAP Group.** – The CAP Group and Police report was circulated to Members
- 132/09.5 Safety Council** – Councillor S G Foote reported that the last meeting had been cancelled
- 132/09.6 Roads Liaison Committee** – No report
- 132/09.7 Coastal Area Parish Forum** – No report
- 132/09.8 North Yorkshire & Cleveland Coastal Forum** – No report
- 132/09.9 Yorkshire Local Councils' Association** – Councillor S G Foote reported on the YLCA's AGM held on 8 June at Filey
- 132/09.10 Twinning Association** – Councillor C Ridley reported on the 20th Anniversary visit to Pornic from which he had recently returned
- 132/09.11 York & North Yorkshire Playing Fields** – Councillor Mrs P C Snow reported on the last meeting and on a visit to Askham Bryan
- 132/09.12 Yorkshire Coast & Moors County Area Committee** – No report
- 132/09.13 North York Moors National Park Authority** – No report

133/09 MINUTES

- 133/09.1 It was **RESOLVED** to approve and sign as a correct record the minutes of the Council Meeting held on 13th May 2009
- 133/09.2 It was **RESOLVED** to approve and sign as a correct record the minutes of the Council Meeting held on 27th May 2009

134/09 MATTERS OF REPORT FROM THE MINUTES

None

135/09 CORRESPONDENCE

- 135/09.1 A request from Scarborough Borough Council, on behalf of Yorkshire Air Ambulance, to site an additional textile recycling bin at the Community Hall was considered and it was **RESOLVED** that no objection be raised to the proposal
- 135/09.2 A letter dated 21 May 2009 from the North Yorkshire and York NHS Primary Care Trust concerning the Danes Dyke Surgery 463a Scalby Road was considered and it was **RESOLVED** to receive the letter but make no comment
- 135/09.3 An email dated 22 May 2009 from the NYCC concerning street lighting changes was considered and it was **RESOLVED** to request the NYCC to supply a list of areas where lighting changes had been made together with an illustration of the type of

replacement lighting

- 135/09.4 An invitation from the SLCC for the Clerk and RFO to attend a VAT Training Course on 23rd July 09 in the sum of £95 was considered and it was **RESOLVED** that the invitation be accepted and approved

136/09 QUALITY STATUS

- 136/09.1 The overall aims of quality status to remain on the agenda pending developments.

137/09 SCALBY VIADUCT

- 137/09.1 Issue to remain on the agenda pending developments.

FINANCE & GENERAL PURPOSES ISSUES
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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 items 138/09.1 and 138/09.2.

138/09 ANNUAL RETURN TO EXTERNAL AUDITORS AND BUDGET REPORTING

- 138/09.1 A further report dated 3rd June 2009 by the Clerk and RFO on the hours, rates of pay and remit of the Internal Auditor was considered and it was **RESOLVED** that the report be received and accepted.
- 138/09.2 It was **RESOLVED** that the internal auditor continues to report relevant risk issues to enable council to address them and that the internal auditor provides an effective system of internal control.
- 138/09.3 It was **RESOLVED** to reappoint the Internal Auditor for the Financial Year 1 April 2009 to 31 March 2010.
- 138/09.4 Further to minute number 114/09.3 of the 13th May 2009 meeting relating to the Annual External Audit Report in Section 4 of the Annual Return, the Council considered the comments raised by the Internal Auditor in conjunction with the previous report thereon by the Clerk and RFO and it was **RESOLVED** that the comments and report be received and accepted.
- 138/09.5 It was **RESOLVED** that the Annual Return to the External Auditors, Section 1 – Statement of Accounts and Annual Governance – Section 2 be approved with sections 1 to 9 being answered ‘yes’ and a note added to the return that the matters raised by the Internal Auditor (to be dealt with under paragraph 7 of Section 2) have been considered, accepted and will be resolved in the near future.
- 138/09.6 **RESOLVED** that the Schedule of Accounts to be paid for June 2009, Schedule 3 be approved
- 138/09.7 **RESOLVED** that the Schedule of Accounts to be paid for June 2009 in respect of the Community Hall, Schedule 3 be approved

- 138/09.8 **RESOLVED** that the Cash Book and Statement of Account and the Audit Report for May 2009 be received
- 138/09.6 **RESOLVED** that the Budget Report to the end of May 2009 be approved
- 138/09.7 **RESOLVED** that the charge for the hire of the Community Hall for the public meeting held to discuss the planning application for proposed development at Field Close Road be waived on this occasion

ENVIRONMENTAL AND DEVELOPMENT ISSUES

139/09 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 PC Decision	Single storey extension to side and rear 22 Lady Edith's Crescent, Newby Mr and Mrs J Hall 09/01026/HS Delegated No objection
2	Proposal Site Applicant Application No. SBC Decision PC Decision	2 storey side extension and lean to roof to front bay window 2 Kingston Grove, Newby Mr and Mrs P Wadlow 09/01028/HS Delegated Opposed on the grounds of overdevelopment of the site and the detrimental effect it would have on the adjoining property
3	Proposal Site Applicant Application No. SBC Decision PC Decision	Proposed extension to front porch 5 Kingston Grove, Newby Mr Dennis Wood 09/00981/HS Delegated No objection

140/09 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. PC Decision	Construction of a dwelling (Revised scheme to appeal approval NYM/2007/1033/FL) Land adjacent to Ryefield Cottage, Ryefield Drive, Hackness Road, Scalby Mr and Mrs G Fearn NYM/2009/0286/FL No objection
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141/09 PLANNING APPLICATIONS – NORTH YORKSHIRE COUNTY COUNCIL

None received

142/09 FLOODING ISSUES

The Council noted that the Environment Agency were to hold a 'drop-in' session at the Community Hall on 19 June to discuss flooding issues in Newby

SPORTS & RECREATIONAL ISSUES

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 items 143/09 and 144/09

143/09 NEWBY AND SCALBY COMMUNITY HALL

- 143/09.1 The Council considered the provision of a suitable sign for the Hall and it was **RESOLVED** to invite local schools to visit the hall prior to a 'Design a Sign' competition being held; prizes to be awarded for the winning entry and runners-up
- 143/09.2 The Council considered instructing Solicitors for the sale of the Caretaker's Cottage in order to protect the interests of the Trustees and Parish Councillors and it was **RESOLVED** to ask the Borough Council if they will provide the service
- 143/09.3 The Council considered the painting of the exterior render of the hall and it was **RESOLVED** to obtain sample pots of colour for demonstration on a discreet part of the hall and the matter be then further considered at the next meeting
- 143/09.4 The Council considered the establishment of a Management Committee for the Hall and it was **RESOLVED** that a Management Committee be established comprising the Chairman, Vice-Chairman, Councillor D Bastiman, Councillor B Miller and Councillor R Pickersgill
- 143/09.5 The Council considered a request to book the Community Hall on New Years' Eve 2009 and it was **RESOLVED** that the request be declined and that no bookings be taken for New Years' Eve as a matter of policy.
- 143/09.6 A letter dated 6 June 2009 from Mr G Winn was considered regarding the possibility of holding the Farmers' Fair in the Community Hall car park and to also utilise the kitchen and toilets in the Community Hall during the times the market would be held. It was **RESOLVED** that the proposal be approved in principle and the Clerk and RFO ascertain whether there would be any effect on the Insurance Cover; the Clerk and RFO to subsequently arrange a meeting with Geoff Winn and Kaet Newton to discuss the matter further if appropriate and report back to the next meeting

143/09 ANNUAL REVIEW OF CLERK'S TERMS AND CONDITIONS OF EMPLOYMENT

- 143/09.1 A Report by the Clerk titled '**Report on Internal Auditors Comments for Year End Return to Auditors**' dated 3rd June 2009 was **RECEIVED** and the Clerk provided additional background information on the seriousness of the issues raised by the Internal Auditor in respect of the Clerk's Terms & Conditions and the possible risks to the Council if not resolved and the Clerk as a consequence resigning his post.

He also advised Councillors that whilst they can delegate most things to the Clerk they could not delegate their responsibility as an employer to the clerk, especially in

respect of his own contract of employment and that the Chairman or other nominated Councillor will need to perform this task.

143/09.2 The Clerk in his capacity as Responsible Officer pointed out that the Internal Auditor had correctly brought a serious risk to their attention for them to resolve and was not attempting to dictate policy or influence their decision.

143/09.3 The Clerk was asked if he was content to allow the Chairman to negotiate and resolve this issue on his return from his Civic Duties in Pornic and the Clerk confirmed that whilst he was in agreement with this, this issue should have already been resolved or negotiations well advanced, but he had not been contacted despite several communications delivered to the Chairman.

It was **RESOLVED** that this issue be dealt with as a matter of priority and resolved by the Chairman in accordance with the Joint NALC/SLCC Terms & Conditions of Employment, with agreed details brought to Council at the July meeting.

143/09.4 Matter to remain on the agenda pending determination.

There being no further business on the agenda

The Chairman declared the meeting closed at 8:45 pm

Chairman