

**MINUTES of the MEETING OF  
NEWBY AND SCALBY PARISH COUNCIL**  
held in the Council Offices, Scalby Road, Scalby,  
on **WEDNESDAY, 11<sup>th</sup> MARCH 2009**

**COUNCILLORS PRESENT**

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

**ALSO IN ATTENDANCE**

County Councillors A Backhouse & H Swiers, R Kaye, Scarborough Borough Council,  
M McGuinn, Clerk and 7 members of the public

**46/09 APOLOGIES FOR ABSENCE ACCEPTED**

Councillor B F Watson, Councillor B Miller, P J Afford, Chairman of Scalby Football Club, G Dale Chairman of the Friends of the Allotments & P Staveley, Chairman of the Newby & Scalby In Bloom Group.

**47/09 DECLARATIONS OF INTEREST**

- 47/09.1 Councillor Ridley declared a personal interest in all Borough Council planning applications as a member of the Borough Councils Planning Committee and took no part in the decisions.
- 47/09 2 Councillor Bastiman declared a personal & prejudicial interest in all planning issues and applications in his capacity as Portfolio Holder on Scarborough Borough Council with responsibility for Planning Issues. He observed the proceedings 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 7.18***

R Kaye provided feedback from the previously raised issues. The following new issues were reported for action:

1. The repair to the pot hole in Hillcrest Avenue was not adequate and in need of further attention
2. Traffic turning left into Newlands Park Crescent from Cross Lane is cutting across the grass verge and requires action to stop this
3. Once again the ongoing review of the traffic lights at Green Lane/Throxenby Lane junction with Scalby Road needs to be reviewed at peak periods as at non peak periods it will give a false reading. Also once again the time delay for light changes needs to be applied to all traffic to allow safe exit otherwise a collision is inevitable
4. The "Cow Pat" approach to repairing potholes is not acceptable as it soon deteriorates and leads to the same problems encountered prior to the repair. Potholes should be cut back at the edges, properly compacted and filled, in order to ensure the repair is lasting, otherwise it is a false economy as in the long run it will cost more to re-visit and repair.

5. Large amount of damage from a lorry to the grass verge at Greylands Park Avenue.
- 6 The potholes/surface lifting on Newlands Park Drive whilst repaired "Cow Patted" needs proper and urgent attention.
- 7 Road surface repairs needed between lamp posts numbered 12 to 20 on Coldyhill Lane
- 8 Repairs needed too the stone wall and the iron railings at Scalby Road just above the tennis courts
- 9 Station Road street sign missing with its junction with Field Lane
- 10 Potholes require attention 20 yards either side of the Ford at Foulseyke Duck Pond on Barmoor Lane, Scalby

***Meeting in session at 7.25***

**PROCEDURAL MATTER**

It was **RESOLVED** to change the order of business and bring forward the planning applications, in particular that of 54 Hackness Road known locally as Petts Wood, Planning Application 65/09 (1).

It was further **RESOLVED** to suspend the meeting to allow the members of the public to address councillors with their comments and views on the planning application for Petts Wood.

***Meeting suspended at 7.27***

There was a free and frank flow of views and comments made by Mr D Potter, Mrs S Johnson, Dr D Wormald & Mr R Faley, all local residents. All were against the application and made known their reasons to the Councillors.

These objections ranged from:

- 1 Whilst the applicant had stated they had taken into account previous concerns this was not true.
- 2 The flood risk assessment stated 5 properties but the application is for 6 dwellings. On this basis the plan is flawed and the risk of flooding from surface run off for 6 is greater than for 5.
- 3 The applicant is repeatedly submitting applications and trying to "grind down" resistance from residents.
- 4 It is a green oasis and not a brown field site
- 5 There are over 200 objectors
- 6 The design of the houses is not in keeping with the locality
- 7 The height of the 3 storey houses is such that they will erode the privacy of adjacent properties
- 8 The proposed screening is not adequate
- 9 It is an important wildlife corridor

The Chairman thanked everyone for their views and called the meeting into session at 7.56pm

*(The decisions for planning are shown under minute number 65/09 below)*

**48/09 MINUTES**

It was **RESOLVED** to approve and sign as a correct record the minutes of the Council Meeting held on 11<sup>th</sup> February 2009

**49/09 MATTERS OF REPORT FROM THE MINUTES**

None.

## **50/09 CORRESPONDENCE**

- 50/09.1 A letter dated 18 February 2009 from the NHS regarding a proposal to establish a new pharmacy at Danes Dyke Surgery, 463a Scalby Road was considered and it was **RESOLVED** that the parish council had no objections. Councillors were surprised that the clerk had not received any comments from members of the public.
- 50/09.2 A letter dated 3 February 2009 from the Community Partnerships Manager concerning the draft Community Strategy was considered and it was **RESOLVED** that the Chairman and the Clerk make the appropriate response.
- 50/09.3 A letter dated February 2009 from the Chief Executive of the SBC regarding the Sustainable Communities Act 2007 was considered and it was **RESOLVED** that the Chairman and the Clerk make the appropriate response.

## **51/09 REPORTS FROM OUTSIDE BODIES (IMPORTANT ISSUES ONLY)**

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

- 51/09.1 **CAP Group.** – Councillor Ridley had previously reported the matters discussed at the last CAP meeting to the February council meeting and had no further issues to raise.
- 51/09.1.1 **CAP Group** minutes etc of meeting held on 10<sup>th</sup> February 2009 were **RECEIVED** together with the police report for Scalby, distributed at the meeting.
- 51/09.2 **Safety Council** – No report.
- 51/09.3 **Roads Liaison Committee** – Councillor R I Thompson reported on the last meeting which dealt with the budget and road schemes outlined by Nick West of NYCC.
- 51/09.4 **Coastal Area Parish Forum** – No report.
- 51/09.5 **North Yorkshire & Cleveland Coastal Forum** – No report.
- 51/09.6 **Yorkshire Local Councils' Association** – Councillor S G Foote reported on the last branch meeting with the following items of interest:
- 1 No provision by NYCC for youth activities
  - 2 Possibility of a right of appeal for objectors on planning applications
  - 3 The high percentage of planning applications to be dealt with by delegated authority to be challenged
- 51/09.7 **Twinning Association** – No report. A stall would be manned at the Community day in the Parish Hall on Saturday next 14.3.2009 and it was agreed that memorabilia would be loaned for display.
- 51/09.8 **York & North Yorkshire Playing Fields** – No report.
- 51/09.9 **Yorkshire Coast & Moors County Area Committee** – No report.
- 51/09.10 **North York Moors National Park Authority** – Councillor R I Thompson reported on his planning meeting.

## **FINANCE & GENERAL PURPOSES ISSUES**

### **52/09 FINANCIAL MATTERS**

- 52/09.1 It was **RESOLVED** to approve the **Schedule of Accounts to be Paid for March 2009, Schedule 12**
- 52/09.2 It was **RESOLVED** to receive the **Cash Book and Statement of Account for February 2009.**
- 52/09.3 It was **RESOLVED** to receive the **Internal Audit Report for February 2009.**
- 52/09.4 It was **RESOLVED** that a Bank Account be opened with NAT WEST in order to service the payments and receipts in respect of Scalby Parish Hall which shall be hitherto known as Newby & Scalby Community Hall and Registered with the Charities Commission under Registered Number 523406.

It was further **RESOLVED** that the signatories to the account be exactly the same as those for the parish council account number 87748967.

It was further resolved that the Clerk & RFO M McGuinn and Clerk T Spencer be authorised to receive statements and make enquiries on the account on behalf of the parish council.

The clerk was authorised to make the necessary arrangements and sign any documents or forms on behalf of the Parish Council and/or the Trust.

### **53/09 BUDGET REPORTING**

It was **RESOLVED** to approve the Budget Report to the end of February 2009.

### **54/09 QUALITY STATUS**

- 54/09.1 The overall aims of quality status to remain on the agenda pending developments.

### **55/09 NEWSLETTER**

A verbal report from the clerk on the next issue was **RECEIVED**. It was agreed that major topic for the parish hall should be included in the next issue.

### **56/09 NEW MODEL CHARTER AND NEW MODEL AGREEMENT**

It was **RESOLVED** that this matter remain on the agenda pending developments.

## **ENVIRONMENTAL ISSUES**

### **57/09 PARKING ON VERGES AND PAVEMENTS**

A letter and enclosures from Mr Waller regarding traffic matters was **RECEIVED** and It was **RESOLVED** that Mr Waller be thanked for his letter and informed that copies had been sent to Bruce Bedford at SBC and the Chairman of the CAP Group with a request that these issues be dealt with.

### **58/09 SUGGESTED MICRO HYDRO-ELECTRICITY PLANT ON SCALBY BECK**

An email from Jenny and Bill Lythgoe on a suggestion to install a Micro Hydro-Electricity Plant on Scalby Beck was and it was **RESOLVED** that Mr & Mrs Lythgoe be thanked for their efforts to date and informed that an article will be included in the next Newsletter seeking interested bodies or individuals who were prepared to take this matter forward. In addition details will be passed to SEN (Friday Night Columnists and Editorial) with a request that they give this publicity and too seek to ascertain if there are people willing to get together and investigate this possibility further.

### **59/09 NEWBY AND SCALBY IN BLOOM**

59/09.1 A letter dated 11 February 2009 from the Chairman of Newby and Scalby In Bloom Group was **RECEIVED**. It was **RESOLVED** that the clerk inform the Chairman that the council's previous competition was for business premises and not gardens. However the clerk was asked to confirm that a combined competition would be welcomed and the clerk was asked to liaise with Chairman and provide him with details of how the council's scheme was organised.

59/09.2 The minutes of the In Bloom Group held on 5 March 2009 were **RECEIVED**.

59/09.3 The clerk asked councillors if they felt that the In Bloom Group and the Friends of the Allotments Group should be included under the agenda item "Reports". Councillor Bastiman agreed and stated that the reports section should be moved up the agenda order immediately after matters of report from the minutes so that the representatives did not have to endure the whole of the meeting and thus their interest would be retained rather than drained. It was **RESOLVED** to accept this and the clerk asked to amend the order for the next meeting.

### **60/09 LINDEN ROAD OPEN SPACE**

An analysis of the returns from the questionnaire distributed by Councillor A Backhouse was considered and it was **RESOLVED** that the matter be deferred until a meeting could be held with the In Bloom Group to establish their views. Councillor Backhouse to be included in the meeting with the In Bloom Group and the clerk to make the necessary arrangements.

### **61/09 SCALBY VIADUCT**

Issue to remain on the agenda pending developments.

### **62/09 FLOODING ISSUES**

The Parish Council appreciated the works of clearance of debris from Church Becks and had previously thanked the EA for their efforts. Issue to remain on the agenda pending any developments.

## **SPORTS & RECREATIONAL ISSUES**

### **63/09 ALLOTMENTS - VACANT PLOTS & UPKEEP**

63/09.1 A report from the clerk on the vacant plots was **RECEIVED**.

63/09.2 Responses from the Duchy of Lancaster and the NYMNPA with regard to the request of the Friends Group to site a container on the allotments site were considered. It was **NOTED** that NYMNPA were against this proposal which would need planning permission and they had suggested that a smaller wooden container



		<ol style="list-style-type: none"> <li>1 The flood risk assessment (FRA) is fundamentally flawed. It states 5 properties whereas the application is for 6. As such the calculations and the prognosis as a result of the calculations cannot be relied upon and the view of the Environment Agency is also based upon the wrong information.</li> <li>2 In addition the FRA does not take into account the full impact of the Atkins report. The stream which leads from Linden Road Village Green under Lawrence Close &amp; Hackness Road Culvert runs through the site and is the very same stream which was responsible for the serious flooding of the properties at 57 and 60 Hackness Road. The FRA does not take into account the impact of the current problems or the future problems which may arise as a direct result of any improvement works carried out upstream which could lead to an increase in the speed and volume of water entering and exiting this site.</li> <li>3 The style and design of the properties is not in keeping with the area and councillors can only reiterate their previous comments made under application 06/02637 in January 2007.</li> <li>4 Consideration should be given to the number of applications the applicant is making for this site and the impact of Section 17 of the Planning Compensation Act 1991. If this current application is rejected by the committee then the committee should consider whether or not they feel the provisions of this act should be applied.</li> </ol>
2	Proposal Site Applicant Application No. SBC Decision PC Decision	Proposed conservatory to the rear of existing dwelling 2 Newby Farm Court, Scalby Mr and Mrs Nunns 09/00282/FL By delegated decision No objections
3	Proposal Site Applicant Application No. SBC Decision PC Decision	Removal of existing garage and erection of replacement flat roof garage 25 Scalby Beck Road, Scalby Mrs Smith 09/00303/FL By delegated decision No objections
4	Proposal Site Applicant Application No. SBC Decision PC Decision	Erection of single storey dining room extension to side 32 Hay Brow Crescent, Scalby Mr and Mrs D Hartley 09/00176/FL By delegated decision No objections
5	Proposal Site Applicant Application No. SBC Decision PC Decision	Proposed side extension, reduce depth of existing garage with new door 38 The Parkway Mr and Mrs J Atkinson 09/00177/FL By delegated decision No objections
6	Proposal Site Applicant	Front Porch and Cloakroom 15 The Parkway Mr and Mrs R Overy

	Application No. SBC Decision PC Decision	09/00335/FL By delegated decision No objections
7	Proposal  Site Applicant Application No. SBC Decision PC Decision	Amendment to proposed pitched roof and dormers to an existing flat roof single storey extension and alterations and extensions to provide self-contained supervised accommodation for disable parent. Bedroom dormer omitted, gable windows added, flat roofed dormer replaced by hipped dormers and roof pitch increase. 62 Station Road, Scalby Mr and Mrs K Riley 09/00132/FL Committee Decision No objections

### **66/09 OTHER PLANNING ISSUES RELATING TO SBC**

None received.

### **67/09 PLANNING APPLICATIONS – NORTH YORK MOORS NATIONAL PARK**

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

1	Proposal Site Applicant Application No. PC Decision	Construction of a timber dog kennel (Retrospective) Foxhill Paddocks, Low Road, Throxenby Mr I Harrison NYM/2009/0128/FL No objections
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### **68/09 PLANNING APPLICATIONS – NORTH YORKSHIRE COUNTY COUNCIL**

None received.

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 the following item.

### **69/09 PARISH HALL**

An update from Councillor Bastiman and the Clerk was **RECEIVED** and Councillors were pleased to note the progress to date.

Councillor Bastiman thanked Councillor Pickersgill for his efforts in respect of the Probation Service in connection with the lowering of the soil levels around the footings of the hall to prevent breaches of the DPC and for the offer to provide the labour for painting and other ongoing maintenance works.

Councillor Bastiman confirmed that the Clerk had made good progress in obtaining tradesmen's estimates for the works required and informed Councillors of the ball park figure for the total cost of the works which was well within the limits of prudence.



He also confirmed that the Commission had now (today) confirmed that the 1 April 2009 deadline was achievable and he would liaise with the clerk to vet the new trust deed and agree its content tomorrow prior to responding to the Commission.

The clerk confirmed that he had spent a great deal of time on the bookings for the hall, had resolved various anomalies and the projection of income exceed that provided by SBC.

Councillors wished to place on record their grateful thanks and appreciation for all the hard work and efforts put into this project by Councillor Bastiman and the Clerk to meet the tight deadline.

**There being no further business on the agenda**

**The Chairman declared the meeting closed at 9.25pm**

**Chairman**