

**MINUTES of the MEETING OF
NEWBY AND SCALBY PARISH COUNCIL**
held in the Council Offices, Scalby Road, Scalby,
on **WEDNESDAY, 13th May 2009**

COUNCILLORS PRESENT

Councillor R I Thompson, (Chairman in the Chair)
Councillors: J Attwood, S G Foote, B Miller, R Pickersgill, C Ridley, A Tyson and B F Watson

ALSO IN ATTENDANCE

County Councillor A Backhouse
Mr P Staveley and T Spencer (Clerk)

PROCEDURAL MATTER

In his capacity as retiring Chairman, Councillor R I Thompson chaired the meeting until a new Chairman was elected.

96/09 ELECTION OF CHAIRMAN

- 96/09.1 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 2009 to 2010. There were none.
- 96/09.2 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.
- 96/09.3 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 2009 to 2010.

97/09 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.

98/09 APOLOGIES FOR ABSENCE

Councillors D J Bastiman and Mrs C P Snow. Police representatives and Mr R Kaye of the SBC

99/09 ELECTION OF VICE CHAIRMAN

- 99/09.1 In accordance with Standing Order 78(1) the Chairman sought any further nominations for Vice Chairman of Council for the Year 2009 to 2010. There were none.

- 99/09.2 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.
- 99/09.3 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 2009 to 2010.

100/09 DECLARATIONS OF INTEREST

- 100/09.1 Councillors Watson & Ridley declared a personal interest in all planning applications as members of Scarborough Borough Council Planning Committee and took no part in the discussions or decisions.

101/09 REPRESENTATIVES ON OUTSIDE BODIES

It was **RESOLVED** to reaffirm the existing appointments to outside bodies details of which were circulated at the meeting with the exceptions that Councillor A Tyson be appointed as the second representative on the Safety Council and that Councillor B Miller replace Councillor B Watson as the second representative on the YLCA should only two representatives be permitted.

102/09 DATES OF MEETINGS – 2009/2010

It was **RESOLVED** to reaffirm the schedule of meetings previously agreed and minuted under Council Minute 83/09 of the meeting held on 8th April 2009 and subsequently circulated at the meeting

103/09 SUBSCRIPTIONS TO BE PAID ANNUALLY

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

104/09 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.

PROCEDURAL MATTER

There was no report – the Head of human Resources and performance having sent his apologies for the meeting but the following matters were to be referred to him for action:

- Hillcrest Avenue – large pot hole still requires repair
- Coldyhill Lane – three potholes had been reported for repair but no action had been taken; the number of potholes having subsequently increased to six

105/09 REPORTS FROM OUTSIDE BODIES (IMPORTANT ISSUES ONLY)

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

- 105/09.1 **Allotments Friends Group** – The Group's representative reported that judging for the best kept allotment was underway and that a site meeting had been arranged with the NYMNPA with regard to establishing a container on the site for equipment etc
- 105/09.2 **In Bloom Group** – Mr P Staveley reported on the recent and future work of the Group
- 105/09.3 **Scalby Football Club** – Mr P Afford (Chairman) re-iterated his report to the Annual Parish Meeting held prior to this meeting

- 105/09.4 CAP Group.** – Councillors Ridley and Watson had attended the last meeting and reported on the matters discussed. The Police reports were circulated at the meeting
- 105/09.5 Safety Council** – No report
- 105/09.6 Roads Liaison Committee** – No report
- 105/09.7 Coastal Area Parish Forum** – Councillors S G Foote and B F Watson reported on the new LEADER program discussed at the last meeting of the Forum and it was **RESOLVED** that this matter be added to a future agenda so that a discussion may be held on the possible provision of a Park and Open Space adjoining the allotment site to be funded from the Program; Liz Dowson of the SBC to be invited to the meeting to advise
- 105/09.8 North Yorkshire & Cleveland Coastal Forum** – No report
- 105/09.9 Yorkshire Local Councils' Association** – No report
- 105/09.10 Twinning Association** – Councillors C Ridley and R I Thompson reported on the arrangements being finalised for the forthcoming visit to Pornic and it was **RESOLVED** to approve the gift and inscription arranged by the Chairman for the visit
- 105.11 York & North Yorkshire Playing Fields** – No report
- 105.12 Yorkshire Coast & Moors County Area Committee** – Councillor B Watson reported on the recent meeting as the chairman had been unable to attend
- 105.13 North York Moors National Park Authority** – Councillor R I Thompson reported on the recent meetings and training sessions he had attended.

106/09 MINUTES

- 106.1 It was **RESOLVED** to approve and sign as a correct record the minutes of the Council Meeting held on 8th April 2009
- 106.2 The Clerk reported regarding the position of this item on the agenda previously raised by Councillor Watson. It was **RESOLVED** that the report be received and accepted

107/09 MATTERS OF REPORT FROM THE MINUTES

None

108/09 CORRESPONDENCE

- 108/09.1 A letter dated 29 April 2009 from the NYCC regarding a Review of Passenger Transport Services was considered and it was **RESOLVED** that the letter be received
- 108/09.2 Further to minute 75/09.2 of the last meeting, to consider a letter dated 21 April 2009 from the Cleansing Manager of the SBC was considered and it was **RESOLVED** the Cleansing Manager be asked if, as an alternative, a standard litter bin could be provided which could then be used for normal and dog waste.
- 108/09.3 An invitation from the SBC to order hanging baskets and brackets in 2009 was

considered and it was **RESOLVED** that six baskets be ordered to be placed on the Council Offices and not the Community Hall at this stage

108/09.4 A letter dated 20 April 2009 from the Head of Technical Services of the SBC regarding the termination of the Highways Agency in March 2011 was considered and it was **RESOLVED** to seek the same representation at Council meetings from the SBC/NYCC as is provided now

108/09.5 A letter dated 14 April 2009 from the Equality and Human Rights Commission regarding the forthcoming Equality Bill was considered and it was **RESOLVED** that the letter be received

108/09.6 An invitation from the SBC to attend the next Transport Forum was considered and it was **RESOLVED** that Councillors R Thompson and B F Watson be authorised to attend

108/09.7 A letter dated 7 April 09 from the SBC regarding the establishment of a 'Business Panel' was considered and it was **RESOLVED** that Councillor A Tyson be nominated as the Council's consultee

108/09.8 A copy letter from a parishioner to Councillor Watson regarding cold calling was considered and it was **RESOLVED** that the letter be received

109/09 **QUALITY STATUS**

The overall aims of quality status to remain on the agenda pending developments..

110/09 **NEWSLETTER**

A verbal report from the clerk on the next issue was **RECEIVED**.

111/09 **SCALBY VIADUCT**

Issue to remain on the agenda pending developments.

112/09 **NEW MODEL CHARTER AND NEW MODEL AGREEMENT**

An invitation dated 27 April 2009 from the SBC to attend a Parish Charter signing ceremony at 2 pm on 10 June 09 at the Town Hall, Scarborough was considered and it was **RESOLVED** that the ceremony be not attended unless prior approval to the Model Charter and Model Agreements have been received from the YLCA

113/09 **GOOD CITIZEN AWARD**

Further to minute 75/09.4 of the last meeting, the Council considered this matter further and it was **RESOLVED** that the matter be considered further at a future meeting

FINANCE & GENERAL PURPOSES ISSUES
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114/09 ANNUAL REPORT & ACCOUNTS, ANNUAL RETURN TO EXTERNAL AUDITORS AND BUDGET REPORTING

114/09.1 It was **RESOLVED** to approve the Annual Report & Accounts for the financial year 1 April 2008 to 31 March 2009 and the Clerk and RFO was thanked for his work and the clarity of the information.

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 114/09.2, 114/09.3, 114/09.4, 114/09.5, 114/09.6 and 114/09.7

114/09.2 A report by the Clerk and RFO on the effectiveness of the Internal Auditor was considered and it was **RESOLVED** to defer consideration of the matter to the next meeting to enable the Clerk to report on the hours, rates of pay and remit of the Internal Auditor and that the payment figures for the Auditor be listed separately in the Budget and on future schedules of accounts

114/09.3 The Annual Internal Audit Report in Section 4 of the Annual Return was considered together with the comments raised by the Internal Auditor. A report thereon by the Clerk and RFO was also considered and it was **RESOLVED** that consideration of the Report be deferred to the next meeting

114/09.4 The Annual Return to the External Auditors for the financial year 1 April 2008 to 31 March 2009 was considered together with agenda items 19.5, 19.6 and 19.7 in relation thereto and it was **RESOLVED** that the Return be approved and the clerk instructed to respond accordingly.

114/09.5 **RESOLVED** that the Bank Reconciliation in relation to the External Audit be received and approved

114/09.6 The explanation of all significant variances was received and approved

114/09.7 The spot check items for the Annual Return were received and approved

114/09.8 It was **RESOLVED** to approve the Schedule of Accounts to be paid for May 2009, Schedule 2 and that the items relating to the Community Hall be itemised on a separate schedule for future meetings

114/09.9 It was **RESOLVED** to receive the Cash Book and Statement of Account for April 2009.

114/09.10 It was **RESOLVED** to approve the Budget Report to the end of April 2009

ENVIRONMENTAL AND DEVELOPMENT ISSUES

115/09 PLANNING APPLICATIONS – SCARBOROUGH BOROUGH COUNCIL

The following planning applications were considered and the decisions taken thereon are as shown below:

1	Proposal Site	Erection of Conservatory to rear of Property 374 Scalby Road, Scarborough
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	Applicant Application No. SBC Decision PC Decision	Mr A Samauroo 09/00704/HS Delegated No objection
2	Proposal Site Applicant Application No. SBC Decision PC Decision	Proposed 2 storey Extension 6 Cleveland Avenue, Newby Mr T Kaye 09/00780/HS Delegated Opposed on the grounds that the proposed extension is too near the boundary and is considered to be overdevelopment of the site
3	Proposal Site Applicant Application No. SBC Decision PC Decision	Erect a single storey, timber framed, glazed Orangery Melbourne House, South Street, Scalby Mr and Mrs Senior 09/00713/HS Delegated No objection
4	Proposal Site Applicant Application No. SBC Decision PC Decision	Erect a single storey, timber framed, glazed Orangery Melbourne House, South Street, Scalby Mr and Mrs Senior 09/00714/LB Delegated No objection
5	Proposal Site Applicant Application No. SBC Decision PC Decision	Proposed extension to dwelling 10 Greylands Park Avenue, Newby Mr P Spenceley 09/00762/HS Delegated Opposed on the grounds that the proposed extension is an overdevelopment of the site leading to a 'terraced' effect which is out of character with the area
6	Proposal Site Applicant Application No. SBC Decision PC Decision	Re-submitted application for full demolition and rebuild Scalby Lodge Cottage, Burniston Road, Newby Duchy of Lancaster 09/00720/FL Delegated No objection
7	Proposal Site Applicant Application No. SBC Decision PC Decision	Replace existing soft wood front door with upvc door 48 North Street, Scalby Mrs E A Tymon 09/00607/FL Delegated No objection
8	Proposal Site Applicant Application No. SBC Decision PC Decision	Proposed pitched roof two storey side extension with dormer windows to front and rear elevations 5 Queen Elizabeth Drive, Scalby Mr and Mrs T Mackenzie 09/00617/FL Delegated Opposed on the grounds that the proposed extension is an overdevelopment of the site leading to a 'terraced' effect which is out of

		character with the area
9	Proposal Site Applicant Application No. SBC Decision PC Decision	Proposed 3 Bedroom detached dwelling/house The Croft, 44 High Street, Scalby Mr Simon Dawson 09/00764/FL DEL No objection
10	Proposal Site Applicant Application No. SBC Decision PC Decision	Detached garage in the back garden 27 Cross Lane, Newby Mr Douglas Scott 09/00781/HS Delegated No decision, the application having been withdrawn
11	Proposal Site Applicant Application No. SBC Decision PC Decision	Erection of detached garage 1 Lady Edith's Avenue, Newby Mr and Mrs Stuttard 09/00823/HS Delegated No objection
12	Proposal Site Applicant Application No. SBC Decision PC Decision	Erection of first floor extension and internal alterations to bathroom 10 The Parkway, Newby Mr S Temple 09/00750/HS Delegated No objection

116/09 PLANNING APPLICATIONS – NORTH YORK MOORS NATIONAL PARK

The following planning applications were considered and the decisions taken thereon are as shown below:

1	Proposal Site Applicant Application No. PC Decision	Application for erection of a part two storey and part single storey extension to provide 11 no. additional self contained suites Ox Pasture Hall Hotel, Lady Edith's Drive Lifestyle Hotels Ltd NYM/2009/0217/FL No objection but the view of the property across the valley should be considered together with appropriate landscaping
2	Proposal Site Applicant Application No. PC Decision	Application for erection of a part two storey and part single storey extension to provide 11 no. additional self contained suites Ox Pasture Hall Hotel, Lady Edith's Drive Lifestyle Hotels Ltd NYM/2009/0218/LB No objection but the view of the property across the valley should be considered together with appropriate landscaping

117/09 PLANNING APPLICATIONS – NORTH YORKSHIRE COUNTY COUNCIL

None received

118/09 LOW HALL COTTAGE

RESOLVED that it be noted that the NYMNPA are arranging for maintenance/tidying works e.g. repainting, clearing the gutters etc at the Cottage in the near future

119/09 18 HAY LANE

A letter dated 9 April 09 from the SBC regarding an alleged business use of this property was considered and it was **RESOLVED** that the parking issue be referred to the Highway Authority

120/09 FLOODING ISSUES

Issue to remain on the agenda pending developments.

SPORTS & RECREATIONAL ISSUES

121/09 LINDEN ROAD OPEN SPACE

Further to minute 84/09 County Councillor A Backhouse reported on recent meetings to discuss a number of proposals for the improvement of this area it was **RESOLVED** that the proposals be approved and supported and it be requested that a plan be produced for the approval of all the partners involved with the scheme

122/09 ALLOTMENTS - UPKEEP

No report

123/09 SCARBOROUGH RUGBY CLUB – PROPOSED NEW LANDSCAPING SCHEME

A diagram of a suggested planting scheme as discussed with the Chairman of the In Bloom Group was considered and it was **RESOLVED** that the scheme be approved and the organisations involved be recommended to apply for a grant to the local Area Committees and also seek the approval of the Highway Authority to the scheme

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 124/09.1, 124/09.2, 124/09.3, 124/09.4, 114/09.5, and 125/09

124/09 PARISH HALL

124/09.1 An update from the Clerk was considered and it was **RESOLVED** that an item be included on the next agenda to consider the provision of a suitable sign for the premises indicating that it is the Newby and Scalby Community Hall

124/09.2 **RESOLVED** that consideration of the appointment of Solicitors for the sale of the Caretaker's Cottage in order to protect the interests of the Trustees and Parish Council be deferred to the next meeting

124/09.3 A letter dated 29 April 2009 from the Organiser of the Scarborough Open Bowls Tournament was considered and it was **RESOLVED** that the request to use the car park at the Community Hall be approved as per the previous arrangement

124/09.4 A letter dated 23 April 2009 from Mr R Kaye of Scarborough Borough Council in response to a letter from the Clerk and RFO was considered and it was **RESOLVED** that the letter be received and no further action taken

124/09.5 **RESOLVED** that consideration of the establishment of a Management Committee for the Parish Hall, to deal with day to day matters and spending on essential works and other operational issues, be deferred to the next meeting

125/09 ANNUAL REVIEW OF CLERK'S TERMS AND CONDITIONS OF EMPLOYMENT

RESOLVED that (i) the matter be considered further in six months' time with any changes in the terms and conditions of employment being backdated to 1 April 2009

(ii) the Clerk and RFO and the Clerk record details of their time spent on the work involved with the Community Hall and report when this matter is considered in (i) above

There being no further business on the agenda

The Chairman declared the meeting closed at 10 pm

Chairman