

**MINUTES of the MEETING OF
NEWBY AND SCALBY PARISH COUNCIL**
held in the Council Offices, Scalby Road, Scalby,
on **WEDNESDAY, 14th OCTOBER 2009**

COUNCILLORS PRESENT

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

ALSO IN ATTENDANCE

Mr R Kaye, Mr B Bedford, Mr P Afford and T Spencer (Clerk)

197/09 APOLOGIES FOR ABSENCE

Councillor R Thompson, Councillor H Swiers, Councillor A Backhouse, Mr P Staveley and Mr G Dale.

198/09 DECLARATIONS OF INTEREST

198/09.1 Councillors Ridley and Watson declared their respective personal interests in all Borough Council planning applications as members of the Borough Councils Planning Committee and took no part in the decisions.

198/09.2 Councillor Bastiman declared a personal and prejudicial interest in all planning issues and applications in his capacity as Portfolio Holder on Scarborough Borough Council with responsibility for Planning Issues and withdrew from the meeting prior to the planning matters being considered.

PROCEDURAL MATTER 1

It was **RESOLVED** to suspend the meeting at 7:15 pm in accordance with Standing Order 23(s) to present the following Allotment Awards and congratulate the winners:

1	Best Kept Allotment	-	Mr P Tindall
2	Most Improved Allotment	-	Mrs Sarah Brown
3	Largest Marrow	-	Mr George Dale

PROCEDURAL MATTER 2

It was **RESOLVED** to continue to suspend the meeting to allow Roger Kaye of Scarborough Borough Council to provide feedback on previously raised road traffic or street scene issues and to receive new issues requiring attention and to discuss various matters with representatives of North Yorkshire Police

Mr Kaye provided feedback from the previously raised issues.

The following new/revised issues were reported for action:

1. Field Close Road should have a 'stop' marking at its exit to Station Road in view of the areas use by cyclists
2. A street lamp requires repair near the 'Rosette'
3. Overhanging vegetation on Red Scar Lane is causing difficulties for cyclists and requires cutting back
4. The 30 mph signs on Red Scar Lane should be moved to the top of the roadway

Councillor Watson indicated that he had raised the matter of traffic problems in Coldyhill Lane which were due to be considered shortly by Councillor Backhouse as Portfolio Holder

Meeting in session at 7:45 pm

199/09 REPORTS FROM OUTSIDE BODIES (IMPORTANT ISSUES ONLY)

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

- 199/09.1 Allotments Friends Group** – No report
- 199/09.2 In Bloom Group** – A written report on the last meeting was circulated
- 199/09.3 Scalby Football Club** – Mr P Afford reported on Club activities and referred to the application for funding in minute 202/09.5 below
- 199/09.4 CAP Group.** – No report
- 199/09.5 Safety Council** – Councillor S G Foote reported on the meeting held on 27 September 09
- 199/09.6 Roads Liaison Committee** – Councillors B F Watson reported on the meeting held on 17 September 09
- 199/09.7 Coastal Area Parish Forum** – No report
- 199/09.8 North Yorkshire & Cleveland Coastal Forum** – Councillor B F Watson reported on the last meeting of the Forum
- 199/09.9 Yorkshire Local Councils' Association** – No report
- 199/09.10 Twinning Association** – Councillor C Ridley reported that the annual dinner would be held on 24 November 09 and the AGM on 12 January 2010
- 199/09.11 York & North Yorkshire Playing Fields** – No report
- 199/09.12 Yorkshire Coast & Moors County Area Committee** – No report
- 199/09.13 North York Moors National Park Authority** – No report

200/09 MINUTES

It was **RESOLVED** to approve and sign as a correct record the minutes of the Council Meeting held on 9th September 2009.

201/09 MATTERS OF REPORT FROM THE MINUTES

None

202/09 CORRESPONDENCE (To be tabled at the meeting unless otherwise stated)

- 202/09.1** The Council considered an invitation to attend the next Transport Forum on 9 December 2009 and it was **RESOLVED** that Councillors R Thompson and A Tyson be authorised to attend
- 202/09.2** The Council considered an invitation to be part of a small group to act as the Committee for guiding CPRE's interests in the coastal area of North Yorkshire and it was **RESOLVED** that Councillor B Miller be nominated as part of the group
- 202/09.3** The Council considered an email from the YLCA concerning a Waste Partnership Conference on 6 November 2009 and it was **RESOLVED** that Councillors B Miller and A Tyson be authorised to attend
- 202/09.4** The Council considered an email from the YLCA concerning courses available on employment issues for smaller Councils and it was **RESOLVED** that Councillor S G

Foote be authorised to attend; any other members who wish to attend to advise the clerk before 23rd October 09

- 202/09.5 The Council considered an application for grant dated 2nd October 09 from the Chairman of Scalby Football Club and it was RESOLVED unanimously that the application be granted and funding to a maximum of £350 over the next three years be authorised
- 202/09.6 The Council considered a letter dated 5th October 09 from the Rural Action Yorkshire and it was RESOLVED that any members who wish to attend advise the clerk before 23rd October 09
- 202/09.7 A letter dated 1st October 09 from the YLCA indicating that Councillor R Thompson had been successful in being appointed as a parish representative on the Coast and Moors Area Committee and it was RESOLVED that Councillor Thompson be congratulated on his success
- 202/09.8 The Council considered a letter from the Mr B Kendall of the Allotments Friends Group concerning the possible installation of a toilet and shed at the Allotments site and it was RESOLVED that the Council's support be given to the proposals and the Group be advised to seek the approval of the Duchy, being the owners of the land, and report the outcome back to the Council
- 202/09.9 The Council considered an invitation from Revd. Alastair Ferneley to give a Bible reading and lay at wreath at St Laurences Church on Remembrance Sunday and it was RESOLVED that Councillor R Thompson be asked to give the reading and lay the wreath; Councillor S G Foote if Councillor Thompson is unable to attend

203/09 QUALITY STATUS

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

204/09 SCALBY VIADUCT

Issue to remain on the agenda pending developments.

205/09 TWINNING MATTERS

Further to minute 186/09.1 of the last meeting, the Council considered the response received from the Borough Council concerning the siting of the Pornic sign in the Community Hall Car Park and it was RESOLVED that the Borough council be asked for a quote for the installation

206/09 'LEADER' PROGRAMME – PARISH/COMMUNITY CARETAKER SCHEME

Councillor B Miller reported on a meeting held on 23rd September 2009 and it was RESOLVED that Mike Horrocks of the LEADER programme be invited to the next Management Committee meeting so that this matter can be discussed further

FINANCE & GENERAL PURPOSES ISSUES
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207/09 FINANCIAL MATTERS

- 207/09.1 It was RESOLVED that the Schedule of Accounts to be paid for October 2009, Schedule 7 be approved
- 207/09.2 It was RESOLVED that the Schedule of Accounts to be paid for October 2009 in respect of the Community Hall, Schedule 7 be approved; except that payment of the invoice in respect of the building be limited to £1500 pending the satisfactory completion of the rendering

- 207/09.3 It was RESOLVED that the Reconciled Cash Book and Statement of Account for September 2009 be received
- 207/09.4 It was RESOLVED that the monthly report on Reserve Account Balance as at September 2009 be received
- 207/09.5 It was RESOLVED that the Audit Report for September 2009 be received
- 207/09.6 It was RESOLVED that the Budget Report to the end of September 2009 be approved
- 207/09.7 The Council considered a report by the clerk and RFO on the 2010 to 2011 budget and precept and it was RESOLVED that no increase be made to the Precept for 2010 to 2011 and the recommendations in the report be approved
- 207/09.8 The Council considered a report by the clerk and RFO regarding the suggested earlier production of financial information for meetings and it was RESOLVED that:
- (i) no change be made in the dates scheduled for meetings
 - (ii) with the exception of the Schedule of Accounts to be paid, the remaining financial information be considered quarterly in future
- 207/09.9 The Council considered NALC Employment Briefing E12-09 and it was RESOLVED to approve the recommended implementation date as 1 April 09 for the agreed settlement

ENVIRONMENTAL AND DEVELOPMENT ISSUES

208/09 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	Conversion of existing derelict building with change of use to form 2 x flats 413-415 Scalby Road, Scarborough Mr Andrew Hayes 09/01748/FL Delegated No objection
2	Proposal Site Applicant Application No. SBC Decision PC Decision	Individual cut out aluminium composite letters applied direct to front elevation of building Yew Tree Café, High Street, Scalby Mr Simon Gridley 09/01810/AA Delegated No objection
3	Proposal Site Applicant Application No. SBC Decision PC Decision	Proposed rear two storey extension utilising roof space to service existing loft bedroom 21 Newlands Park Drive, Newby Mr and Mrs Paul Dobson 09/01842/HS Delegated No objection
4	Proposal Site Applicant Application No. SBC Decision	Replacement of existing wooden conservatory with larger upvc conservatory 3 Newby Farm Road, Scalby Mr Alan Jennison 09/01856/HS Delegated

	PC Decision	No objection
5	Proposal Site Applicant Application No. SBC Decision PC Decision	New garage to side of house 41 Moor Lane, Scalby Mr and Mrs Johnston 09/01897/HS Delegated No objection
6	Proposal Site Applicant Application No. SBC Decision PC Decision	Studio home office and pool on site of existing stables and garage Barmoor House, Barmoor Lane, Scalby Hernandez Gonez 09/01902/HS Delegated No objection
7	Proposal Site Applicant Application No. SBC Decision PC Decision	Two-storey rear extension 41 Scalby Avenue, Scalby Mr David Walker 09/01899/HS Delegated No objection
8	Proposal Site Applicant Application No. SBC Decision PC Decision	Detached double garage 4-6 Scalby beck Road, Scalby Mrs Haith 09/01881/HS Delegated No objection

209/09 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	Erection of extensions to front and rear together with replacement roof and relocation of double garage 111 Hackness Road, Scalby Mr John Bingham NYM/2009/0488/FL No objection
2	Proposal Site Applicant Application No. PC Decision	Application for removal of condition 10 of planning approval NYM/2009/0676/FL to allow occupation of the residential part of the live/work unit to be occupied not in association with the associated workspace Foxhill Paddocks, Throxenby Mr Ian Harrison NYM/2009/0676/FL Opposed on the grounds that the condition should remain on the grounds set out in the original approval
3	Proposal Site Applicant Application No. PC Decision	Application for erection of conservatory to the rear Beckdale House, Hackness Road, Scalby Mr and Mrs N Thomas NYM/2009/0681/FL No objection

210/09 PLANNING APPLICATIONS – NORTH YORKSHIRE COUNTY COUNCIL

None

211/09 PLANNING APPEAL – 54 HACKNESS ROAD

The Council noted that an appeal has been lodged against the Borough Council's refusal of planning permission for demolition of the existing dwelling and creation of 6 new build eco houses and it was RESOLVED to forward the Council's objections to the Inspector

212/09 PLANNING POLICY - EXTENSIONS TO PROPERTIES

Further to minute 192/09.1 of the last meeting, the Council considered the response received from the Borough Council regarding their policy in relation to extensions close to property boundaries and it was RESOLVED that the response be received

213/09 FLOODING ISSUES

213/09.1 Further to minute 193/09.1 of the last meeting, the Council considered the response received from the Borough Council regarding the Beck at the rear of 340-344 Scalby Road together with a further letter from Mr Sheader and it was RESOLVED that the Council's full support be given to Mr Sheader and the Borough Council be asked to submit bi-monthly reports to this Council on which properties have been checked, what was the result and what action will be taken

213/09.2 There were no other flood related issues.

214/09 PROPOSED DOG WASTE BIN – LANCASTER WAY

The Council considered a letter dated 28th September 09 from the SBC indicating that a dog waste bin would be provided on a six month trial basis and it was RESOLVED that the letter be received and Mrs Moss advised of the outcome

CONFIDENTIAL 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 215/09, 216/09 and 217/09.

215/09 NEWBY AND SCALBY COMMUNITY HALL

215/09.1 Councillors D J Bastiman and R Pickersgill reported on the progress to date and it was RESOLVED that the report be received

215/09.2 In their capacity as Corporate Trustees of the Community Hall and in compliance with S.82 of the Charities Act relating to the disposal of an asset which is surplus to requirements it was RESOLVED that:

- (i) Councillor D J Bastiman and Councillor S G Foote be authorised to sign the Transfer Deed for the sale of the caretaker's cottage for and on behalf of all Trustees.
- (ii) it be confirmed that the Council have complied with S.36 of the Charities Act in relation to the sale of the cottage in that:

- a survey of the cottage from a competent valuer to establish its market value has been procured
- the sale was publicly marketed
- in the Council's opinion, the agreed sale price represents good value

215/09.3 **VAT**

The Council considered a report from the clerk and it was RESOLVED that the recommendations be approved and confirmed

215/09.4 **FARMERS MARKET**

The Council considered a report from the clerk and it was RESOLVED that the matter be referred to the Management Committee for consideration and decision

215/09.5 **NEXT MEETING OF THE MANAGEMENT COMMITTEE**

RESOLVED that the date and time for the next meeting of the Management Committee be determined following discussions with Mr Horrocks of the LEADER programme as to when he will be available to attend

216/09 COOMBOOTS QUARRY

The clerk reported on a meeting held with Mr Stephen Hesmondhalgh regarding the ownership status of Coomboots Quarry and it was RESOLVED that the NYCC be asked if it can confirm the ownership of the land concerned

217/09 ANNUAL REVIEW OF CLERK AND RFO'S TERMS AND CONDITIONS OF EMPLOYMENT

Further to Minute number 196/09 of the last meeting the Vice-Chairman and Councillor B Miller reported the outcome of a meeting held with Ian Strong of the YLCA regarding the new job description and new terms and conditions for the scale and rate of pay of the clerk and RFO and it was RESOLVED that:

(i) minute no 177/09 (ii) of the meeting held on 12th August 09 be confirmed which takes into account any additional duties in connection with the Parish Council now being Corporate Trustees of the Newby and Scalby Community Hall and this be included in a memorandum to be attached to the clerk and RFO's contract of employment

(ii) The Chairman, Vice-Chairman and Councillor B Miller give consideration to the roles required and the terms and conditions for the administration of the Council's affairs and management of the Community Hall following the retirement of the existing clerk and RFO at the end of March 2010

There being no further business on the agenda

The Chairman declared the meeting closed at 9:25 pm

Chairman

Dated.....