

**MINUTES of a MEETING OF
NEWBY AND SCALBY PARISH COUNCIL**

held in the Committee Room, Newby and Scalby Community Hall, Scalby Road, Scalby,
on Wednesday, 14th September 2011 at 7.35pm

PRESENT:

Councillor TW Miller (Chairman)

Councillors: D. Bastiman (from 9.07pm), Mrs E Black, W Black, SG Foote, S Gething, Mrs G Kendall,
R. Pickersgill, A. Tyson and BF Watson

ALSO IN ATTENDANCE

County Councillors Backhouse & Mrs Swiers, Borough Councillor Jenkinson (to 8.05pm) R. Kaye
(SBC Liaison to 9pm), P. Everitt (Allotments, to 8.04pm), P Staveley (In Bloom), 29 members of
public (16 left 8pm, 5 left 8.30pm-8.45pm), Mrs J Marley (Clerk).

ABSENT: Councillors Mrs Snow and Thompson.

NOTE: Due to the large number of public present, the Chairman commenced taking public comments
at 7pm. The council meeting commenced at 7.20pm.

76/11 APOLOGIES FOR ABSENCE

Received and accepted from Cllrs. Mrs Snow (poorly) & Thompson (holiday). **Noted**
Cllr. Bastiman was delayed,

77/11 DECLARATIONS OF INTEREST

77/11.1 Councillor DJ Bastiman - personal and prejudicial - agenda item 16 as he was a
Borough Councillor & Cabinet member.

77/11.2 Councillor E and W Black - personal and non-prejudicial - agenda item 16.3 as they
were members of the Rugby Club.

77/11.3 Councillor S Foote - personal and prejudicial - agenda item 11.3 as he was an allotment
tenant.

77/11.4 Councillor Mrs Kendall - personal and prejudicial - agenda item 11.2 (Chair of
Community Hall Trustees) and 11.3 (allotment plot holder).

77/11.5 Councillor BF Watson - personal and prejudicial – agenda item 11.5a] as he was a
trustee; personal and non-prejudicial - agenda item 16 all Borough Council planning
applications since he was a member of the Borough Council's Planning Committee.

78/11 MINUTES

RESOLVED that the minutes of the Council Meeting held on 13th July 2011 be
approved as a correct record and signed by the Chairman.

PROCEDURAL MATTER

At 7.23pm, Standing Orders were suspended to allow the Public Open Forum & external reports.

79/11 POLICE REPORT

RESOLVED written report (circulated with agenda) be received.

80/11 PUBLIC OPEN FORUM

Most of the public were present to voice their objections to the Rugby Club's planning
application to have a condition discharged from their existing planning consent so as to
allow amplified music, tannoy announcements and similar noisy things on a regular
basis. Comments made included:- Outdoor events previously held had caused high
noise levels & people had gone out for the day to get away from the noise. Many
considered the club was being run more like a social club than a rugby club which they
felt totally inappropriate in a residential area. There had been a noticeable increase in
vandalism especially on Lancaster Way. Conditions had been placed on the club's
planning consent and its licence so as to protect parishioners being unduly effected by
the club – to allow amplified music, tannoy announcements and music etc made a

mockery of these conditions. There was a very strong feeling that the current application should be refused.

81/11 COUNTY COUNCILLOR'S REPORTS

County Cllr. Mrs Swiers reported 1] Graham and Raincliffe Schools would merge with effect from 1/9/2012 and 2] the concessionary fare scheme would be withdrawn from the seafront bus service with effect from 1/4/2012.

County Cllr. Backhouse reported on a successful meeting at Scalby Library on 13th September – opening hours were to be cut from 41½ to about 30 and these would be staffed by NYCC. If more opening hours were wanted, then this should be done by volunteers with the aid of NYCC staff. The library was keen to be used as a community resource and meeting place in order to increase occupancy rates. The next meeting would be a drop-in session on Saturday 8th October between 2pm and 5pm. He also reported on the field behind Linden Road which Scarborough Borough Council wished to sell for housing – apparently the field had a protected status under the 1999 Local Plan; it was also hoped that the field could be given Village Green status.

PROCEDURAL MATTER

At 8pm, Standing Orders were resumed.

82/11 MATTERS RAISED IN PUBLIC OPEN FORUM

RESOLVED the public's comments on the Rugby Club planning application would be taken into account when Council agreed its comments at agenda item 16.3

83/11 COUNCILLOR'S REPORTS ON HIGHWAY & FOOTPATH MATTERS

83/11.1 **RECEIVED** updates from Clerk (circulated with agenda) on previously reported highway and footpath matters;

83/11.2 **RESOLVED** the following be noted and passed to the relevant body by the Clerk:-
(i) large pothole at junction of Scalby Road and Fieldstead Crescent;
(ii) big crack in road at junction of Moor Lane and Hackness Road;
(iii) pelican crossing outside Scalby Library not working.

84/11 REPORTS FROM OUTSIDE BODIES

The following Reports were **RECEIVED**:

- 84/11.1 **Allotments Friends Group** – Mr Everitt reported most plot numbers were now in place and noticeboards had been refurbished. Some shed break-ins overnight on 7th September had been reported to the Police.
- 84/11.2 **In Bloom Group** – Mr Staveley reported the In Bloom results would be out on 20th September. A litter pick and tidy session was to be held on 24th September from 9 till 4 – meet in community hall car park;
- 84/11.3 **Scalby Football Club** – Mr Afford reported the clubs were doing well at the moment, especially the juniors.
- 84/11.4 **CAP Group**. – No report, next meeting 13/10/11.
- 84/11.5 **Roads Liaison Committee** – No report, next meeting 22/9/11.
- 84/11.6 **Coastal Area Parish Forum** – No report, next meeting on November 2011.
- 84/11.7 **North Yorkshire and Cleveland Coastal Forum** – No report,, next meeting 16/9/11;
- 84/11.8 **Yorkshire Local Councils' Association** – Cllrs. Miller & Mrs Kendall reported on the YLCA AGM meeting at York, where items discussed included the use of private finance initiatives for waste disposal such as the proposed waste incinerator at Allerton Park.
- 84/11.9 **Twinning Association** – No report.
- 84/11.10 **York and North Yorkshire Playing Fields** – No report – next meeting October.
- 84/11.11 **Yorkshire Coast & Moors County Area Committee** – No report;
- 84/11.12 **North York Moors National Park Authority** – no report.
- 84/11.13 **CPRE** – No report;

85/11 **CORRESPONDENCE**

- 85/11.1 **RECEIVED** result of ballot for Parish representative to NYCC Coast & Moors Area Committee. **NOTED** Cllr. Mrs Kendall had been elected.
- 85/11.2 **RECEIVED & NOTED** letter dated 4th August 2011 (circulated with agenda) from NYCC Highways regarding winter maintenance by town & parish councils.
- 85/11.3 **RECEIVED & NOTED** letter dated 26th July 2011 (circulated with agenda) from NYCC consulting on Sustainable Community Strategy. **RESOLVED** Clerk to collate member's responses to questionnaire & submit to NYCC as the view of the Council.
- 85/11.4 **RECEIVED & NOTED** letter & CD Rom from NYCC consulting on Minerals and Waste Development Framework. **RESOLVED** to Cllrs. W Black and Tyson for comment, Clerk to collate & reply on Council's behalf.
- 85/11.5 **RECEIVED** invitation to attend the N. Yorks & Cleveland Coastal Forum annual conference, 9.45 to 3.45, Woodend Gallery, Friday 16th September. **RESOLVED** Cllr. Watson to attend.
- 85/11.6 **RECEIVED** invitation to attend meeting of NYCC, SBC and Parish Councils, 6pm, Town Hall, Monday 19th September. **RESOLVED** Cllr. Miller to attend..
- 85/11.7 **RECEIVED** SBC review of polling places seeking comments on convenience of polling stations. **RESOLVED** no alterations required.
- 85/11.8 **RECEIVED** invitation to NYMNP Planning Training, Wed 12th October 2011, 6pm at Helmsley. **RESOLVED** Cllr. Watson to attend.
- 85/11.9 **RECEIVED** invitation to attend Transport Forum for Borough of Scarborough, Mon. 3rd October 2011, 9.30am at Evron Centre, Filey. **RESOLVED** Cllrs. Mrs E Black, W Black, Miller and Tyson to attend.

FINANCE & GENERAL PURPOSES ISSUES

86/11 **FINANCIAL MATTERS**

- 86/11.1 **NOTED** changes to banking arrangements have now been completed. [Minute 67/11.1 refers]
- 86/11.2 **RECEIVED & NOTED** Clerk's verbal report on lease of Council offices – due to procedural complications and delays in Council relinquishing the Corporate Trusteeship, the current rental agreement tabled at the meeting of 14th July 2010 [Minute 134/10.4 refers] was void. The Trustees were prepared to offer a lease on a broadly similar basis though the term would be decreased accordingly and the first rent review would be July 2013. **RESOLVED** draft of lease to be considered at a future meeting.
- 86/11.3 **RECEIVED & NOTED** Clerk's report *[circulated with agenda]* regarding allotment rent charges from 1st October 2011. *(In accordance with their declarations of a personal and prejudicial interest, Cllrs. Foote and Mrs Kendall left the room for consideration of this item)* **RESOLVED** rent to be increased to £30/full size plot; rents to be held at this level until next rent review in 2014.
- 86/11.4 **RECEIVED & NOTED** Clerk's report *[circulated with agenda]* regarding 2012/13 budget, precept and finance in general. **RESOLVED** Councillors to give Clerk details of ideas/projects before the October meeting so as to give her time to check feasibility etc.
- 86/11.5 **RECEIVED & NOTED** grant requests from
 a) Scarborough Citizen's Advice Bureau towards running costs; *(in accordance with his declaration of a personal and prejudicial interest, Cllr. Watson left the room for consideration of this item)*
 b) Mexico Rebuild Group, Burniston Methodist Church towards cost of rebuilding homes in Mexico – NB some of the teenagers involved in this live within this council's area.
RESOLVED a donation of £200 be made to Scarborough Citizen's Advice Bureau & cheque authorised for signature, but no grant be made to the Mexico Rebuild Group.

- 86/11.6 **RESOLVED** that the Schedule of Accounts for August 2011, Schedule 5 and September 2011, Schedule 6 be approved and paid.
- 86/11.7 2011 Christmas Lights Competition **RESOLVED** competition would be held again this year and no changes to routine were needed.
- 87/11 PUBLIC OPEN FORUM, STANDING ORDERS & POLICIES**
- 87/11.1 Public Open Forum - **RESOLVED** 1] to be included within the Council meeting so as to ensure it is minuted and 2] the time allowed was at the Chairman's discretion.
- 87/11.2 *(Adjourned without discussion from Council meeting of 13th July 2011)* Cllr. Watson proposed that SO 1(a) be permanently varied to read "Meetings of the Council shall commence at 7pm unless the Council otherwise decides at a previous meeting". 2011 Christmas Lights Competition. **CARRIED** unanimously.
- 87/11.3 *(Adjourned without discussion from Council meeting of 13th July 2011)* Proposed that Standing orders be permanently varied by the addition of the following "SO 81 Planning applications – where the deadline for Council's comments falls before the next scheduled Council meeting, the Clerk shall obtain the comments of the Chairman, Vice Chairman and at least one other Councillor (ideally to include Cllr. Mrs Snow) and submit the comments of the majority to the planning authority. The submitted comments should be reported to the next scheduled council meeting for confirmation." An amendment to delete "(ideally to include Cllr. Mrs Snow) was **carried** unanimously. The amended proposal was **carried** unanimously.
- 87/11.4 Model Publication Scheme (last updated 2003) – **RECEIVED & NOTED** updated scheme *[circulated with agenda]*. **RESOLVED** to formally adopt with immediate effect.
- 87/11.5 Freedom of Information Request Policy *[circulated with agenda]* **RECEIVED & NOTED** this policy complemented the Model Publication Scheme. **RESOLVED** to formally adopt with immediate effect.

ENVIRONMENTAL AND DEVELOPMENT ISSUES

88/11 QE2 PLAYING FIELD SCHEME

- 88/11.1 Proposed by Cllr. Watson and **RESOLVED** that this Council 1] nominated Carr Lane Playing Fields for inclusion in the scheme and 2] asked Scarborough Borough Council to nominate Linden Road playground and the field behind Moor Lane for inclusion in the scheme.

89/11 GRIT SALT BINS

- 89/11.1 Cllr. Watson proposed council considered siting additional grit salt bins on Lady Edith's Park. **RESOLVED** Clerk to obtain costings, list of current locations of grit salt bins/heaps and the criteria which NYCC used for providing same. Matter deferred to future meeting.

90/11 AFFORDABLE HOUSING IN NATIONAL PARK

- 90/11.1 **RECEIVED & NOTED** discussion paper (circulated with agenda) from NYMNP about need to revise the affordable housing target down from 50%. **RESOLVED** the matter be deferred to the Council meeting on 12th October to allow Cllr. Miller to seek views of other councils at the YLCA Scarborough branch meeting on 3rd October.

91/11 PLANNING APPLICATIONS RECEIVED

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

1	Proposal	Replace wooden window frames with uPVC
	Site	91 Cross Lane, Newby
	Applicant	H. Walkinshaw
	Application No.	11/01564/HS
	PC Comment	No objections

2	<p>Proposal Site Applicant Application No. PC Comment</p>	<p>Erect pitched roof over porch & bay window 45 Lady Edith's Park, Newby L. Colclough 11/01367/HS No objections</p>
3	<p>Proposal Site Applicant Application No. PC Comment</p>	<p>Partial discharge of condition 42 on 06/01737/FL so as to permit amplified music & other amplified sound outside of the clubhouse for 4 annual events, (till 9pm for one event and till 6pm for the others) Silver Royd, Scalby Road, Scalby Scarborough RUFC 11/01288/COND The application had raised a considerable amount of very strong feeling within the parish and the views expressed by members of the public present at the meeting were taken into account during council's deliberations. It was considered that condition 42 was placed on the existing consent for good reason. To approve this request for discharge of any element of the condition makes a mockery of the fact it was imposed by planners in order to protect surrounding residents from the potential excesses and problems caused by locating the club where it is. A significant proportion of the parishioners attending the council meeting were of the view that the club seemed to be more orientated towards entertainment than sport. Similarly many struggled to understand why tannoy announcements, amplified music and jungles were an essential part of what was supposed to be the main function of the club - playing rugby. Considered that if the club was successful in getting the condition partially discharged for the events as they outline in their letter of 3/8/11, then there were very few events left (if indeed any) which would require a discharge - therefore the application was tantamount to a full discharge, not a partial one. Council strongly objects to condition 42 being altered in any way, shape or form on the grounds that the proposed discharged use would have an adverse effect on the residential amenity of a large area by virtue of the levels of noise created.</p>
4	<p>Proposal Site Applicant Application No. PC Comment</p>	<p>Vary condition 1 of 11/01675/FL so as to extend time and amend number of live/work units Land at High Mill Farm, Station road, Scalby Provincial Land Developments Ltd 11/01675/FL Object - proposed changes are tantamount to a new application.</p>
5	<p>Proposal Site Applicant Application No. PC Comment</p>	<p>Demolish existing chalet bungalow & erect new, part subterranean, dwelling and detached garage Teau, Mount Pleasant, Scalby Mr & Mrs Ridley 11/01654/FL No objection</p>
6	<p>Proposal Site Applicant Application No. PC Comment</p>	<p>Retrospective application for 2 detached dwellings not constructed in accordance with approved plans by virtue of increased ridge & eaves heights & extra rooflight to east elevation of plot 1 Land to rear of 70 and 72 Station Road, Scalby Messrs. Tomlinson 11/01653/FL No objection</p>
7	<p>Proposal Site Applicant Application No. PC Comment</p>	<p>Erect single storey pitched roof extension to rear 9 Station Road, Scalby Mr & Mrs Boyes 11/01718/HS No objection</p>

8	Proposal Site Applicant Application No. PC Comment	Erect single storey side & rear extensions 5 Lawrence Close, Scalby Mr Lawlor 11/01651/HS No objection
9	Proposal Site Applicant Application No. PC Comment	Erect swimming pool building and relocate summerhouse Beacon cottage Farm, Barmoor Lane, Scalby Mr B Thompson NYM/2011/0553/FL No objection
10	Proposal Site Applicant Application No. PC Comment	Erect 2 storey extension to rear and porch to front 5 Throxenby Lane, Newby Mrs Rymill 11/01698/HS No objection

92/11 PLANNING DECISIONS/WITHDRAWALS

The following were **NOTED**:-

1	Proposal Site Application No. Decision	2 storey extension to rear and garage 96 Throxenby Lane, Newby 11/00119/HS AND 11/001226/LB Granted
2	Proposal Site Application No. Decision	Demolish garage, erect dwelling 363 Scalby Road, Newby 11/00751/HS Granted
3	Proposal Site Application No. Decision	Erect new 2 bed dormer bungalow Rear of 5 Throxenby Lane, Newby 11/00796/FL Refused
4	Proposal Site Application No. Decision	Erect single storey extension as garden room with first floor access to roof as a terrace 4 Orchard heights, Newby 11/00900/FL Granted
5	Proposal Site Application No. Decision	Erect 4m. square "Jumbrella" in public house grounds The Rosette, 2 Hackness Road, Newby 11/00947/FL Granted
6	Proposal Site Application No. Decision	Erect conservatory to rear 25 The Parkway, Newby 11/00953/HS Granted
7	Proposal Site Application No. Decision	Replace consent 08/00681/FL for erection of 2 storey side extension 1 Ivy Bank Court, Scalby 11/01023/FL Granted
8	Proposal Site Application No. Decision	Erect carport 54 Southlands Grove, Newby 11/01038/HS Granted
9	Proposal Site Application No. Decision	Amend decision 08/02218/FL to alter configuration of windows on N roof slope Sedum Lodge, 12a Hay Lane, Scalby 11/01070/NMA Granted

10	Proposal Site Application No. Decision	Alterations and extensions 16 Green Lane, Newby 11/01114/HS Granted
11	Proposal Site Application No. Decision	Erect conservatory to rear 9 Newby Farm Crescent, Newby 11/01202/HS Granted
12	Proposal Site Application No. Decision	Window to south elevation amendment to prior approval) Fox Hollow, 79 North street, Scalby 11/01119/HS Granted
13	Proposal Site Application No. Decision	Erect garden shed Raincliffe Barn, Low Road, Throxenby NYM/2011/0299/FL Granted
14	Proposal Site Application No. Decision	Discharge condition 50 of 09/00717/OL Land at high Mill Farm, Scalby 11/00838/COND Granted
15	Proposal Site Application No. Decision	Extensions to provide toilet, meeting area & garage for boys Brigade Wreyfield Drive Methodist church 11/01111/FL Withdrawn
16	Proposal Site Application No. Decision	Erect conservatory to rear 7 Russett Grove, newby 11/01311/HS Granted
17	Proposal Site Application No. Decision	Erect pitched roof over porch and bay window 45 Lady Edith's Park, Newby 11/01367/HS Granted

93/11 PLANNING ITEMS RECEIVED AFTER 14 SEPTEMBER 2011 & REQUIRING A RESPONSE BEFORE 12 OCTOBER 2011 – None.

94/11 CIRCULATION
None.

**There being no further business on the agenda,
the Chairman declared the meeting closed at 9:40 pm**

**T.W. MILLER, Chairman
Dated: 12th October 2011**