

MINUTES of a MEETING OF NEWBY AND SCALBY PARISH COUNCIL

held in the Committee Room, Newby & Scalby Community Hall, Scalby Road, Scalby,
on Wednesday, 11th September 2013 at 7pm

PRESENT:

Councillor Mrs G Kendall (Chairman)
Councillors D Bastiman, S Foote, S Gething, TW Miller, R Pickersgill (from 7.01pm),
Mrs C Snow, R Thompson, R. Towse (from 7.45pm) and BF Watson.

ALSO IN ATTENDANCE

Borough Cllr. Mrs S Backhouse, Mrs J Marley (Clerk),
7 members of public (3 didn't return at 7.33pm after fire alarm, 1 elected to council at 7.45pm),

ABSENT: Cllrs. Mrs E Black, W Black, A. Tyson, County Cllr. A. Backhouse, Borough Cllr. Jenkinson; P. Staveley (In Bloom).

113/13 APOLOGIES FOR ABSENCE

Received and **accepted** from Cllrs. Mrs E Black and W Black (prior commitments), A Tyson (work commitment), County Cllr. Backhouse (mayoral engagement), P Staveley (prior commitment).

114/13 DECLARATIONS OF INTEREST -

- 114/13.1 Cllr. Bastiman declared a personal interest in agenda items 12, 13 and 14 as he was SBC Cabinet member and held the Strategic Planning and Regeneration portfolio.
- 114/13.2 Councillor BF Watson declared a pecuniary interest in agenda item 10.7 as he was a trustee of the applying charity. Cllr. BF Watson also declared a personal interest in agenda item 12 as he was a member of SBC Planning Committee.
- 114/13.3 At the commencement of agenda item 12 (planning applications to note or consider), Cllr. Miller made a declaration of a personal interest in item 7

115/13 MINUTES

- 115/13.1 **RESOLVED** the minutes of the Council Meeting held on 10th July 2013 be approved as a correct record and signed by the Chairman.

PROCEDURAL MATTER

At 7.02pm, Standing Orders were suspended to allow the Public Open Forum.

116/13 PUBLIC OPEN FORUM - A member of public asked "Madam Chair, is it appropriate - or even lawful - for an elected member of this Council to continue in office throughout an eleven month criminal investigation into allegations against him, or her, of fraud and forgery - still unresolved?" A written copy of this question (and the questioner's contact details) was then handed to the Clerk, who explained (with the Chairman's consent), that councillors would consider the question at agenda item 5, following resumption of Standing Orders.

PROCEDURAL MATTER

At 7.05pm, Standing Orders were resumed.

117/13 MATTERS RAISED IN PUBLIC OPEN FORUM - With the Chairman's permission, the Clerk advised Council to the effect that there were various ways for a councillor to be disqualified which included bankruptcy and a prison sentence - the disqualifications were contained within the 1972 Local Government Act - and to the best of her knowledge we did not have a councillor to whom the disqualification criteria applied. Cllr. Bastiman also spoke to the matter with the Chairman's permission and moved that in order to give a full and unambiguous reply, the Clerk, with the support of Council, should take appropriate advice before providing

a written reply in order to avoid any misinterpretation of what was said. Council so resolved.

118/13 POLICE REPORT

RESOLVED written report (*circulated with agenda*) be received.

119/13 EXTERNAL REPORTS

119/13.1 **County Council:-** In his capacity as a County Councillor, Cllr. Bastiman reported on correspondence with a resident and NYCC Highways regarding the speed of traffic on the A171 from Burniston into Scalby. The Chairman permitted a member of the public to give additional information & voice their concerns.

119/13.2 **Borough Council:-** The Chairman congratulated Cllr. Mrs Backhouse on her recent election to the Borough Council. Cllr. Mrs Backhouse reported the goal posts on Linden Road Open Space (which had been causing problems for residents of The Close) had now been moved. The Borough Council had also agreed to put dual purpose litter/dog waste bins at all the entrances to Linden Road Open Space.

119/13.3 **FONSA:-** No report to receive.

119/13.4 **In Bloom:-** the Chairman read a short report from Mr Staveley. The "In Bloom" award ceremony was to take place at York Racecourse on 17th September. The awards for Newby and Scalby's Best Kept Garden competition would be presented on 4th October. The Newby & Scalby Produce Show had been very successful with nearly 140 extra entries.

120/13 COUNCILLOR'S REPORTS & UPDATES

120/13.1 **RECEIVED & NOTED** update [*circulated with agenda*] from Clerk on highway & footpath and other general matters since last meeting.

120/13.2 **RECEIVED & NOTED** Various matters reported by Cllr. Thompson which Clerk will pass to relevant authority. Cllr. Thompson also asked if there had been any progress on the Traffic Regulation Order for Burniston Road. Cllr. Mrs Snow asked if there had been any progress with arranging a meeting with Police and Highways to discuss ways in which to reduce the speed of traffic on Cross Lane following the recent high-speed accident.

121/13 CORRESPONDENCE

121/13.1 Proposed reductions to bus service subsidy by NYCC - **received** document explaining proposals as they affect this parish [*circulated with agenda*]. At 7.30pm during discussion of these proposals the fire alarm went off, the meeting was suspended and all present left the building. It transpired the alarm had been a fire drill, people returned to the room and the meeting resumed at 7.33pm. The consensus was that many of the services proposed for withdrawal were used to get people to and from work. The cuts to the service 115 were especially savage and totally unacceptable. **Resolved** the Clerk to submit objections on Council's behalf.

121/13.2 Correspondence received after preparation of the agenda which the Chairman of the meeting deemed it necessary to consider as a matter of urgency - None.

FINANCE & GENERAL PURPOSES ISSUES

122/13 FINANCIAL MATTERS

122/13.1 **RESOLVED** the Schedule of Accounts paid for August 2013, Schedule 5 be approved.

122/13.2 **RESOLVED** the Schedule of Accounts to be paid for September 2013, Schedule 6

be approved & paid.

- 122/13.3 Field to rear of Linden Road/Moor Lane - Cllr. Watson asked Council to consider making a Community Asset Transfer application to take over this field. It was pointed out that this land was in the Housing Allocations DPD (Supplementary Document 6) as site 18.04 and as such could be outside the scope of the Community Asset Transfer Scheme. **RESOLVED** defer to October meeting to allow the Clerk to seek advice on the status of the land.
- 122/13.4 Insurance - **RESOLVED** to enter a new 3 year agreement with current insurers from 1st October 2013 at a cost for the first year of £1,317-93 (a saving of £28-95 on current premium).
- 122/13.5 **RECEIVED & NOTED** External Auditor's certificate & opinion *[circulated with agenda]* on 2012/13 accounts.
- 122/13.6 **RECEIVED & NOTED** Internal Auditor's report *[circulated with agenda]* on Schedules 1-3.
- 122/13.7 *[In accordance with his declaration of a pecuniary interest at Minute 114/13.2, Cllr. Watson left the room for this item].* **RECEIVED** from Scarborough Citizen's Advice Bureau - request for donation (dated 2nd August 2013). **RESOLVED** donation of £250 be made & cheque authorised for signature.
- 122/13.8 **NOTED** a national salary award for local council clerks for 2013/14 (backdated to 1st April 2013) had been agreed and **RESOLVED** to apply the backdated award to the Clerk's salary.

123/13 CO-OPTION OF PARISH COUNCIL TO CASUAL VACANCY

- 123/13.1 **RECEIVED** letter of application for co-option as a Parish Councillor to the casual vacancy created by Cllr. Ridley's resignation in May 2011 *[circulated with agenda]*. **RESOLVED** Mr Towse be co-opted with immediate effect. Cllr. Towse completed his Declaration of Acceptance of Office in the presence of the Proper Officer and took his place at the council table at 7.45pm. The Clerk reported the YLCA was running a training session for new councillors on 17th September, Cllr. Towse confirmed he wished to attend and a cheque to the YLCA for £50 was authorised for signature.

ENVIRONMENT AND DEVELOPMENT ISSUES

At this juncture, Cllr. Miller made a declaration of a personal interest in application number 7 (see minute 114/13.3)

124/13 PLANNING APPLICATIONS & APPEALS NOTIFIED:

Comments were noted & confirmed or agreed as follows:-

1	Proposal Site Applicant Application No. SBC decision Comments submitted to SBC	Single storey side extension to form garden room 24 Westfield Avenue, Newby Mr P Ware 13/01506/HS Delegated <u>NOTED & CONFIRMED</u> comment submitted 5/8/13 by Clerk:- In exercise of my delegated powers, I would confirm council has no objections to this application.
2	Proposal Site Applicant Application No. SBC decision Comments submitted to SBC	Sunroom extension to rear 71 Newby Farm Road, Scalby Mr & Mrs Mortlock 13/01507/HS Delegated <u>NOTED & CONFIRMED</u> comment submitted 5/8/13 by Clerk:- In exercise of my delegated powers, I would confirm council has no objections to this application.

3	Proposal Site Applicant Application No. SBC decision Comments submitted to SBC	Two storey side extension 21 Newlands Park Crescent, Newby Mr & Mrs Jordan 13/01524/HS Delegated NOTED & CONFIRMED comment submitted 5/8/13 by Clerk:- In exercise of my delegated powers, I would confirm Council objects to this application on the grounds it does not accord with Saved Local Plan Policies E14 and H10 by virtue of its size and effect on the streetscene.
4	Proposal Site Applicant Application No. SBC decision Comments submitted to SBC	Single storey side extension & porch to front 9 Tibby Butts, Scalby Mr P Winship 13/01588/HS Delegated NOTED & CONFIRMED comment submitted 19/8/13 by Clerk:- In exercise of my delegated powers, I would confirm council has no objections to this application
5	Proposal Site Applicant Application No. SBC decision Comments	Erect agricultural worker's dwelling Iansfield Farm, Burniston Road, Newby, YO13 0DA S Milward & Sons 13/01675/FL Delegated AGREED no objections, request agricultural occupancy restriction tying house to land
6	Proposal Site Applicant Application No. SBC decision Comments submitted to SBC	Two storey extension to side 3 Fairway, Newby Mr & Mrs Amos 13/01746/HS Delegated NOTED & CONFIRMED comment submitted 3/9/13 by Clerk:- In exercise of my delegated powers, I would confirm council has no objections to this application
7	Proposal Site Applicant Application No. SBC decision Comments	Replace existing timber framed porch and windows with UPVC Ground Floor Flat, Hackness Manor, 1Hackness Road, Scalby Mrs P Miller 13/01829/HS Delegated AGREED no objections

125/13 PLANNING DECISIONS/WITHDRAWALS

The following were **NOTED**:-

1	Proposal Site Application No. Planning Inspectorate Decision	Appeal against refusal of application to erect detached bungalow to the rear 14 Tibby Butts, Scalby 12/01011/FL, Appeal APP/H2733/A/12/2189555 Appeal dismissed
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2	Proposal Site Application No. SBC Decision	Erect single storey side and rear extension 23 Russet Grove, Newby 13/00942/HS Granted
3	Proposal Site Application No. SBC Decision	Installation of dormer window to side and rear incorporating balcony at rear and erection of conservatory to rear 13 Scalby Avenue Scalby 13/01077/HS Refused

126/13 PLANNING MATTERS RECEIVED AFTER 4/9/13 - None.

127/13 REPORTS FROM OUTSIDE BODIES

The following were **RECEIVED**:

- 127/13.1 **N. Yorkshire Playing Field Association** – Cllr. Mrs Snow reported she had attended the AGM on 3rd August. It had been agreed the Association would be closed down and subject to Charity Commission approval residual funds would go to sport-related organisations in Yorkshire.
- 127/13.2 **NYMNP Coastal Area Parish Forum** – Cllr. Watson reported the potash planning application had been withdrawn on the day of the meeting. Future fora would be on a different basis and more community orientated. The first community forum would be on 8th October at Pickering.
- 127/13.3 **Twining Association** – Cllr. Thompson reported Pornic was twinned with Linz (Germany) and Bayonne (Spain) and the Association wanted to expand its activities so as to include these places.
- 127/13.4 **NYCC Yorkshire Coast & Moors Area Committee** – No report to receive.
- 127/13.5 **North York Moors National Park Authority** – Cllr. Thompson reported on various meetings, presentations and site visits he had attended.
- 127/13.6 **CAP group** – Cllr. Gething reported on the meeting of 16th July where matters discussed had included problems with car parking and unauthorised camping by travellers. The next meeting is on the 22nd October.
- 127/13.7 **YLCA** – Cllr. Mrs Kendall reported on the AGM held on 20th July. A new executive had been elected. Enquiries to the advice line were considerably up, mainly due to enquiries resulting from the 2011 Localism Act.

128/13 CIRCULATION - None.

There being no further business on the agenda, the Chairman declared the meeting closed at 8.10pm.

G. Kendall, Chairman
Dated: 9th October 2013