



SEAMER PARISH COUNCIL

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MINUTES: of the Meeting of the Council held at Crossgates Community Centre, Curlew Drive, Crossgates, Scarborough, YO12 4TL on 12 September 2023 commencing at 7.05pm.

PRESENT: Councillor L Wallis (Chairman) in the Chair;
Councillors M Coulson, M Sykes and J Stockdale;
North Yorkshire Councillor H Phillips, 13 members of the public and the clerk.

101 APOLOGIES FOR ABSENCE

RESOLVED that:

- (i) Councillor Coulson's apology for lateness be noted.
- (ii) apologies for absence given in advance of the meeting by Councillors K Elbourne, V Milner (Vice-Chairman) and J White be received.
- (iii) the previously circulated reasons given for absence by Councillors Elbourne, Milner and White be approved.
- (iv) it be noted no other Member of the Council was absent.

102 DECLARATIONS OF INTEREST

RESOLVED that it be noted:

- (i) no declaration of interest not already declared under the Council's Code of Conduct or Members' Register of Disclosable Pecuniary Interests was received.
- (ii) no application for dispensation from restrictions on participation in discussion and/or voting was received.

103 BEST KEPT GARDENS AND ALLOTMENTS COMPETITIONS

The Chairman presented the Awards and Certificates to those present, with the remainder to be forwarded by the clerk:

- (a) **Enclosed Gardens:** Winner Mr DR & Mrs SF Walker; Second Mr D & Mrs MA Ayre; Third Ms LMC Hope, and Highly Commended Mr J & Mrs JA Baxter.
- (b) **Open Gardens:** Winner Mr BH & Mrs JM Boyes; Second Mr J & Mrs V Begley; Third Mr A & Mrs PV Chapman, and Highly Commended Mr MJ & Mrs T Metcalfe.
- (c) **Bell Close:** Winner Mr MJ & Mrs PE Arnell.
- (d) **Allotments:** Winner Mr RA Bowes; Second Miss E Chambers; Third Mr AL Ellis, and Highly Commended Mrs S Fenwick.

104 MINUTES

RESOLVED that the previously circulated minutes of the extraordinary meeting of the Council held on 29 August 2023 be approved as a correct record and signed by the Chairman.

105 PUBLIC PARTICIPATION

The following matter was raised by members of the public and discussed:

- (a) Further to minutes 82(a) and (i) of 8 August 2023, sufficiency of drainage and maintenance, and refurbishment of sandbags, Stapleton Close, Seamer, following flooding 2002 & 2017/18 and further recent 'flash' flooding overwhelming the drains.

RESOLVED that:

- (i) the contributions of members of the public be received, with thanks.
- (ii) it be noted:
 - (1) the Parish Council did not have any responsibilities or powers concerning drainage or flooding and could only liaise with the same authorities as the affected residents, in their support.

- (2) further to minutes 68 (ii) & (iii) of 11 July 2023:
 - (a) liaison had been made by the clerk with the 3 residents of Stapleton Close who raised the sufficiency of drainage and maintenance issue for relevant current information, including a site meeting which was held on 4 August 2023.
 - (b) representations and enquiries had been made of North Yorkshire Council Highways service, Flood & Coastal Engineer and Flood Risk team, including requesting their representation at a site meeting with the affected residents.
- (3) further to minute 82(i) of 8 August 2023, North Yorkshire Council had undertaken to Councillor Phillips to refurbish the supply of sandbags.
- (iii) further representations and enquiries be made of North Yorkshire Council Highways service, Flood & Coastal Engineer and Flood Risk team, and Yorkshire Water, in liaison with Councillor Phillips.

106 REPORT OF NORTH YORKSHIRE COUNCILLOR H PHILLIPS

The Council considered a verbal report by Councillor Phillips, including:

- (a) Section 106 funding from the Linden Homes Northfield Meadows development.
- (b) Draft Housing Strategy.
- (c) Ground maintenance of roundabouts.
- (d) Special Educational Needs and Disabilities provision.
- (e) School Streets pilot for Seamer & Irton Community Primary School.
- (f) the proposed siting of an additional bench and bin on the green off Curlew Drive/Greenfinch Close/Station Road, Crossgates.

RESOLVED that:

- (i) the verbal report be received with thanks.
- (ii) the Council further consider the proposed location(s) for an additional bench and bin on the green off Curlew Drive/Greenfinch Close/Station Road, Crossgates, at the next meeting.

107 JUBILEE ALLOTMENTS

(a) Tenants' Participation

None.

108 COMPLAINTS POLICY AND PROCEDURE

Further to Standing Order 5.n, the Council considered approving and adopting a Complaints Policy and Procedure.

RESOLVED that:

- (i) the draft Complaints Policy and Procedure be approved and adopted.
- (ii) Standing Order 5.n be amended to reflect review of the Council's Complaints Policy and Procedure.

109 REMEMBRANCE AND CHRISTMAS CAROL SERVICES

The Council considered arrangements for the following services:

(a) Service of Remembrance, to be held at Seamer and Irton War Memorial Hall on Armistice Day, 11 November 2023

RESOLVED that:

- (i) in the absence of an appointed Vicar of St Martin's Church, Seamer or the availability of the appointed Minister of Seamer Methodist Church at the time of the service, consideration be given to arranging an alternative member of the Clergy or Lay Preacher/Worship Leader or other suitable Lay person to conduct the service.
- (ii) Councillor Milner's offer to read the list of names of those to be commemorated be accepted with thanks.
- (iii) Miss F Rogers, Chair of the Memorial Hall Management Committee or its nominee be consulted concerning arrangements.
- (iv) the clerk be delegated to confirm arrangements, in consultation with the Chairman and Vice-Chairman.

(b) Christmas Carol Service, to be held at Seamer and Irton War Memorial Hall

RESOLVED that:

- (i) Revd A Moreland, current Vicar and/or the Church Wardens, St Martin's Church; Rev Dr K Ridd, Minister, Seamer Methodist Church; Mr R Webb, Headteacher, Seamer & Irton Community Primary School, and Miss F Rogers or the Memorial Hall Management Committee's nominee be consulted concerning arrangements.
- (ii) the clerk be delegated to confirm arrangements, in consultation with the Chairman and Vice-Chairman.

(c) Crossgates Community Centre Community Carol Singing

RESOLVED that:

- (i) further to minute 28(c)(iii) of 9 May 2023, Councillor Coulson's declared other interest and the Council's approved dispensation from restrictions on participation in discussion and voting in this matter be noted.
- (ii) it be noted:
 - (1) the event would be held by the Crossgates Community Centre Management Committee of voluntary Trustees, commencing at 7.00pm on Sunday 10 December 2023, followed by a buffet supper.
 - (2) the Community Carol Singing would be led by Rev Dr Ridd.
 - (3) the event would be supported by the Simply Brass band.
- (iii) a contribution to the buffet supper be made in the sum of £75.00 subject to invoice.
- (iv) Simply Brass be paid for their performance, subject to invoice in the agreed sum.
- (v) a contribution be made in the sum of £100 towards printing and distribution costs for a Christmas Services and Events Leaflet for Seamer, Crossgates and Irton, subject to Seamer Methodist Church's confirmation of the leaflet arrangements.

110 CORRESPONDENCE

The Council considered the following correspondence/communications received since the last meeting:

- (a) Monthly Police Report.
- (b) Strategic Leisure Review - The Future of Sports, Leisure and Wellbeing in North Yorkshire – Survey & Webinar.
- (c) Trackrod Rally Yorkshire 22 & 23 September 2023.
- (d) Announcing a new approach to managing speed limits in North Yorkshire.
- (e) Thanks received from St Martin's Church (following publication of the Agenda for this meeting) for the contribution under the Model Agreement to Churchyard Maintenance.

RESOLVED that:

- (i) the report and correspondence be received.
- (ii) the Council further consider seeking to reduce speed limits in Long Lane, Seamer & Crossgates; Pasture Lane, Seamer, and the B1261 Crossgates, at the next meeting.
- (iii) the Council further consider seeking to reduce the speed limit at arrival & departure times and have warning/speed awareness signage installed on the B1261 approaches to Seamer Pre-School, within the Old School/Youth Centre, at the next meeting.

111 PLANNING MATTERS**(a) Planning Applications**

- (i) ZF23/01244/RM Reserved matters approval in relation appearance, landscaping, layout and scale for the regrading of site (to include removal of excess material stockpiling) and phased construction and expansion of a manufacturing, research and development building with ancillary office space, associated storage and distribution space (Use Classes E(g)(i)(ii), B2, B8), car parking, servicing, landscaping, drainage infrastructure, substation, sprinkler tanks and pump house, Scarborough Business Park, Hopper Hill Road, Eastfield.

RESOLVED that no objection and no comment be raised.

112 OUTSIDE BODIES**(a) Seamer & District Youth Centre**

RESOLVED that:

- (i) further to minute 45(ii)(2) of 13 June 2023, Councillor Stockdale's declared other interest and the Council's approved dispensation from restrictions on participation in discussion and voting in this matter be noted.
- (ii) further to minute 169(b) of 10 January 2023:
 - (1) a verbal report by Councillor Stockdale be received with thanks.
 - (2) it be noted external access to the roof of the Old School/Youth Centre was being explored to install the loft insulation.

113 FINANCIAL MATTERS**(a) Accounts for payment and income received**

RESOLVED that:

- (i) it be noted Tower Estates (Scarborough) Ltd had agreed to waive the Reference Fees in the sum of £100 on this occasion, as these had been introduced since the Agency Agreement and without prior notice to the Council, and this sum would be reimbursed on the next statement.
- (ii) the accounts received for payment and income received since the last meeting be approved.

114 EXCLUSION OF THE PUBLIC

RESOLVED that, under Section 1(2) of the Public Bodies (Admission to Meetings) Act 1960, the public be excluded from the meeting and no person may report on the meeting for the following items of business, on the grounds that publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted:

- (a) relating to any individual [*minute(s) 121(a) & 122*].
- (b) which was likely to reveal the identity of an individual [*minute 121(a)*].
- (c) relating to the financial or business affairs of any particular person (including the authority holding that information) [*minute(s) 115 - 122*].
- (d) which revealed that the authority proposed:
 - (i) to give under any enactment a notice under or by virtue of which requirements were imposed on a person [*minutes 121(iv)(2) & (4)*].
 - (ii) to make an order or direction under any enactment [*minutes 121(iv)(2) & (4)*].

115 ENFORCEMENT OF NO DOGS ALLOWED

Further to minute 96(b)(iii) of 9 August 2022, the Council considered seeking inclusion of additional areas in North Yorkshire Council's consideration of the Public Spaces Protection Order renewal/extension due in January 2024:

RESOLVED that:

- (i) the exclusion of dogs from the following areas be sought:
 - (1) The Green, Seamer.
 - (2) The Recreation Ground, Seamer (including outdoor gym, children's playground and Seamer Sports Association playing fields).
- (ii) 'Pick it Up' signage and enforcement against dogs fouling North Yorkshire Council's parkland between Magpie Garth, Crab Lane, Long Lane and Falcon Avenue, Crossgates be sought.

116 MARKET RENT AND MARKET (ASSET) VALUATIONS

Further to minutes 215(i) of 14 March 2023, 20 of 11 April 2023 and 42 of 9 May 2023, the Council considered a verbal report by the clerk.

RESOLVED that:

- (i) separate tenancy agreements be established for separate areas of land.
- (ii) the duration of the updated tenancy agreements be 21 years.

- (iii) contingencies to progress a proposed pedestrian and cycle path route to access Seamer & Irton Community Primary School be incorporated within the relevant tenancy agreement.
- (iv) a newly proposed route for a pedestrian and cycle path, supported in principle by the Headteacher of Seamer & Irton Community Primary School and North Yorkshire Council Highways service, be the preferred option for further exploration of feasibility and options for funding:
 - (1) directly from Long Lane across the back of the houses on Abbots Garth and into the rear of Seamer & Irton Community Primary School yard hard surface.
 - (2) if possible, incorporating re-routing of the existing public right of way across the same field.
- (v) contingencies for non-agricultural development be incorporated within relevant tenancy agreements.
- (vi) contingencies for the harvesting and sowing of crops by the current and subsequent tenant, respectively, be incorporated within the tenancy agreements.
- (vii) the clerk be delegated to further instruct Cranswicks concerning negotiation of the tenancy agreements, in consultation with the Chairman and Vice-Chairman.
- (viii) the clerk be delegated to instruct the Council's solicitors and relevant other parties, concerning preparation and execution of tenancy agreements and updating of registered titles, in consultation with the Chairman and Vice-Chairman.

117 INSURANCE

Further to minute 76 of 11 July 2023, the Council considered:

- (a) a report by the Clerk and Responsible Financial Officer.
- (b) an updated Asset Register, reflecting actual / estimated purchase costs for accounting purposes and replacement values for insurance purposes.
- (c) recommended levels of cover and premium for the forthcoming insurance renewal period.

RESOLVED that:

- (i) the Asset Register be approved.
- (ii) the levels of cover and premium for the forthcoming insurance renewal period be approved.
- (iii) payment to Arthur J. Gallagher Insurance Brokers Limited in the sum of £2,368.58 be approved, subject to inclusion on the schedule for the next meeting.
- (iv) the clerk be delegated to instruct the Council's solicitors to provide copies of relevant deeds and agreements, in consultation with the Chairman and Vice-Chairman.

118 OLD SCHOOL (YOUTH CENTRE)/HOUSE

RESOLVED that, further to minute 45(ii)(2) of 13 June 2023, Councillor Stockdale's declared other interest and the Council's approved dispensation from restrictions on participation in discussion and voting in these matters be noted.

(a) Maintenance

(i) Sale of Gates

Further to minute 94(a) of 8 August 2023, the Council considered a verbal report by Councillor Stockdale.

RESOLVED that:

- (1) the potential sale of the gates at auction by agent, once refurbished, be noted.
- (2) Councillor Stockdale be authorised to undertake the necessary repairs and maintenance, for reimbursement by the Council of necessary materials and expenses only.

(ii) Roofing

Further to minutes 100(a)(ii)(4) & (5) of the last meeting, the Council considered a verbal report by the clerk.

RESOLVED that:

- (1) Complete Roofing Solutions Yorkshire Ltd's agreement, in liaison with the Agent, to complete the specified works under the current contract be noted with thanks.

- (2) Complete Roofing Solutions Yorkshire Ltd's proposal to complete the agreed works, as far as possible, during periods when Seamer Pre-School was closed, as already accepted by the clerk, be noted with thanks.
- (3) Any further quotation provided by Complete Roofing Solutions Yorkshire Ltd, during the course of the agreed works, be considered by the Council on the basis of no prior commitment or obligation.
- (4) Councillor Stockdale's offer to install chicken netting or similar to protect against falling slates be accepted with thanks and authorised, for reimbursement by the Council of necessary materials and expenses only.

(b) Letting and Management of the Old School House

RESOLVED that, further to minute 100(b)(ii) of the last meeting:

- (i) the Council consider establishing a Letting Policy at the next meeting.
- (ii) Members of the Council consider in advance of the meeting what any Letting Policy and Procedure should contain.

119 WEBSITE

The Council considered correspondence from its website provider concerning update of its service.

RESOLVED that:

- (i) the Council update to Hugofox Limited trading as HugoFox's Bronze website package.
- (ii) payment to Hugofox Limited in the sum of £11.99 per month be approved, subject to inclusion on the schedule for the next and relevant future meetings.
- (iii) payment by direct debit be approved.

120 BUS SHELTERS

The Council considered arrangements for maintenance of the stone-built bus shelters on the B1261 (former A64) in Seamer and Crossgates.

RESOLVED that:

- (a) it be noted:
 - (i) various of the stone-built bus shelters on the B1261 (former A64) in Seamer and Crossgates were in need of maintenance.
 - (ii) the Parish Council had no responsibility for any bus shelters.
 - (iii) the former North Yorkshire County Council and Scarborough Borough Council, now co-forming North Yorkshire Council, had not accepted any responsibility for various of the stone-built bus shelters on the B1261 (former A64) in Seamer and Crossgates.
 - (iv) Councillor Stockdale's proposal that he and Councillor White inspect and specify any maintenance currently required of the stone-built bus shelters on the B1261 (former A64) in Seamer and Crossgates, for consideration of maintenance and funding options by the Council, be accepted with thanks.

121 JUBILEE ALLOTMENTS

(a) Matters resolved under delegation

Further to Financial Regulation 4.1 d) and Standing Orders 15. b xviii. – xx, the Council considered a report by the clerk concerning matters resolved under delegation since the last ordinary meeting of the Council on 8 August 2023.

RESOLVED that:

- (i) further to minutes 67(iii) & (iv) of 11 July 2023, Councillor Sykes' declared pecuniary and other interest, and the Council's approved dispensation from restrictions on participation in discussion and voting in these matters be noted.
- (ii) the report be received.
- (iii) it be noted the following decision concerning a request from a tenant was taken under Standing Order 15. b xix. in consultation with the Members of the Allotments Working Group and then the Chairman & Vice-Chairman:
 - (1) a pond on a plot be not approved, due to the number of ponds on the Allotments and the impact on cultivation and/or wildlife on re-letting.

- (iv) it be noted the following decisions concerning unsatisfactorily maintained plots were taken under Standing Order 15. b xx. in consultation with the Members of the Allotments Working Group and then the Chairman & Vice-Chairman:
 - (1) further to minute 93(iv)(1) of 8 August 2023, notice of claim for damages be rescinded following termination of a tenancy of a half-plot and it being brought up to the proper standard for re-letting.
 - (2) further to minute 93(iv)(2) of 8 August 2023, notices of termination of a tenancy of a plot and claim for damages be rescinded, following it being brought up to the proper standard within the timescale set by the Council but, as the Council had raised such concerns and notices in 2021/22, 2022/23 and now 2023/24, confirming and extending notice that should the plot again fall below the proper standards required in accordance with the tenancy agreement within the next 2 years to 31 March 2026, the Council would terminate the tenancy and engage a contractor to undertake any remaining tasks to bring the plot up to the proper standard and claim the full cost in damages.
 - (3) further to minute 93(iv)(3) of 8 August 2023, notices of termination of the tenancies of 2 plots and claims for damages be rescinded, following the plots being brought up to the proper standard within the timescale set by the Council.
 - (4) requirements to bring 3 plots up to the proper standard be issued to the relevant tenants, with notices of termination of their tenancies by re-entry by the Council if not completed within 4 weeks of the notice and notice of claim for damages by the Council to engage a contractor to undertake remaining tasks if not completed in the event of the termination of the tenancy.

122 PENSION

The Council considered a verbal report by the clerk and relevant documentary evidence.

RESOLVED that the following be noted:

- (a) the creation of a National Employment Savings Trust (NEST) workplace pension account for the Council, with approved Direct Debit mandate, and 'read only' delegate access for Councillor financial control signatories.
- (b) the automatic enrolment of the Clerk & Responsible Financial Officer in the pension scheme.
- (c) the opting out of the Clerk & Responsible Financial Officer from the pension scheme.
- (d) the Re-declaration of Compliance with The Pensions Regulator.

The meeting closed at 9:25 pm

The next ordinary meeting of the Council will be held at Seamer & Irton War Memorial Hall, Main Street, Seamer, Scarborough, YO12 4QD, on 10 October 2023 commencing at 7.00pm

Chairman

10 October 2023