



SEAMER PARISH COUNCIL

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MINUTES: of the Meeting of the Council held at Seamer & Irton War Memorial Hall, Main Street, Seamer, Scarborough, YO12 4QD on 12 December 2023 commencing at 7.00pm.

PRESENT: Councillor L Wallis (Chairman) in the Chair;
Councillors M Coulson, V Milner (Vice-Chairman), M Sykes, and J White;
2 members of the public and the clerk.

160 APOLOGIES FOR ABSENCE

RESOLVED that:

- (i) apologies for absence given in advance of the meeting by Councillors K Elbourne and J Stockdale, and North Yorkshire Councillor H Phillips, be received.
- (ii) the previously circulated reasons given for absence by Councillors Elbourne and Stockdale be approved.
- (iii) it be noted no other Member of the Council was absent.

161 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.

162 MINUTES

RESOLVED that the previously circulated minutes of the meeting of the Council held on 14 November 2023 be approved as a correct record and signed by the Chairman.

163 PUBLIC PARTICIPATION

The following matters were raised by members of the public and Councillors and discussed:

- (a) further to minute 127(ii) of 10 October 2023, sufficiency of drainage and maintenance in Stapleton Close and Pasture Lane, Seamer.
- (b) further to minute 132(a) of 10 October 2023, the 'School Streets' pilot closure of Bell Close to motor vehicles for periods at the beginning and end of school days, other than permit holders.
- (c) further to minute 30(i) of 9 May 2023, flooding of the footpath from the pedestrian level crossings off the eastern end of Long Lane to the A64/Dunslow Road roundabout.
- (d) a substantial damaged branch hanging off a tree, next to the footpath near the entrance from Station Road to the green at the top of Curlew Drive, Crossgates.
- (e) further to minute 82(ii) of 8 August 2023, overgrowing of the hedge on the south side of the B1261 between the rear of the Dawnay Close and Byward Drive cul-de-sacs, Crossgates.

RESOLVED that:

- (i) it be noted:
 - (1) a Yorkshire Water Waste Jetting Technician undertook camera surveys and dye tests on 20 October 2023, in liaison with the clerk, and established the pipe under 81 Pasture Lane's drive carried surface water from the Highway gullies in Stapleton Close only to a surface water gully pipe in Pasture Lane, which connected to the sewer in Pasture Lane 'downstream' of there.
 - (2) on checking the history, the Waste Jetting Technician reported a contractor undertaking work for Yorkshire Water in 2016/17 in Pasture Lane replaced an unsafe drain cover to the surface water pipe under the drive of 81 Pasture Lane with Yorkshire Water fittings, notwithstanding it not being Yorkshire Water's responsibility.
 - (3) the clerk forwarded Yorkshire Water's Waste Jetting Technician's report and updated map of the surface water pipes and sewers to North Yorkshire Council Highways service the same day.

- (ii) Yorkshire Water be requested to investigate the adequacy of the capacity of the sewers for the full length of and from Pasture Lane, and any obstruction to the sewer 'downstream' from the point in Pasture Lane where the surface water pipe from Stapleton Close joined it.
- (iii) the Chairman's offer to raise enforcement of the 'School Streets' pilot in Bell Close and the related irresponsible driving and dropping off of children at the junction of Pasture Lane and Eastgate, at the next Police meeting, be accepted with thanks.
- (iv) it be noted the footpath from the pedestrian level crossings off the eastern end of Long Lane to the A64/Dunslow Road roundabout had been confirmed not to be the responsibility of North Yorkshire Council Highways or Public Rights of Way services, and an enquiry had been made of Yorkshire Wildlife Trust concerning Burton Riggs Nature Reserve.
- (v) the substantial damaged branch hanging off a tree next to the footpath near the entrance from Station Road to the green at the top of Curlew Drive be reported to North Yorkshire Council.
- (vi) the residents of properties identified by Councillors as responsible for the overgrowing hedge on the south side of the B1261 between the rear of the Dawnay Close and Byward Drive cul-de-sacs, Crossgates be written to with copies to North Yorkshire Council Highways service, requesting the hedge which was obstructing the footpath be maintained.

164 REPORT OF NORTH YORKSHIRE COUNCILLOR H PHILLIPS

None.

165 JUBILEE ALLOTMENTS

(a) Tenants' Participation

None.

166 CORRESPONDENCE

- (a) Monthly Police Report
- (b) Household Waste Recycling Centre (HWRC) Consultation
- (c) Eastgate Solar Farm – Votalia

RESOLVED that:

- (i) the slimmed down format of the Police report, due to additional duties of the preparing Officer, be noted.
- (ii) the Chairman's offer to raise increased reports of theft and criminal damage, as well as exploring the availability of 'Keep of the verges' signs, at the next Police meeting be accepted with thanks.
- (iii) North Yorkshire Council's Household Waste Recycling Centre (HWRC) Consultation, which would close on 31 January 2024, be promoted with the poster on the Council's Facebook and website Consultations pages.

167 PLANNING MATTERS

(a) Planning Applications

(i) Current application(s)

- (1) ZF23/01808/HS Erection of two storey side extension, single storey rear extension & proposed front porch, Quartons Gardens Cottages, Crossgates.

RESOLVED that no objection and no comment be raised.

- (2) F23/01856/HS Erection of single storey front extension, 2 Centurion Way, Crossgates.

RESOLVED that no objection and no comment be raised.

- (3) ZF23/01880/OH Proposed replacement poles and conductor works, Main Street, Seamer.

RESOLVED that no objection and no comment be raised.

- (4) ZF23/01818/HS Erection of single storey side and rear extension, 54 Leighton Close, Crossgates.

RESOLVED that the Council:

(a) objects to the application:

- (i) on the grounds of overdevelopment to the south of the property.

- (ii) on the grounds the extension would be visually overbearing to the neighbouring property due to its elevated position and proximity.

(b) notes:

- (i) the refusal of the previous 2 storey side and single storey rear extension application 23/00514/HS.
- (ii) the footprint and proximity to the south neighbouring property of the proposed single storey side and rear extension is unchanged from the previous application.

(b) Public Rights of Way

(i) Informal Consultation for Section 119 Highways Act 1980 Public Path Order SCAR-2023-04-DO

RESOLVED that, further to minutes 125(b)(i)(1) of 8 February 2022 and 71(b) of 11 July 2023:

- (1) no objection be raised.
- (2) the proposed diversion of the Public Rights of Way (subject to confirmation of the related Definitive Map Modification Order) be supported, subject to adequate signage on the relevant existing footways within the estate.

(ii) Objection to section 257 TCPA 1990 Public Path Diversion Order - Footpath 30.2/5 Seamer Scarborough

RESOLVED that, further to minute 125(b)(ii) of 8 February 2022, North Yorkshire Council's abandonment of the Public Path Diversion Order, as the footpath was stopped up by a prior Magistrates Court Order, be noted.

168 OUTSIDE BODIES

(a) Crossgates Community Centre

The Council received verbals report by Councillors Wallis and Coulson.

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) further to minute 109(c) of 12 September 2023, it be noted the Community Carol Singing was well attended and enjoyed by those who attended.

169 FINANCIAL MATTERS

(a) Budget Update 2023/24 April to November

RESOLVED that, further to Financial Regulation 4.10 and minutes 98(a)(ii) of 29 August 2023 and 153(b) of the last meeting:

- (i) the actual payments and income received, with a full year forecast against annual budget for the period 1 April to 30 November 2023, be received and noted.
- (ii) it be noted:
 - (1) further to Financial Regulation 2.2 and minute 98(a)(i) of 29 August 2023, Councillor Stockdale had verified and signed the bank reconciliations and original bank statements for the period 1 August to 30 November 2023, with no exceptions to report.
 - (2) forecast receipts were increased by £775, being an additional month's Old School House rent due to re-letting at the end of August rather than during September.
 - (3) £6,907.90 forecast additional expenditure primarily reflected additional commitments to remedial roofing and guttering at the Old School/Youth Centre and estimated Legal Fees relating to conveyancing
 - (4) this would reduce reserves to approximately £22,500 at 31 March 2024 year end.
- (iii) further to Financial Regulation 4.4:
 - (1) the Old School House Rent receipts budget be increased by £775, and this offset increases of £390 and £385 to the Old School/House: Tower Estates Management and Repairs/Improvements budgets, respectively.

- (2) further to minute 39(f)(ii)(4)(a) of 9 May 2023, the £2,000 earmarked commitment of reserves to the Clerk Salary (net) budget be discontinued.
- (3) £600 be vired, being £50 from the Clerk Car Allowance budget, £7 from Office Equipment budget, £3 from the Stationery Mags Misc budget, £10 from the Office Printer Inks budget, £280 from the Insurance budget, £150 from the Members' Training & Conference budget and £100 from The Green Equipment/Maintenance budget, to the Tax and NIC budget.
- (4) £3.55 be vired from the Office Printer Inks budget to the Postage budget.
- (5) £2,880 reserves be earmarked and committed to the Legal Fees budget.
- (6) £57 be vired, being £50 from the Bus Shelters budget and £7 from the Garden/Allotment Competition budget and, further to minute 91(b)(vii)(4) of 8 August 2023, committed with a further £5,533 earmarked reserves to the Old School/House: Repairs/Improvements budget.
- (7) further to minutes 39(f)(ii)(4)(c) of 9 May 2023 and 91(b)(vii)(8) of 8 August 2023, the earmarked commitment of reserves to the Public Seats budget be reduced by £400 to £500.
- (8) £600 be vired, being £450 from the Bus Shelters budget and £150 from the Road Safety budget, to the Christmas Celebrations budget.
- (9) £102 be vired, being £90 from the Planters – Crossgates CC budget and £12 from the Garden/Allotment Competition budget, to the Web Sites/Maps budget.
- (iv) the Council consider a report by the Clerk & Responsible Financial Officer at the next meeting, confirming the earmarked reserves and virements within the revised budget.

(b) Accounts for payment and income received

RESOLVED that:

- (i) the accounts received for payment and income received since the last meeting be received and approved.
- (ii) payment to Seamer & Irton Memorial Hall in the sum of £60.00 be approved, for an invoice received at this meeting for room hire for this meeting and the Christmas Carol Service, subject to inclusion on the schedule for the next meeting.

(c) Model Agreement for the next financial year 2024/25

RESOLVED that, further to minute 153(c) of the last meeting:

- (i) the Model Agreement estimates for 1 April 2024 to 31 March 2025 be received and approved.
- (ii) the Model Agreement estimates 2024/25 be signed by the Clerk & Responsible Financial Officer and submitted to North Yorkshire Council.

170 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 [*minutes 172(c), (vii)(1) & (2) and (viii), and 174(a)(iv)(1)*].
- (b) which was likely to reveal the identity of an individual [*minutes 172(c) and (vii)(1), and 174(a)(iv)(1)*].
- (c) relating to the financial or business affairs of any particular person (including the authority holding that information) [*minutes 171 - 174*].

171 BUS SHELTERS

Further to minutes 146(iv) & 158 of the last meeting, the Council considered a report by Councillor Stockdale and a verbal report by the clerk, concerning maintenance currently required of the 8 stone-built bus shelters on the B1261 (former A64) in Seamer and Crossgates.

RESOLVED that:

- (i) Councillor Stockdale's report be received, with thanks.
- (ii) it be noted:

- (1) Councillor Stockdale's report had been forwarded and initial telephone discussions held with National Highways by the clerk, including highlighting a potential serious issue concerning one of the bus shelters, and a formal response as to responsibility and action was awaited following consideration.
- (2) North Yorkshire Council's Highways and Integrated Passenger Transport services had already been informed of Councillor Stockdale's verbal summary assessment, including the potential serious issue concerning one of the bus shelters, and a preliminary meeting with the Integrated Passenger Transport service had been held by the clerk by Microsoft Teams.
- (iii) this matter be deferred to the January or February 2024 meeting of the Council, for a formal response as to responsibility and action by National Highways and, if necessary, further liaison with North Yorkshire Council's Highways & Integrated Passenger Transport services.
- (iv) anti-social behaviour, including human waste in and around the stone-built bus shelter near Burtendale Road, and in the brick-built bus shelter on Cayton Low Road, Crossgates, be reported to North Yorkshire Council's hygiene service and the Police.

172 MARKET RENT AND MARKET (ASSET) VALUATIONS

Further to minutes 194(ii) of 14 February 2023 and 116 & 117(i) of 12 September 2023, the Council considered:

- (a) a report by the clerk, concerning a decision taken under the general urgency delegation under Standing Order 15.b xvii. in consultation with the Chairman & Vice-Chairman, to instruct the Council's solicitors concerning the Council's lease with Seamer Sports Association.
- (b) a full Market Valuation and Market Rent Valuation report of the Council's property assets by Cranswicks.
- (c) reviewing rents and fees.
- (d) reviewing the Council's Asset Register.

RESOLVED that:

- (i) the reports be received.
- (ii) the market valuations of The Green and the car park fronting Seamer & Irton War Memorial Hall be noted.
- (iii) the increased market valuations of the Old School, Recreation Ground, Jubilee Allotments and agricultural land be noted.
- (iv) the increased market rental valuations of the Old School House, Old School, Recreation Ground, Jubilee Allotments and some agricultural land be noted.
- (v) the Council's priority be to maintain low rents to community organisations:
 - (1) Seamer Sports Association continue to be supported as a provider of sporting and recreational activities, particularly for children and young people:
 - (a) renewal of the lease of the Recreation Ground be negotiated:
 - (i) subject to legal advice, on equivalent terms, subject to the specification and plans of any new building and/or significant maintenance of any existing building being subject to the approval and permission of the Council.
 - (ii) the clerk be delegated to further instruct the Council's solicitors and undertake negotiations with Seamer Sports Association's Trustees, in consultation with the Chairman and Vice-Chairman.
 - (iii) the Council then consider approving the lease.
 - (iv) rent of the Recreation Ground be not increased.
 - (b) further to minutes 27(b)(vi) of 18 May 2022 and 28(b)(v) of 9 May 2023:
 - (i) Councillor Elbourne be thanked for representing the Council on Seamer Sports Association (Management Committee).
 - (ii) the Council be represented on Seamer Sports Association (Management Committee) by Councillor Sykes.
 - (2) Seamer & District Youth Centre continue to be supported as a community venue, particularly for educational and recreational activities for children and young people:

- (a) rent of the Old School be not increased.
 - (b) use of the Youth Centre and its income and expenditure be explored, to inform the Council's consideration of the lease of the Old School at a future meeting.
- (vi) further to minute 116 of 12 September 2023, concerning agricultural tenancies:
 - (1) the clerk continue to be delegated to further instruct Cranswicks concerning negotiation of the tenancy agreements with James Stockdale Limited, in consultation with the Chairman and Vice-Chairman.
 - (2) the clerk continue to be delegated to further instruct the Council's solicitors and relevant other parties, concerning preparation and execution of the tenancy agreements with James Stockdale Limited and updating of registered titles, in consultation with the Chairman and Vice-Chairman.
- (vii) rents and fees to individuals be increased above compound inflation since 2020/2021, reflecting a greater percentage of (rents) or full (allotment water fees) market value:
 - (1) further to minute 41(a)(ii)(2) of 9 May 2023, the Old School House rent be set at £850 per calendar month ie £10,200 per annum from 30 August 2024.
 - (2) further to minute 87(b) of 9 February 2021, Jubilee Allotment fees for 2024/25 ie from 1 April 2024 to 31 March 2025 be:

All Tenants	Water	Rent	Total
Full Plot	£21.00	£24.00	£45.00
Half Plot	£12.00	£18.00	£30.00
 - (3) with immediate effect, there be a tenancy administration fee of £20 for all new tenants granted a tenancy on the Jubilee Allotments.
- (viii) rents and fees be further reviewed by the Council at the November 2024 meeting, informed by a Letter of Review of the Market Valuation and Market Rent Valuation of the Council's property assets by Cranswicks.
- (ix) the updated Asset Register as at 12 December 2023 be approved, subject to:
 - (1) correction of Jubilee Bench net cost (narrative stated net but actually gross cost).
 - (2) correction of narrative to 4 concrete planters at Crossgates Community Centre.
 - (3) addition of 1m high Bow Top Railing – 44m on 1 side of The Green, Seamer at net cost, with relevant adjustment for the sum insured.

173 FINANCIAL MATTERS

(a) Forward Plan

Further to Financial Regulation 3.3 and minute 155(d)(vi) of 13 December 2022, the Council considered developing a 'forward plan' forecast of revenue and capital receipts and payments, including recommendations for the use of reserves and sources of funding.

RESOLVED that:

- (i) in addition to the annually budgeted receipts and payments, the following be worked up into a forward plan:
 - (1) further to minute 157(a)(ii) of the last meeting, further roofing works for the Old School (Youth Centre) and House for spring/summer 2024, for which the specification be reconsidered at the January 2024 meeting, following completion of remedial works.
 - (2) further to minute 118(a)(i) of 12 September 2023, sale of the Old School (Youth Centre) gates, following completion of necessary repairs and maintenance.
 - (3) further to minute 116(iii) & (iv) of 12 September 2023, rear access to Seamer & Irton Community Primary School, for which a report by the clerk be considered at the next meeting.
 - (4) further to minute 138(b)(vii) of 10 October 2023, replacement of the entire playground equipment at the Recreation Ground.
 - (5) further to minute 146(ii) & (iii) of the last meeting, further development of playground equipment at The Green, to include provision to meet the needs of disabled children.
- (ii) the forward plan be further considered at the March 2024 meeting.

(b) Budget Forecast & Precept for the next financial year 2024/25

RESOLVED that:

- (i) further to Financial Regulations 3.2 - 3.4 and minute 153(c) of the last meeting, the report by the clerk concerning the forecast budget and precept for the forthcoming financial year, 2024/25, be received.
- (ii) further to minute 171(vii)(2) of this meeting, receipts for Allotment Fees be amended to £3,165 in the forecast budget.
- (iii) further to minute 171(vii)(1) of this meeting, receipts for Old School House Rent and payments for Tower Estates Management be amended to £9,900 and £1,188 respectively, in the forecast budget.
- (iv) it be noted:
 - (1) the current year (2023/24)'s precept of £21,000 had been 'frozen' by the Council since 2020/21, since when the Council had invested in community priorities for road safety, parks & open spaces and community resources, and maintained low rents and service charges to community organisations and individuals from reserves.
 - (2) interruptions to project completion due to and immediately following the worst of the COVID-pandemic resulted in the Council's reserves reaching £80,794 (2021/22), reducing with outstanding and new projects completed, including unexpected community resource maintenance, to £28,506 (2022/23) and forecast £22,500 (2023/24).
 - (3) Council reserves should be between 3 and 12 months' planned expenditure but not more than twice the Council's precept and, with planned expenditure circa £55,000 and risks associated with the Council's land and property, Custodian Trusteeships and support to community resources, it was recommended the Council maintain reserves of at least £27,500 (6 months) and ideally £41,250 (9 months).
 - (4) a £21,000 precept represented an average Band D property Council Tax charge of approximately £14.13 (2020/21), £14.22 (2021/22), £13.86 (2022/23), £13.57 (2023/24) and £13.30 (2024/25) per annum (p.a.) per household or 26p per week.
- (v) payments for Web Sites/Maps be amended to £135.42 in the forecast budget.
- (vi) the Council's budget for the forthcoming financial year 1 April 2024 to 31 March 2025 then be approved.
- (vii) the Council's precept for 2024/25 be set at £26,745 being an average Band D property Council Tax charge of approximately £16.93 p.a. per household or 32p per week.
- (viii) the budget and precept maintain the Council's commitment to maintaining low rents to community organisations, but with increases at (precept) or above compound inflation since 2020/2021 reflecting a greater percentage of (rents) or full (allotment water fees) market value for individuals, and committing £5,200 to reserves.
- (ix) it be noted the precept set by the Council for 2024/25 continued to be significantly less than most and less than half of any set by a neighbouring Town/Parish Council for 2023/24: Cayton £76.61, Eastfield £69.85, Irton £56.47, Folkton £53.10, East Ayton £49.51 and Willerby & Staxton £37.71.

174 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 meeting of the Council.

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 shed of height up to 5' x width 3' x depth 2' be approved on a half plot, subject to being placed on concrete slabs and not overshadowing any neighbouring plot.
- (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 159(a)(iv)(2) of 14 November 2023, the tenancy of a plot be terminated early by agreement and notice of claim for damages be rescinded following it being brought up to the proper standard prior to the termination of the tenancy.

The meeting closed at 9.50 pm

The next ordinary meeting of the Council will be held at Crossgates Community Centre, Curlew Drive, Crossgates, Scarborough, YO12 4TL, on 9 January 2024 commencing at 7.00pm

Chairman

9 January 2024