



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 9 January 2024 commencing at 7.00pm.

PRESENT: Councillor L Wallis (Chairman) in the Chair;
Councillors M Coulson, V Milner (Vice-Chairman), M Sykes, J Stockdale;
North Yorkshire Councillor H Phillips, Area Coordinator 9794 Police
Volunteer Mr A Skilbeck and the clerk.

175 APOLOGIES FOR ABSENCE

RESOLVED that:

- (i) apologies for absence given in advance of the meeting by Councillors K Elbourne & J White and Mr A Groves be received.
- (ii) the previously circulated reasons given for absence by Councillors Elbourne and White be approved.
- (iii) it be noted Councillor J Stockdale was absent.

176 DECLARATIONS OF INTEREST

(a) Declarations of interest not already declared under the Council's Code of Conduct or Members' Register of Disclosable Pecuniary Interests

RESOLVED that it be noted no declaration of interest not already declared under the Council's Code of Conduct or Members' Register of Disclosable Pecuniary Interests was received.

(b) Applications for dispensation from restrictions on participation

RESOLVED that the following applications for dispensation be received and approved:

- (i) by Councillor Wallis from restrictions on participation in discussion and voting, as the Chair of Crossgates Community Centre Management Committee as a Trustee of Crossgates Community Centre as a Charity, for a period of 4 years or the next Parish Council Election, whichever is sooner, to be able to report on business relating to and/or affecting Crossgates Community Centre, as relevant to the Council.
- (ii) by Councillor Milner from restrictions on participation in discussion and voting, as the Secretary of the Friends of Seamer Village, which is a voluntary group, for a period of 4 years or the next Parish Council Election, whichever is sooner, to be able to report on business relating to and/or affecting the Friends of Seamer Village, as relevant to the Council.
- (iii) by Councillor Sykes from restrictions on participation in discussion and voting, as the Council's representative to the Seamer Sports Association Management Committee, until the next Annual Meeting of the Council to be arranged and held in May 2024, to be able to report on and represent the Council on business relating to and/or affecting the Seamer Sports Association.

177 MINUTES

RESOLVED that the previously circulated minutes of the meeting of the Council held on 12 December 2023 be approved as a correct record and signed by the Chairman.

178 PUBLIC PARTICIPATION

The following matter was raised by Councillor Coulson on behalf of a member of the public and discussed:

- (a) Responsibility for road surface and drainage issues in Edge Dell.

Councillor Stockdale joined the meeting during discussion of this item and apologised for lateness.

RESOLVED that:

- (i) it be noted:
 - (1) Edge Dell was unadopted by North Yorkshire Council.

- (2) the 3 lighting columns, pavement, verges and 'road' in Edge Dell remained the private responsibility of the land owner(s), which were likely to be the residents.
- (3) all or part of each of the properties on the west side of Edge Dell were in the Parish Council's area but all of the 3 lighting columns, pavement, verges and 'road' were not.
- (ii) Councillor Coulson provide the member of the public's contact details to the clerk to provide a written response.

179 REPORT OF NORTH YORKSHIRE COUNCILLOR H PHILLIPS

The Council considered a verbal report by Councillor Phillips, concerning a budget briefing Councillor Phillips was due to attend on 10 January 2024.

RESOLVED that the report be received.

180 JUBILEE ALLOTMENTS

(a) Tenants' Participation

None.

181 CO-OPTION TO COUNCIL VACANCIES

Further to minutes 70(b) of 12 July 2022 and 127(b) of 8 November 2022, the Council considered the written application of Anthony (Tony) Brian Groves.

RESOLVED that Mr A Groves be co-opted to the office of Councillor to a vacant seat in the Seamer Ward.

182 CORRESPONDENCE

The Council considered the monthly Police Report and a verbal report by Area Coordinator Skilbeck.

RESOLVED that:

- (i) the reports be received, with thanks.
- (ii) increases from the same period of the previous year for offences of burglary & theft and violence against the person, including domestic abuse, be noted.
- (iii) the importance of reporting the detail of all stolen goods to the Police, preferably with the serial numbers of any equipment and the vehicle identification numbers as well as registered numbers of any vehicles, if possible with images, be noted, to enable the Police to publicise stolen goods on social media to deter the sale/purchase on of the items.
- (iv) further to minute 166(ii) of the last meeting, AC Skilbeck's offer to explore the availability of 'Keep off the verges' signs be accepted with thanks.

183 PLANNING MATTERS

(a) Planning Applications

(i) Planning applications considered and resolved under delegation

RESOLVED that, further to Standing Order 15(b)(xv), the following planning applications responded to and responses made to the Planning Authority under delegation since the last meeting be noted:

- (1) ZF23/01806/LB Removal of cement render to rear and side walls and re pointing with lime mortar, 80 Main Street, Seamer.

RESOLVED that no objection and no comment be raised.

- (2) ZF23/01550/FLA Variation of condition 1 (approved plans) in relation to decision reference 22/01106/FL for Demolition of existing dwelling and erection of two storey dwelling with a single storey rear extension, to allow alterations to design and floor layout of dwelling and layout of site, Herdborough Farm, Malton Road, Seamer.

RESOLVED that no objection and no comment be raised.

184 OUTSIDE BODIES

The Council received a verbal report by the Chairman.

RESOLVED that it be noted, with thanks, the Chairman and Vice-Chairman represented the Council at short notice at a reception to thank and wish Revd A Moreland well in his move to a new Parish.

185 FINANCIAL MATTERS**(a) Revision of Budget 2023/24**

Further to minutes 169(a)(iii) & (iv) of the last meeting, the Council considered a report by the Clerk and Responsible Financial Officer, confirming the earmarked reserves and virements within a Revised Budget 2023/24.

RESOLVED that the Revised Budget 2023/24 be approved.

(b) Review of the effectiveness of the Council's system of internal control

Under Financial Regulation 1.5 and further to minute 170(b) of 10 January 2023, the Council considered a report by the Clerk and Responsible Financial Officer, informing and supporting the Council's review of the effectiveness of its system of internal control.

RESOLVED that:

- (i) the statutory proper practices relating to internal control, issued by the Joint Panel on Accountability & Governance within the Practitioners' Guide of March 2023 be noted.
- (ii) it be noted:
 - (1) further to minute 14(a)(i) of 11 April 2023, and under Standing Order 5.q. and item 11(c) of the agenda [minute 185(c)] of this meeting, the Council's Financial Regulations were based on the National Association of Local Council (NALC)'s current model, adapted for the circumstances of the Council and reviewed at least annually by the Council.
 - (2) under Financial Regulations 6.15 & 6.16, and further to minutes 55(d)(iii) of 8 December 2020, 113(a) of 9 March 2021 and 60(b)(ii) of 14 June 2022, the Chairman, Vice-Chairman and Councillor White remained the signatories approved by the Council on the bank mandate to approve transactions, along with the clerk for inputting purposes only.
 - (3) under Financial Regulations 6.15 & 6.16 and further to the monthly schedules of accounts for payment & income received approved by the Council, almost all income and all expenditure transactions were managed through online banking transfer.
 - (4) further to minutes 59(a)(i) of 13 June 2023, 91(c) of 8 August 2023, 136(a)(ii) of 10 October 2023, 153(a)(ii) of 14 November 2023 & 169(b) of 12 December 2023 and the monthly schedules of accounts for payment & income received approved by the Council, credit notes and refunds were recorded as separate transactions within the relevant budget line.
 - (5) further to minute 172(ix) of the last meeting, the Asset Register was approved, reviewed at least annually and updated by the Council.
 - (6) further to minute 75(e) of 11 July 2023, the Risk Assessment and Management incorporating Health & Safety Policy and Procedure were approved and reviewed at least annually by the Council including: data protection & business continuity; land, property & equipment, and financial, employment and decision-making risks.
 - (7) further to minutes 75 of 11 July 2023 and 117(ii) & 122 of 12 September 2023, and under Standing Orders 5.k & m:
 - (a) the employment policies & procedures and insurance cover were approved and reviewed annually by the Council, including appropriate levels of employer liability and officer & trustee indemnity (fidelity) insurance.
 - (b) the Council was registered with HMRC, had Employer PAYE & Accounts Office reference numbers, and used HMRC Basic PAYE Tools for calculating & reporting.
 - (c) the Council was compliant with The Pension Regulator.
 - (8) under Financial Regulation 9.8, and further to minute 39(g)(i) of 9 May 2023 and the monthly schedule of accounts for payment & income received approved by the Council, the Council was not VAT registered but was exempt from VAT as a local authority, had a VAT unique reference number and reclaimed VAT annually on the VAT 126 form.

- (9) under Financial Regulation 2.2, and further to minutes 39(a)(ii) of 9 May 2023, 98(a)(1) of 29 August 2023 and 169(a)(ii)(1) of the last meeting, Councillor Stockdale verified reconciliations of the Council's bank account with a copy of the cash book and original bank statements, confirming no anomalies:
 - (a) to 31 March 2023 on 19 April 2023.
 - (b) to 31 July 2023 on 29 August 2023.
 - (c) to 30 November 2023 on 5 December 2023.
- (10) under Financial Regulations 4.4 & 4.10, and further to minutes 39(f) of 9 May 2023, 91(b) of 8 August 2023, 98(a) of 29 August 2023 and 169(a) of the last meeting and item 11(a) of the agenda [minute 185(a)] of this meeting, the Council regularly reviewed its budget and commitments, and minuted its approval of virements and the earmarking of reserves within revised budgets for the current financial year.
- (11) further to minutes 39(b) of 9 May 2023 and 91(a) of 8 August 2023, the Council received a satisfactory Internal Audit Report and External Auditor Report & Certificate for the previous financial year 2023/23.
- (12) further to minute 156 of 14 November 2023, the Council had appointed an Internal Auditor for the current financial year 2023/24.
- (13) further to minutes 116(d) of 11 October 2022 and 155(e) of 13 December 2022, the Council continued to opt in to the Smaller Authorities' Audit Appointments Limited central external auditor appointment arrangements for smaller authorities.
- (iii) the Council consider its system of internal control to be effective.

(c) Review the Council's Financial Regulations

Under Standing Order 18(b) and further to minute 14(a)(i) of 11 April 2023, the Council reviewed its Financial Regulations for fitness of purpose.

RESOLVED that the Financial Regulations:

- (i) be amended:
 - (1) replacing the word "January" with "December" in paragraphs 3.2 and 3.4, page 5, due to the precept setting process having been brought forward by North Yorkshire Council and the level of precept required being informed by the Council's budget setting process.
 - (2) deleting the word "Community" in paragraph 6.15, page 10, due to the proposed re-designation of the Council's bank account by Barclays.
 - (3) correcting the page references in the front page index:
 - (a) to page 13 for section 10. Orders for work, goods and services.
 - (b) to page 16 for section 15. Insurance.
- (ii) then continue to be fit for purpose and be adopted.
- (iii) be further reviewed by 31 January 2025.

(d) 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 JJ Harrison Landscapes Ltd in the sum of £2,660.16 be approved, for the Ground Maintenance contract, Quarter 4, for which the invoice was received following preparation of the schedule for this meeting, subject to inclusion on the schedule for the next meeting.

186 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, relating to the financial or business affairs of any particular person (including the authority holding that information).

187 OLD SCHOOL (YOUTH CENTRE) / HOUSE**(a) Old School Lease**

Further to minute 172(v)(2)(b) of the last meeting, the Council considered a report by the clerk and income & expenditure reports by Seamer & District Youth Centre for the years ending 31 March 2021, 2022 and 2023.

RESOLVED that:

- (i) the reports be received.
- (ii) the clerk be delegated:
 - (1) to instruct the Council's solicitors for initial legal advice on the status of the held over lease, and options and how best to proceed in the current circumstances, in consultation with the Chairman and Vice-Chairman.
 - (2) subject to the initial legal advice, and in consultation and with the Chairman & Vice-Chairman, to meet with representatives of the Seamer & District Youth Centre Management Committee to consider the Youth Centre's governance, usage, income and expenditure, and any other relevant matters identified relating to the Youth Centre and any lease and/or arrangements for the Old School.
 - (3) to further instruct the Council's solicitors, for further legal advice on options and how best to proceed, based on the outcomes of the meeting with representatives of the Seamer & District Youth Centre Management Committee and any other relevant information relating to the Youth Centre and any lease and/or arrangements for the Old School, in consultation with the Chairman and Vice-Chairman.
 - (4) subject to the further legal advice, and consultation with all Members of the Council and then the Chairman & Vice-Chairman, to undertake negotiations with representatives of the Seamer & District Youth Centre Management Committee and/or representatives of the regular users of the Youth Centre concerning any lease and/or arrangements for the Old School.
- (iii) any decision having the effect to grant, vary or terminate any lease for the Old School then be subject to the approval of the Council.

(b) Maintenance: Roofing

Further to minutes 157(a)(i)(2) & (ii) of 14 November 2023 & 173(a)(i)(1) of the last meeting, the Council considered a report by the clerk.

(i) Urgent works to be undertaken on a temporary basis for the winter 2023/24

RESOLVED that the clerk be delegated to prepare, approve and submit an application for an allocation from Councillor Phillips' Locality Budget towards the current remedial works, in consultation with the Chairman and Vice-Chairman.

(ii) Remaining specification for works to be undertaken spring/summer 2024

RESOLVED that this matter be deferred to a future meeting, following completion of the urgent remedial works, closer inspection of the roof and suitable progress towards resolution of any lease and/or arrangements for the Old School.

(c) Old School House Letting and Management

Further to minutes 100(b) of 29 August 2023, 118(b) of 12 September 2023 and 139(b) of 10 October 2023, the Council considered establishing a Letting Policy and Procedure.

RESOLVED that:

- (i) it be noted:
 - (1) this was the 4th meeting within 6 months at which establishing a Letting Policy and Procedure had been proposed by some Members and considered by the Council.
 - (2) Members had been given one month and then a further two months' notice to consider, in advance of meetings, what any Letting Policy and Procedure should contain.
 - (3) no proposed content had been circulated by any Member of the Council to all Members and the clerk for this meeting, as previously resolved, for consideration of establishing a Letting Policy and Procedure.

- (ii) with reference to Standing Order 7, this matter be deferred for one final time only, for Members of the Council to consider and circulate to all Members and the clerk what any Letting Policy and Procedure should contain, for further consideration at the 12 March 2024 meeting.

188 GROUNDS MAINTENANCE CONTRACT 2024/25+

Further to minute 173(ii) of 10 January 2023, the Council considered requirements and seeking quotations for the contract from 1 April 2024.

RESOLVED that:

- (i) the Schedules 1 – 3 be approved without amendment from 2022/23+.
- (ii) quotations be sought for 2024/25 for consideration at the next meeting of the Council, with an option to extend for a 2nd year by agreement of both parties, subject to inflation, for 2025/26.

189 ALTERNATIVE ACCESS TO SEAMER & IRTON COMMUNITY PRIMARY SCHOOL

Further to minutes 20 of 11 April 2023, 116(iii) & (iv) of 12 September 2023 and 173(a)(i)(3) of the last meeting, the Council considered a report by the clerk.

RESOLVED that:

- (i) further scoping of a footpath 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, to public right of way standards ie a compacted hard surface short of tarmac, raised/cambered to effect drainage and without lighting, be approved:
 - (1) if possible, incorporating re-routing of the existing public right of way across the same field.
 - (2) the clerk continue to be delegated to work up the project in liaison with North Yorkshire Council Highways & Public Rights of Way teams, the Headteacher of Seamer & Irton Community Primary School and James Stockdale Ltd, in consultation with the Chairman and Vice-Chairman.
 - (3) to include specifications, full and contingency costings and options for funding, for consideration by the Council at a future meeting.

190 PUBLIC SEATS

Further to minute 140 of 10 October 2023, the Council considered a report by the clerk.

(a) Stoney Haggs Road – replacement bench and bin

RESOLVED that:

- (i) the outline plan for replacement of the bench on a concrete base in a gap in the boundary hedge just off the highway on Stoney Haggs Road, in front of the houses to be built on the current sales office site, funded by Vistry Group trading as Linden Homes, with the Council to provide planters at each end of the bench, and with the relevant small piece of land on which the bench and planters are to be based to be transferred to the ownership of the Council, be approved.
- (ii) it be noted installation of the hedge, concrete base, bench and planters would not be completed until the final stage of the housing development but agreed arrangements needed to be made for this.
- (iii) JW Joinery Ltd's updated estimate for manufacture and installation of the new bench, on a concrete base to be installed by Vistry Group t/a Linden Homes, be accepted based on the original order placed by the Council with JW Joinery Ltd on 7 April 2021 but delayed following changes in personnel and pending further communication with the developer.
- (iv) it be noted Scarborough Borough Council, now North Yorkshire Council, had agreed to replace their bin near but not too close to the bench, once installed.
- (v) the clerk be delegated, in consultation with the Chairman and Vice-Chairman, as follows:
 - (1) to negotiate the final details for the manufacture, siting of and payment for the bench, with Vistry Group trading as Linden Homes.

- (2) to instruct the Council's Solicitor concerning transfer of the ownership of the small piece of land under the concrete base for the bench and planters, following which under Standing Order 23 the Chairman & Vice-Chairman be authorised to sign such deed as legally advised and the Proper Officer to witness their signatures.
- (3) to place an order with JW Joinery Ltd for manufacture and installation of the new bench on a concrete base to be installed by Vistry Group t/a Linden Homes, subject to payment for the bench by the developer.
- (4) to place an order for suitable planters to be sited at each end of the bench on the concrete base.
- (5) to arrange installation of a replacement bin by North Yorkshire Council.

(b) Green at top of Curlew Drive, Green Finch Close/Heron Lane/Station Road, Crossgates

RESOLVED that

- (i) JW Joinery Ltd's estimate for manufacture and installation of a new bench on the green at the top of Curlew Drive, boundaried by Green Finch Close, Heron Lane and Station Road, Crossgates be approved, based on the previous bench contract on the same site and extension of the current Old School roofing contract.
- (ii) the clerk be delegated:
 - (1) to prepare, approve and submit an application for an allocation from Councillor Phillips' Locality Budget towards the new bench, in consultation with the Chairman and Vice-Chairman.
 - (2) to agree and sign a general overarching licence with North Yorkshire Council, to erect benches and notice boards within the Parish Council's area on equivalent terms to the recent licences with Scarborough Borough Council, subject to subsequent agreement of the siting and any particular arrangements for each item between the Councils under this delegation in consultation with all Members of the Council and then the Chairman & Vice-Chairman.
 - (3) to confirm the siting and arrangements for the additional bench on the green at the top of Curlew Drive, boundaried by Green Finch Close, Heron Lane and Station Road, Crossgates, in consultation with the Chairman and Vice-Chairman.
 - (4) subject to licence and allocation from Councillor Phillips' Locality Budget, to place an order for manufacture and installation of the bench with JW Joinery Ltd, in consultation with the Chairman and Vice-Chairman.

The meeting closed at 8:50 pm

The next ordinary meeting of the Council will be held at Seamer & Irton War Memorial Hall, Main Street, Seamer, Scarborough, YO12 4QD, on 13 February 2024 commencing at 7.00pm

Chairman

13 February 2024