



# SEAMER PARISH COUNCIL

[www.seamercrossgates.org.uk](http://www.seamercrossgates.org.uk)

**MINUTES:** of the Meeting of the Council held at Seamer & Irton War Memorial Hall, Main Street, Seamer, Scarborough, YO12 4QD on 8 August 2023 commencing at 7.00pm.

**PRESENT:** Councillor L Wallis (Chairman) in the Chair;  
Councillors M Coulson, K Elbourne, V Milner (Vice-Chairman), M Sykes, J Stockdale and J White;  
North Yorkshire Councillor H Phillips, 3 members of the public and the clerk.

## 79 APOLOGIES FOR ABSENCE

RESOLVED that:

- (i) apologies for lateness given in advance of the meeting by North Yorkshire Councillor H Phillips be received.
- (ii) it be noted Councillor J Stockdale was absent.

## 80 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.

*Councillor Stockdale joined the meeting at this point and gave apologies for lateness.*

## 81 MINUTES

RESOLVED that the previously circulated minutes of the meeting of the Council held on 11 July 2023 be approved as a correct record and signed by the Chairman.

## 82 PUBLIC PARTICIPATION

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

- (a) Further to minutes 68(a) and (ii) & (iii) of 11 the last meeting, sufficiency of drainage and maintenance, and refurbishment of sandbags, Stapleton Close, Seamer, following flooding 2002 & 2017/18 and recent 'flash' flooding overwhelming the drains.

*Councillor Phillips joined the meeting during discussion of the above item.*

- (b) Overgrowing of the hedge on the south side of the B1261 between the rear of the Dawney Close and Byward Drive cul-de-sacs, Crossgates.
- (c) Overgrowing of a tree on the north side of the B1261 Scarborough Road on the Crossgates side of the junction with Stoney Haggs Road, Seamer.
- (d) Parking payment by electronic app only at Seamer Station.
- (e) Grounds maintenance:
  - (i) Grass cutting short of the boundary wall outside the Old Vicarage, on the B1261 Main Street, opposite St Martin's Church, Seamer.
  - (ii) Warning signage not deployed when trimming the hedges and strimming back grass / undergrowth on both sides of Chew Lane, from Metes Lane/Pasture Lane to Main Street, Seamer.

RESOLVED that:

- (i) Councillor Phillips' offer to further take up the sufficiency of drainage and maintenance, and refurbishment of sandbags, Stapleton Close, Seamer, with relevant North Yorkshire Council Officers be accepted with thanks.
- (ii) responsibility for the overgrowing hedge on the south side of the B1261 between the rear of the Dawney Close and Byward Drive cul-de-sacs, Crossgates be established and a request be made to maintain it.

- (iii) responsibility for the overgrowing tree on the north side of the B1261 Scarborough Road on the Crossgates side of the junction with Stoney Haggs Road, Seamer be established and a request be made to maintain it.
- (iv) it be noted customers at Seamer and Scarborough stations could purchase their car parking tickets via the APCOA Connect app or website for periods of one day or more.
- (v) the grounds maintenance issues be raised with the Council's contractor.

### **83 REPORT OF COUNTY COUNCILLOR H PHILLIPS**

The Council considered a verbal report by Councillor Phillips.

RESOLVED that:

- (i) it be noted, further to minute 64(i) of the last meeting, Councillor Phillips' apologies for absence were due to her attendance at a meeting of the National Association of Local Councils (NALC) Assembly in London, as the North Yorkshire representative of the Yorkshire Local Councils Associations (YLCA) Joint Executive Board.
- (ii) it be noted with thanks Councillor Phillips was continuing to work towards:
  - (1) further to minute 6(iv) of 11 April 2023, reinstatement of the post box in Beacon Road, Seamer.
  - (2) further to minute 7(ii) of 11 April 2023, permission for the Friends of Seamer Village to go onto and undertake maintenance, including weed spraying on the roundabout at Main Street, Seamer.
  - (3) further to minutes 49(iii) & (iv) of 13 June 2023, maintenance of a GP Surgery and increased primary health care availability in Seamer, particularly given Section 106 funding from the Linden Homes' Northfield Meadows development.
- (iii) the Council consider making any further requests for assistance with projects to benefit residents from Councillor Phillips' Locality Budget.

### **84 JUBILEE ALLOTMENTS**

- (a) **Tenants' Participation**  
None.

### **85 COUNCIL POLICIES**

The Council considered a report by the clerk, approving and adopting a Press and Media Policy and reviewing the Council's Policy on Recording at Council Meetings.

#### **(a) Press and Media Policy**

RESOLVED that, further to Standing Order 5.I, the draft Press and Media Policy be approved and adopted.

#### **(b) Policy on Recording at Council Meetings**

RESOLVED that, further to minutes 63(c) & (ii) of 11 August 2015, the Policy on Recording at Council Meetings continue to be approved, subject to:

- (i) extending its remit to meetings of the Parish Meeting as well as meetings of the Council.
- (ii) incorporating it within the Council's current document header.
- (iii) amending Standing Order 5.I to annually review the Policy on Recording at Council Meetings and Parish Meetings at the same time as the Press and Media Policy.

### **86 PARISH CHARTER**

Further to minute 203(i) of 14 March 2023, the Council considered adopting the Parish Charter.

RESOLVED that:

- (i) further to minutes 203(i)(3), (4), (5), (10) & (11) of 14 March 2023, the issues raised by the Council as the basis for the Council's intention to formally adopt a final version of the charter be not resolved in the 1<sup>st</sup> bullet points in paragraphs 5.3 & 6.2 and the 2<sup>nd</sup> bullet point in paragraph 7.3 of the charter.
- (ii) in addition, the Council be concerned as to the potential breadth rather than focussed role and remit of unelected community partnerships/networks in paragraph 4.7 of the charter.
- (iii) the Parish Charter be not adopted.

**87 LOCAL TRANSPORT PLAN**

The Council considered responding to the North Yorkshire Council Local Transport Plan engagement for stakeholders survey.

RESOLVED that the responses to the consultation, as appended, be submitted.

**88 CORRESPONDENCE**

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

- (a) Monthly Police Report.
- (b) Reply of North Yorkshire Police Traffic Bureau: Speed Concern – Stoney Haggs Road, Seamer.
- (c) Enquiry re: fence posts installed on land near the Manor House monument.

RESOLVED that:

- (i) the report and correspondence be received.
- (ii) North Yorkshire Police's continued commitment to implementing Safety Camera vehicle enforcement within the 30mph stretch and its consideration of Safety Camera vehicle enforcement within the national speed limit 60mph stretch of Stoney Haggs Road, Seamer be noted with thanks.

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

- (i) ZF23/00634/FL Extension to existing unit, Unit 3C Orchard Court, Dunslow Road, Eastfield.

RESOLVED that no objection and no comment be raised.

- (ii) 23/00207/HS Proposed double garage and bike shed, 46 Main Street, Seamer.

RESOLVED that no objection and no comment be raised.

- (iii) further to minutes 15(a)(i)(2) of 4 May 2021 and 57(a)(i)(1) of 13 June 2023:

- (1) ZF23/01200/FL The erection of two single garages, Land On The North West Side Of Dawnay Close, Crossgates.

RESOLVED that the Council:

- (a) objects to the application on the grounds of:

- (i) the increasing overdevelopment of the site.

- (ii) highway safety, given:

1. the consequent reduction of space and flexibility for off road parking on the site.
2. the consequent likelihood of on road parking on the busy 40mph B1261:
  - a. in immediate proximity to road junctions and bus stops in both directions, and proximity to a blind summit approach and egress from the busy 'Byways' Scarborough Road, Station Road, Curlew Drive roundabout.
  - b. within an area assessed and approved by the North Yorkshire Council Highways Authority, based on assessment by North Yorkshire Police under the Speed Management Protocol, for the deployment of vehicle activated signs in both directions.
  - c. within an area assessed and approved by North Yorkshire Police under the Speed Management Protocol, for the deployment of Community Speed Watch in both directions.

- (b) notes with concern the effective disregard of the Council's legitimate objections and concerns in the approval of the previous related case.

**90 OUTSIDE BODIES**

No reports received from representatives on outside bodies.

## 91 FINANCIAL MATTERS

### (a) External Auditor Report and Certificate 2022/23

RESOLVED that:

- (i) the External Auditor Report and Certificate 2022/23 be received and noted.
- (ii) the draft Notice of conclusion of audit be approved for publication.

### (b) Budget Update 2023/24 April to July

RESOLVED that, further to Financial Regulation 4.10 and minutes 39(f) of 9 May 2023, 61(a)(iv) of 13 June 2023 and 77(a)(ix) of 11 July 2023:

- (i) the actual payments and income received, with a full year forecast against annual budget for the period 1 April - 31 July 2023, be received and noted.
- (ii) the most significant issues in the budget update be noted:
  - (1) the loss of rental income for the Old School House due to vacancy and maintenance pending re-letting.
  - (2) commitments to roofing repairs and general maintenance of the Old School/House.
  - (3) £10,385 existing commitment of reserves, having significantly reduced the availability of reserves through planned expenditure in the previous financial year.
- (iii) £2,206 additional land rents and more VAT recovered than would be expended in the current financial year be noted.
- (iv) caution be exercised before committing further reserves.
- (v) savings in budget be considered to fully offset the loss of rental income and reduce the existing commitment of reserves where feasible.
- (vi) the commitment to Community Grants be reduced to zero, based on the community benefit of the unexpected need and level of expenditure on the Old School/Youth Centre roofing/maintenance and the proposed maintenance of one or more of the stone built Bus Shelters on the B1261.
- (vii) further to minutes 91(b)(v) & (vi) and Financial Regulation 4.4:
  - (1) £200 be vired, being £10 from the Training budget, £100 from the Members' Expenses budget and £90 from the Members' Printer Inks budget, and committed to the Insurance budget.
  - (2) £45 be vired from the Postage budget and committed £10 to the Stationery Mags Misc budget, £10 to the Audit Fee budget, £10 to the Memorial Hall – Hire of Hall budget and £15 to the Crossgates Community Ctre – Hire of Room budget.
  - (3) £95 be vired from the The Green – Electricity budget to the Audit Fee budget.
  - (4) further to minutes 39(f)(ii)(3)(a) of 9 May 2023, 61(a)(iv) of 13 June 2023 and 77(a)(ix) of 11 July 2023, £2,000 be vired from the Community Grant budget to the Old School/House – Repairs/Improvements budget, reducing the commitment from reserves of £4,190 to £2,190.
  - (5) £500 be vired from the Community Grant budget to the Bus Shelters budget.
  - (6) £310 be vired from the Old School/House – Tower Estates Management budget to the Repairs/Improvements budget.
  - (7) further to minutes 39(f)(ii)(3)(b) & (4)(b) of 9 May 2023, £495 be vired, being £50 from the Members' Training & Conference budget, £320 from the Allotments Maintenance budget, £25 from the FOSV – grounds maintenance budget and £100 from The Green Equipment/Maintenance budget, and committed to the Parks & Open Spaces budget, reducing the commitment from reserves of £1,595 to £1,100.
  - (8) further to minute 39(f)(ii)(4)(c) of 9 May 2023, the commitment from reserves of £1,000 to the Public Seats budget be reduced by £100 to £900.
  - (9) further to minutes 39(f)(i) & (ii)(4)(d) of 9 May 2023, the commitment of reserves of £1,500 to the Other Celebrations/Events budget be reduced by £100 to £1,400.
- (viii) the Council receive a report by the Clerk & Responsible Financial Officer at the next meeting, confirming the earmarked reserves and virements within the revised budget.

**(c) Accounts for payment and income received**

RESOLVED that the accounts received for payment and income received since the last meeting be approved.

**92 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 and/or which was likely to reveal the identity of any individual [*minute 93(a)(iii) & (iv)*].
- (b) relating to the financial or business affairs of any particular person (including the authority holding that information) [*minutes 93(a) & 94(a)*].
- (c) 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 [*minute 93(a)(iv)*].
  - (ii) to make an order or direction under any enactment [*minute 93(a)(iv)*].

**93 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.

RESOLVED that:

- (i) further to minutes 67(iii) & (iv) of the last meeting, 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) the cutting down and disposal of a bush to reduce shading on a plot be approved, subject to first checking for and preserving wildlife.
- (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 118(iii)(2) of 11 October 2022, notices of termination of a tenancy by re-entry by the Council in 3 weeks and claim for damages by the Council to engage a contractor to undertake remaining tasks if not brought up to the proper standard by then, be issued to the relevant tenant in respect of a half-plot for which the Council raised such concerns and notices in 2019/ 20, 2021/22, 2022/23 and now 2023/24.
  - (2) further to minute 118(iii)(1) of 11 October 2022, a requirement to bring a plot up to the proper standard be issued to the relevant tenant, with notice of termination of their tenancy 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, notwithstanding the Council having raised such concerns and notices in 2021/22, 2022/23 and now 2023/24.
  - (3) requirements to bring 2 plots up to the proper standard be issued to the relevant tenants, with notices of termination of their respective tenancies by re-entry by the Council if not completed within 4 weeks of the notices and notices of claims for damages by the Council to engage a contractor to undertake remaining tasks if not completed in the event of the termination of their respective tenancies.

**94 OLD SCHOOL (YOUTH CENTRE)/HOUSE****(a) Maintenance: Sale of Gates**

RESOLVED that, further to minute 77(a)(viii) of the last meeting, this item be deferred to the next meeting for a verbal report by Councillor Stockdale.

*The meeting closed at 8:47 pm*

The next ordinary meeting of the Council will be held at Crossgates Community Centre, Curlew Drive, Crossgates, Scarborough, YO12 4TL, on 12 September 2023 commencing at 7.00pm

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*Chairman*

*29 August 2023*