



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 14 February 2023 commencing at 7.00pm.

PRESENT: Councillor L Wallis (Chairman) in the Chair;
Councillors, V Milner (Vice-Chairman), D Raine, WH Smith and J White;
County Councillor H Phillips, 3 members of the public and the clerk.

175 APOLOGIES FOR ABSENCE

RESOLVED that:

- (i) apologies for absence given in advance of the meeting by Councillor K Elbourne be received.
- (ii) the previously circulated reasons given for absence by Councillor Elbourne be approved.

176 DECLARATIONS OF INTEREST

(a) Declaration 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 so declared was received.

(b) Applications for dispensation from restrictions on participation

RESOLVED that an application for dispensation:

- (i) by Councillor Wallis:
 - (1) from restrictions on participation in discussion and voting, as the Council's representative to the Crossgates Community Centre Management Committee, and therefore a Trustee of Crossgates Community Centre as a Charity and having been appointed as its Chairman, until the next Annual Meeting of the Council to be arranged and held in May 2023, to be able to report on and represent the Council on Council business relating to and/or affecting Crossgates Community Centre, be approved.
 - (2) from restrictions on participation in discussion and voting, as one of the Council's two representatives to the Yorkshire Local Council Associations (YLCA) Scarborough Branch, until the next Annual Meeting of the Council to be arranged and held in May 2023, to be able to report on and represent the Council on Council business relating to and/or affecting the Yorkshire Local Council Associations (YLCA) Scarborough Branch, be approved.
- (ii) by Councillor Milner from restrictions on participation in discussion and voting, as the Council's representative to the Northern Villages Community and Police (CaP) Group, until the next Annual Meeting of the Council to be arranged and held in May 2023, to be able to report on and represent the Council on Council business relating to and/or affecting the Northern Villages Community and Police (CaP) Group, be approved.
- (iii) by Councillor White from restrictions on participation in discussion and voting, as the Council's representative to the Seamer & Irton War Memorial Hall Management Committee and therefore a Trustee of Seamer & Irton War Memorial Hall as a Charity, until the next Annual Meeting of the Council to be arranged and held in May 2023, to be able to report on and represent the Council on Council business relating to and/or affecting Seamer & Irton War Memorial Hall, be approved.

177 MINUTES

RESOLVED that the previously circulated minutes of the meeting of the Council held on 10 January 2023 be approved as a correct record and signed by the Chairman.

178 PUBLIC PARTICIPATION

The following matters were raised by or on behalf of members of the public and discussed:

- (a) Thanks expressed to Councillor Stockdale for the good work of Creating Solutions Limited in replacing fencing next to Crossgates Community Centre.

- (b) Broken glass bottles on Long Lane, towards and at the Seamer end, and at the Borough Council's children's playground behind Magpie Garth, Crossgates, reported by the Chairman.
- (c) Urine, broken glass and litter in the brick built bus shelter on the B1261, Station Road/Cayton Low Road, Crossgates, reported by Councillor Raine.
- (d) Verbal abuse to adults wanting to use the outdoor gym equipment at Magpie Garth, Crossgates, reported by Councillor White.

RESOLVED that:

- (i) the contributions of members of the public be received, with thanks.
- (ii) it be noted the broken glass bottles on Long Lane and at the playground behind Magpie Garth had been reported to the Borough Council.
- (iii) the anti-social behaviour be raised at the next Police Meeting.
- (iv) it be noted action could be taken against retailers by Trading Standards, if there was evidence of alcohol being sold to young people under the age of 18 years.

179 REPORT OF COUNTY COUNCILLOR H PHILLIPS

Councillor Phillips reported on:

- (a) the tidying up of a tree next to St Martin's Church by volunteers, with thanks but before Borough or County Council staff had reached and deal with it.
- (b) the forthcoming budget setting process meetings of the County Council.
- (c) the last full Council meeting of the Borough Council, to be held on 20 March 2023.
- (d) the Borough Council's purchase of social housing for Ukrainian families.

RESOLVED that the verbal report be received, with thanks.

180 JUBILEE ALLOTMENTS

(a) Tenants' Participation

The following matters were raised by Members of the Allotments Working Group on behalf of tenants and discussed:

- (i) The giving up of the tenancy of a plot with a pond having been created on it.
- (ii) Rats nesting under sheds.
- (iii) A greenhouse window frame with broken glass left under the table next to the noticeboard.

RESOLVED that:

- (1) further to clauses 6.a) "to keep the Allotment Garden clean and in a good state of fertility and cultivation" and 6.e) "not erect a shed, greenhouse or other building or structure on the Allotment Garden without first obtaining the Council's written consent and if appropriate planning permission" of the tenancy agreement, the outgoing tenant be responsible for making good the plot by filling in any pond unless the incoming tenant agree to take on responsibility for the pond.
- (2) it be noted many tenants use traps and/or poison under their sheds to prevent rats nesting and to contribute to the collective management of vermin on the site.
- (3) further to clauses 6.a) "to keep the Allotment Garden clean and in a good state of fertility and cultivation" and 6.b) "not cause a nuisance or annoyance to the owners or occupiers of land adjoining the Allotment Garden" of the tenancy agreement, all tenants be politely reminded of their responsibility to prevent rats nesting under any shed or structure on their plot.
- (4) the offer by a tenant to remove the greenhouse window frame with broken glass to the tip be accepted with thanks.

181 STANDING ORDERS

RESOLVED that, further to minute 121 of 8 February 2022, this item be deferred for consideration by Members and:

- (a) review by the Council;
- (b) consideration of amending SO 5.j to more efficiently rationalise Council business; at the next meeting.

182 CENTURION WAY COMMUNITY WOODLAND

Further to minute 32 of 18 May 2022, the Council considered a report by the Chairman of the Centurion Way Community Woodland Working Group.

RESOLVED that:

- (i) the report be received with thanks.
- (ii) the scheduled delivery of 420 saplings from the Woodland Trust be noted.
- (iii) an application for a £5,000 Lottery Community Fund grant made under delegation under minute 100(iv) of 14 December 2021 be noted.
- (iv) a decision taken under delegation under minute 32(iv) of 18 May 2022 to approve the following be noted:
 - (1) the placing of an order for 2,500 tree whips in the sum of £1,722.80 + VAT.
 - (2) the placing of an order for fruit trees in the sum of £458.50 (zero VAT).
 - (3) the commitment of up to £300.00 for sundries to support planting eg compost, stakes.
- (v) public information signage installed on Centurion Way and some initial enquiries received from 3 members of the public wishing to volunteer be noted, with thanks.
- (vi) it be noted planting sessions were being arranged during March 2023 with Seamer & Irton Community Primary School, Seamer & Irton Guides and Derwent Valley Scout Group, and separately with adult Conservation Volunteers co-ordinated via the Borough Council.
- (vii) the offer by the Friends of Seamer Village to assist with planting be accepted with thanks.
- (viii) further publicity of the project and requests for community volunteers be considered by the Working Group.
- (ix) additional signage, requesting dogs be kept away from the areas of newly planted trees be considered by the Working Group.

183 CORONATION OF THEIR MAJESTIES KING CHARLES III AND THE QUEEN CONSORT

Further to minute 164(a)(i)(2) of the last meeting, the Council considered establishing a Coronation Celebrations Working Group.

RESOLVED that:

- (i) the additional bank holiday on Monday 8 May to mark the Coronation on 6 May 2023 be noted.
- (ii) the approval of Councillor Phillips' County Council Locality Budget grant in the sum of £1,000 for entertainment and food to celebrate the Coronation be noted with thanks.
- (iii) a Coronation Celebrations time limited 'task and finish' Working Group of the Council be established.
- (iv) the offers by Councillors Milner and Wallis to be the Councillor Members of the Working Group be accepted with thanks and they be duly appointed.
- (v) County Councillor Phillips' agreement to be an appointed partner Member of the Working Group be accepted with thanks and Councillor Phillips be duly appointed.
- (vi) the draft Terms of Reference for the Coronation Celebrations Working Group:
 - (1) be amended:
 - (a) at paragraph 2(a) to "The Councillor Members of the Working Group be Councillors V Milner and L Wallis" and to delete sub-paragraphs (i) - (iii).
 - (b) at paragraph 2(b) to "County Councillor H Phillips be an appointed partner Member of the Working Group".
 - (c) at paragraph 2(c) to "Appointment of the other partner Members of the Working Group be delegated to the Clerk & Responsible Financial Officer, in consultation with the Councillor Members of the Working Group".
 - (d) to insert a new paragraph 2(d) "The Chairman be appointed by the Members, as the first item of business of the first meeting of the Working Group."
 - (e) at paragraph 3(a) to delete "Chairman, Vice-Chairman and" and "as Members of the Council,".
 - (2) then be approved and signed by the Chairman.

184 HIGHWAYS**(a) Byward Drive Parking**

Councillor Raine confirmed his registered Disclosable Pecuniary Interest in his home in Byward Drive, although this matter did not directly relate to his Disclosable Pecuniary Interest.

Further to minute 147(i) of 13 December 2023, the Council reconsidered the need for parking restrictions, following the Seamer Station (Levelling Up) Access grant application being unsuccessful.

RESOLVED that Councillor Phillips' offer to discuss the issue of parking restrictions for Byward Drive and Plover Gardens, Crossgates with the County Council's Highways Customer Communications Officer be accepted with thanks.

(b) Deterioration in kerbs, embankments and ruts near junction Seamer Moor Lane & A170

RESOLVED that, further to minute 147(ii) of 13 December 2023, this item be deferred to the next meeting for discussion by Councillor Phillips with the County Council's Highways Customer Communications Officer.

(c) Vehicle Activated Sign (VAS)

The Council considered a verbal report by the clerk.

RESOLVED that it be noted a temporary connection fault on the 40mph VAS between Musham Bank and the Byways appeared to have been resolved but, in the case of a recurrence, an engineer visit would be arranged under the extended warranty.

185 CORRESPONDENCE

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

- (a) Further to minutes 155(c)(iii) and 158(iv) of 13 December 2022, thanks expressed by Seamer Sports Association for the financial backing of the Council through the Community Fund grant and Rent Review outcome.
- (b) Further to minutes 155(c)(i)(1) of 13 December 2022, thanks expressed by Crossgates Community Centre for the generous support of the Council through the Community Fund grant.
- (c) Monthly Police Report.
- (d) Cyber Security Workshops Poster.
- (e) Consultation on Draft Scarborough Borough Local Plan (Review).
- (f) North Yorkshire County Council's intention to adopt the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976.
- (g) Help Needed For Forest Runner Dalby Forest.
- (h) Draft Parish Charter Consultation.

RESOLVED that:

- (i) the reports and correspondence be received.
- (ii) the thanks expressed by Seamer Sports Association be noted.
- (iii) the thanks expressed by Crossgates Community Centre be noted.
- (iv) the Help Needed For Forest Runner Dalby Forest be posted on the Council's Facebook page.
- (v) further to minute 144(a)(i) of 13 December 2022, the Draft Parish Charter Consultation be considered at the next meeting.

186 PLANNING MATTERS**(a) Planning Applications****(i) Applications considered and resolved under delegation**

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

- (1) 22/02427/TD Proposed 5G telecoms installation: H3G 20m street pole and additional equipment cabinets, Cayton Low Road Street Works, Eastfield.

RESOLVED that no objection and no comment be raised.

(ii) Current application(s)

- (1) 22/02525/HS Erection of 2 storey side extension to and garage to front, Cornerways, Ratten Row, Seamer.

RESOLVED that no objection and no comment be raised.

(iii) Application withdrawn

- (1) 22/00837/FL Change of use from farm buildings to light industrial units, Herdborough [House] Farm Malton Road Seamer

RESOLVED that, further to minute 114(a)(i)(1) of 11 October 2022, it be noted the application had been withdrawn and no further action would be taken upon it.

187 OUTSIDE BODIES

(a) Seamer & Irton War Memorial Hall

The Council considered a verbal report by Councillor White.

RESOLVED that:

- (i) The verbal report be received, with thanks.
- (ii) it be noted the Chairman of the Management Committee intended to resign and not accept re-election at the forthcoming Annual General Meeting.
- (iii) the Annual General Meeting and need for Management Committee Members and a Chairman be posted on the Council's Facebook page.
- (iv) it be noted the toilet and drainage works were due to be undertaken from Friday 17 to Monday 20 February 2023.

(b) YLCA Scarborough Branch

The Council considered a verbal report by the Chairman

RESOLVED that:

- (i) the verbal report be received, with thanks.
- (ii) it be noted the next meeting of the Branch was scheduled for 1 June 2023.

188 FINANCIAL MATTERS

(a) Accounts for payment and income received

RESOLVED that:

- (i) the accounts received for payment and income received since the last meeting be approved.
- (ii) payments to Neil Barnes Landscape Services for invoices received after completion of the schedule be approved:
 - (1) in the sum of £395.00 for the provision, installation and removal of Christmas trees and lights, subject to inclusion on the schedule for the next meeting.
 - (2) in the sum of £370.00 for the checking and re-supply of road salt/grit bins and the movement and checking of vehicle activated signs, subject to inclusion on the schedule for the next meeting.
- (iii) payment to Mrs H Groves in the sum of £125.44 be approved, for the supply of electricity for Christmas lights, subject to inclusion on the schedule for the next meeting.
- (iv) payment to Seamer & Irton War Memorial Hall in the sum of £30.00 be approved, for room hire for this meeting, subject to inclusion on the schedule for the next meeting.

189 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) which was likely to reveal the identity of an individual [*minute 191*].
- (b) relating to the financial or business affairs of any particular person (including the authority holding that information) [*minutes 190 – 194*].

190 JUBILEE ALLOTMENTS**(a) Allotments Maintenance: Water Supply – Additional fittings and structures**

Further to minute 143(iv) of 8 November 2022, the Council considered a report by the clerk.

RESOLVED that:

- (i) the report be received.
- (ii) the updated Tenancy Agreement be approved for issue for all new tenancies.
- (iii) the issuing of the revised and additional rules under clause 7 of the Tenancy Agreement, to be observed for all existing tenancies within three months of the date on which notice of the additional rules is issued, with reasons, be approved.
- (iv) further to minute 35(b) of 10 August 2021, installation of reduced pressure zone (RPZ) valve backflow preventers, within suitable structures, in each of the supplies from the mains be no longer approved.
- (v) further to minutes 92(b)(ii)(3) of 9 August 2022 and 170(a) of the last meeting, the £2,500 commitment to reduced pressure zone (RPZ) valve backflow preventers, within suitable structures, be no longer carried forward from 2021/2022 in the Allotments Maintenance budget from reserves.
- (vi) further to minute 77(d)(i)(2) of 9 November 2021, arrangements be confirmed with Councillor Stockdale to turn the mains water supply back on.

191 OLD SCHOOL HOUSE

The Council considered a verbal report by the clerk and related quotations for maintenance:

(a) Loft insulation

RESOLVED that it be noted the Agent had engaged their Energy experts to see whether there was anything which could be done through the Government schemes.

(b) Roofing

RESOLVED that it be noted the Agent had experienced difficulty in engaging a builder/roofer, but an inspection and quotation were now awaited.

(c) Replacement cooker

RESOLVED that the quotation of Tim Lyndon Appliances be accepted and the Agent authorised to place the order.

(d) Refelting shed roof

RESOLVED that the quotation of Very Handy Property Services be accepted and the Agent authorised to place the order.

192 PLAYGROUNDS AND EQUIPMENT

The Council considered a verbal report by the clerk concerning maintenance and installations, and any related quotations received:

(a) Recreation Ground playground

RESOLVED that, further to minute 141(b)(i) of 8 November 2022, it be noted quotations were awaited from Miracle Design & Play Ltd concerning the Multiplay:

- (i) to send the correct tool for the barrier fitting, either to be retained or returned.
- (ii) as a contingency, to replace the fitting into the red barrier.
- (iii) if the fitting alone could not be replaced, to replace the barrier and its fittings.

(b) The Green playground

RESOLVED that:

- (i) further to minute 172(b)(i) of the last meeting, to note the pedestrian guardrail installation was completed by Lee Thornton trading as LTS on 12 January 2023.
- (ii) further to minute 172(b)(ii) of the last meeting, to note the fitting on the Burma Bridge on the Balance Trail was re-tightened by Wicksteed Leisure Ltd on 13 February 2023.
- (iii) it be noted the spindle and platform of the Tempest carousel/roundabout was 'juddering' when turning and:
 - (1) the bearings, upper & lower, were replaced during the major refurbishment in 2019.

- (2) HAGS-SMP Limited reported their workmanship had a one-year warranty and any repairs carried out did not reset the warranty period.
- (3) HAGS-SMP Limited's Technical Manager believed the movement in the platform/spindle was coming from beneath the platform and it may just need tightening up or something similar.
- (4) an engineer site visit had been booked for 24 February 2023 to investigate the movement in the roundabout, by lifting off the platform and fully checking the spindle.
- (5) it was not considered necessary to close and fence off the equipment as the defect could not cause injury or significant further damage to the equipment.

(c) Outdoor Gyms

RESOLVED that:

- (i) further to minutes 164(a)(i)(1) & 172(a) of the last meeting, the groundworks to the installation at the Recreation Ground was completed in January 2023.
- (ii) further to minutes 128(i) of 8 November 2022 and 164(a)(i)(1) of the last meeting, it be noted graphics for the user information and workout recommendations for each piece of equipment were awaited from Wicksteed Leisure Ltd, for inclusion in the new signage.

193 NOTICEBOARDS

The Council considered a verbal report by the clerk.

RESOLVED that:

- (i) it be noted:
 - (1) the clerk understood the noticeboards to be within exempt limits for Local Authorities but a "Do I need Planning Permission" enquiry for the replacement and additional noticeboards was pending with the Borough Council.
 - (2) a Licence had been agreed in principle with the Borough Council for the noticeboards to be installed on Hadrian's Walk, Curlew Drive and Eastgate Park, Stoney Haggs Road, subject to Planning advice and the standard £50 contribution.
 - (3) a County Council Licence would be required for the Pasture Lane noticeboard, whether the existing or replacement noticeboard, the latter subject to Planning advice, and the County Council had indicated agreement to this in principle.
 - (4) the Borough Council had confirmed it did not own the stone built bus shelters on the B1261 and the County Council had not previously acknowledged ownership of such bus shelters but reported that ownership of bus shelters on the A64 was particularly unclear and difficult to establish, which the clerk considered was likely to include those in question on the previous route of the A64.
- (ii) under Financial Regulation 11.1. a) iv and further to minutes 155(b)(vii) & (viii) and 157(ii)(1) of 13 December 2022, consideration of the installation of the noticeboards be deferred for receipt and consideration of a quotation from Stockdale Construction Ltd.
- (iii) quotations for repair of the similar stone built bus shelter on the B1261 between the Byways and Musham Bank roundabouts be sought for consideration at the next meeting.

194 MARKET RENT AND MARKET (ASSET) VALUATIONS

Further to minute 158(v) and (vi) of 13 December 2022, the Council:

- (a) considered a further letter of analysis and advice by Cranswicks concerning the Council's Agricultural Land Holdings.
- (b) reviewed agricultural rents.

RESOLVED that:

- (i) Cranswicks be instructed to:
 - (1) issue notice to a current tenant at the appropriate time to terminate the existing Agricultural Tenancies Act (1995) Tenancy.
 - (2) negotiate a new updated tenancy agreement with the current tenant on as favourable rent to the Council as may reasonably be achieved.
- (ii) all rents be further reviewed by the Council in November 2023, informed by a full market rent and market (asset) valuation report by Cranswicks.

The meeting closed at 9:10 pm

The next meeting of the Council will be held at Crossgates Community Centre, Curlew Drive, Crossgates, Scarborough, YO12 4TL, on 14 March 2023 commencing at 7.00pm

Chairman

14 March 2023