



SEAMER PARISH COUNCIL

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 13 August 2024 commencing at 7.00pm.

PRESENT: Councillor L Wallis (Chairman) in the Chair;
Councillors M Coulson, A Groves, V Milner (Vice-Chairman), J Stockdale, M Sykes and J White;
North Yorkshire Councillor H Phillips and the clerk.

72 APOLOGIES FOR ABSENCE

RESOLVED that it be noted Councillor Stockdale was absent.

73 DECLARATIONS OF INTEREST

RESOLVED that the following 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.
- (iii) 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 matters concerning the Jubilee Allotments.
- (iv) further to minute 22(c)(ii)(2)(b) of 14 May 2024, Councillor Sykes' declared other interest and the Council's approved dispensation from restrictions on participation in discussion and voting in matters concerning Seamer Sports Association.

74 MINUTES

RESOLVED that the previously circulated minutes of the meeting of the Council held on 9 July 2024 be approved as a correct record and signed by the Chairman.

75 PUBLIC PARTICIPATION

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

- (a) Building materials tipped and washed down highway gullies on Byward Drive and Roxby Gardens, Crossgates, including a quantity of limestone tipped on the road prior to use.

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

RESOLVED that:

- (i) it be noted North Yorkshire Council could charge and/or take legal action against offenders tipping building materials in highway gutters and gullies, provided good evidence including images with details were reported in a timely manner.
- (ii) Councillor Phillips' offer to raise these matters for consideration by North Yorkshire Council Highways service be accepted with thanks.

76 REPORT OF NORTH YORKSHIRE COUNCILLOR H PHILLIPS

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

- (a) North Yorkshire Council's Let's talk Food consultation.
- (b) Further to minute 47(a)(ii)(1) of 14 September 2021, an application for non-material amendment in relation to decision reference 21/01919/FL, to allow alterations to the internal track route, construction compound location, substation and septic tank location, fencing position, transformer number and location and solar panel specification at Eastgate Solar Farm, Eastgate House Farm, Stoney Hags Road, Seamer.
- (c) Correspondence from a resident about heavy goods vehicles travelling at speed on Main Street, Seamer.
- (d) Further to minute 61(a) of the last meeting, the advice of the Highways service concerning vehicles turning into the Jubilee Allotments site from Seamer.

RESOLVED that:

- (i) the verbal report be received with thanks.
- (ii) it be noted:
 - (1) heavy goods vehicles could not be prohibited from using Main Street, Seamer.
 - (2) speed enforcement was undertaken on Main Street, Seamer by North Yorkshire Police.
 - (3) the entrance to the Jubilee Allotments site was not a junction and was not concealed in highway terms, as the visibility was in excess of 150 metres in either direction, and there was no suitable highway sign that could be used in this situation.
 - (4) drivers leaving Seamer and turning into the Jubilee Allotments should assess what vehicles were following them out of Seamer, and then signal and slow down early enough to warn the drivers behind that they would be turning into the allotments.
 - (5) drivers leaving Seamer should choose an appropriate speed so they could slow down or stop easily for traffic either turning left into the Jubilee Allotments or Four Oaks or turning right just before the bridge over the railway.

77 JUBILEE ALLOTMENTS

(a) Tenants' Participation

None.

78 COMMUNITY EVENTS AND ENGAGEMENT

(a) Best Kept Gardens and Allotments Competition

Further to minute 63(a)(i) of the last meeting, the Council considered verbal reports by Councillor Stockdale and the Chairman.

RESOLVED that:

- (i) the Enclosed Gardens, Open Gardens and Bell Close Gardens sections of the competition be not held in 2024.
- (ii) arrangements be made for presentations in the Allotment section of the competition to be made at the next meeting.
- (iii) arrangements for a Best Kept Gardens and Allotments Competition 2025 be considered at the March 2025 meeting of the Council.

(b) Other options for community events and engagement

Further to minute 63(v) of the last meeting, the Council considered establishing a Working Group, including terms of reference and Councillors' membership.

RESOLVED that:

- (i) a Community Engagement Working Group of the Council be established.
- (ii) Councillor M Coulson be an appointed Member & Chairman and Councillors A Groves & M Sykes appointed Members of the Working Group.
- (iii) The following terms of reference be approved:

Purpose

- (1) The Community Engagement Working Group (the Working Group) be a Standing Working Group of the Council, to undertake the following functions hereby delegated to the Working Group by the Council:
 - (a) To research, consider and advise the Council in such matters and to such extent as consistent with these terms of reference in full.
 - (b) To consider options and promote opportunities for:
 - (i) Publicising the work of the Council.
 - (ii) Events and activities to engage with residents of the Council's area.
 - (c) To make arrangements for such events and activities, subject to the prior approval and specific delegation of the Council.

Membership

- (2) The Working Group be of 3 Members, all of whom be current Members of the Council:
 - (a) an appointed Member & Chairman of the Working Group.

- (b) 2 other appointed Members of the Working Group.
- (c) appointed at the Annual Meeting of the Council.
- (d) pursuant to minute 78(b)(ii) of 13 August 2024, until the next Annual Meeting of the Council, Councillor M Coulson be an appointed Member & Chairman and Councillors A Groves & M Sykes appointed Members of the Working Group.

Governance

- (3) The Code of Conduct, Standing Orders, Financial Regulations and Policies of the Council be applied in full to the Chairman and Members of the Working Group, as Members of the Council, unless otherwise specified in these Terms of Reference.
- (4) The Council may at any time make a resolution and undertake any matter delegated within or amend these Terms of Reference or dissolve the Working Group.

79 FUNDRAISING EVENT FOR STUDENTS IN F1 IN SCHOOL COMPETITION WORLD FINALS

Further to minute 64(iii) of the last meeting, the Council considered a verbal report by the clerk and approving arrangements for fundraising for Scarborough University Technical College (UTC) students living in the Council's area competing in the F1 In School world finals.

RESOLVED that:

- (i) it be noted:
 - (1) the Council's insurers' guidance confirmed "all third parties need to have their own insurance in place and the organiser should keep a copy on their files."
 - (2) a copy of the Department for Education's confirmation of current risk protection arrangement (RPA) membership for Scarborough UTC, with covering correspondence from the Finance and Admissions Officer of Scarborough UTC to the event organiser had been received, as an alternative to insurance through which the cost of risks that materialise would be covered by government funds, including Employer's Liability, Third Party Public Liability, Professional Indemnity and Property Damage.
 - (3) a copy of correspondence from the Principal of Scarborough UTC to the event organiser had been received, specifically confirming young people "carrying out events as part of fundraising for college this will be covered under college insurance."
 - (4) the proposed event was to be held on The Green, Seamer on Saturday 24 August 2024, with set up from approximately 10.00am to open at 12.00noon.
 - (5) the timing was to coincide with and compliment an event at The Mayfield, Seamer, by mutual agreement.
 - (6) all providers and participating organisations were required by the event organiser to provide proof of their own current Public Liability Insurance.
 - (7) subject to minutes 79(i)(1)-(6) above, it was proposed the event would include:
 - (a) a commercially provided Bouncy Castle.
 - (b) community group and organisational stalls, including:
 - (i) Friends of Seamer Village – information leaflets only.
 - (ii) North Yorkshire Council Fostering & Adoption Services – information leaflets only.
 - (iii) Tombola.
 - (iv) Crafts etc.
- (ii) the fundraising event for Scarborough University Technical College (UTC) students living in the Council's area competing in the F1 In School world finals event be approved, as specified in minute 79(i) of this meeting, above.

80 CORRESPONDENCE

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

- (a) Monthly Police Report.

RESOLVED that:

- (i) the report be received.

- (ii) it be noted an update/feedback report following the Travellers Horse Fair had been requested.
- (iii) it be noted an increase in visible police patrolling had been observed by Members of the Council, including foot patrols.
- (iv) a letter be sent to PC G Bilton, Rural Neighbourhood Ward Manager and Wildlife Crime Officer, in appreciation of his police service and support to the Council, and wishing him well in his retirement.

81 PLANNING MATTERS

(a) Planning Applications

(i) Applications considered and resolved under delegation

RESOLVED that the following planning applications responded to and the responses made to the Planning Authority under delegation since the last meeting be noted:

- (1) in the spirit of the specific urgency delegation under Standing Order 15(b)(xv) but abridged under the general urgency delegation under Standing Order 15(b)(xvii):
 - (a) ZF24/00957/TD Replacement of existing antennas with 6 no. new antennas, installation of 2 no. transmission dishes, removal of 3 no. equipment cabinets, installation of 3 no. new equipment cabinets located within existing equipment cabin, and ancillary thereto development, Land at Dale Power & Solutions, Salter Road, Eastfield.

RESOLVED that no objection and no comment be raised.

- (2) under the specific urgency delegation under Standing Order 15(b)(xv):
 - (a) ZF24/00918/HS Erection of porch extension to front elevation, 39 Heron Lane, Crossgates.

RESOLVED that no objection and no comment be raised.

(ii) Current applications

- (1) ZF24/01066/HS Proposed single storey rear extension, 19 Abbots Garth, Seamer.
Resolved that no objection and no comment be raised.
- (2) ZF24/00923/HS Erection of two storey rear extension, formation of full-width rear dormer with juliet balcony, erection of front bay window and installation of rooflights to front roof slope, Evandale, Crossgates.

Resolved that no objection and no comment be raised.

(iii) Application withdrawn

RESOLVED that, further to minute 57(a)(ii)(2) of 13 June 2023, the withdrawal of the following application be noted:

- (1) 23/00212/FL Conversion of agriculture buildings to storage (Use Class B8) and light industrial (Use Class B2), demolition of 4no agriculture buildings and formation of HGV trailer parking area, Herdborough Farm, Malton Road, Seamer.

82 OUTSIDE BODIES

(a) Seamer Sports Association

Further to minute 66(b) of the last meeting, the Council considered verbal reports by Councillor Sykes and the clerk, concerning Section 106 funding towards the provision of and/or improvements to public open space and sports facilities at Seamer, from Linden Limited's Northfield Meadows development.

RESOLVED that:

- (i) it be noted:
 - (1) a meeting of Seamer Sports Association Management Committee held on 12 August 2024 had no further information concerning an application or business case.
 - (2) liaison with North Yorkshire Council's Major Projects Officer – Planning and Community Assets & Engagement Manager confirmed:
 - (a) £174,799.39 funding towards the provision of and/or improvements to public open space and sports facilities at Seamer.

- (b) no current application had been received from Seamer Sports Association.
 - (c) the Parish Council would usually be consulted in considering any application and would be consulted as the landowner in the case of Seamer Sports Association.
 - (d) the funding could include outdoor gym facilities but not children's playground facilities, which were a separate requirement of the Section 106 agreement.
- (3) clarification had been requested of North Yorkshire Council as to the restriction of the funding to Seamer village or to the Parish Council's area, including Crossgates.
- (4) further to minutes 126(v) - (vii) of 10 October 2023 and 199(iii) of 13 February 2024, Seamer Sports Association was entitled to prohibit dogs from its playing fields but could only enforce it by private legal action.
- (5) the maintenance of the hedges each side of Seamer Sports Association's access road were the responsibility of the respective neighbouring landowners ie Beyond Housing in respect of Bell Close and the land opposite from Pasture Lane until approximately the footpath from Bell Close, and the new landowner for the majority of the access road up to and behind the clubhouse.

83 FINANCIAL MATTERS

(a) Financial Regulations

Further to minute 67(a) of the last meeting, the Council considered updated draft Financial Regulations, based on the 2024 revised National Association of Local Council (NALC)'s model template.

RESOLVED that:

- (i) future years' proposed draft budgets be prepared and considered along with a forecast for 1 further financial year (Financial Regulations 4.2, 4.4 and 4.5).
- (ii) procurement for contracts estimated to exceed £60,000 including VAT be subject to seeking formal tenders (Financial Regulation 5.6).
- (iii) procurement for contracts greater than £5,000 excluding VAT be subject to seeking at least 3 fixed-price quotes (Financial Regulation 5.8).
- (iv) procurement where the value is between £100 and £5,000 excluding VAT be subject to trying to obtain 3 estimates, which might include evidence of online prices, or recent prices from regular suppliers (Financial Regulation 5.9).
- (v) the authority of the council be required to purchase or otherwise acquire, sell, lease or otherwise dispose of any tangible moveable property but a written report be not required where the estimated value of any one item does not exceed £100 (Financial Regulation 16.5).
- (vi) the updated draft Financial Regulations then be approved and adopted.

(b) Accounts for payment and income received

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

84 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 and consultations or negotiations in connection with any labour relations matter arising between the authority and an employee [*minute 90*].
- (b) which was likely to reveal the identity of an individual [*minute 89(a)*].
- (c) relating to the financial or business affairs of any particular person (including the authority holding that information) [*minutes 85 to 90*].

85 BUDGET UPDATE 2024/25 APRIL TO JULY

RESOLVED that further to Financial Regulation 2.7 [formerly 4.10], and minutes 11(e) of 9 April 2024, 32(h) of 14 May 2024 and 51(b)(i)(3) of 11 June 2024:

- (i) the actual payments and income received, with a full year forecast against annual budget for the period 1 April to 31 July 2024, be received and noted.

- (ii) it be noted:
- (1) further to Financial Regulation 2.6 [formerly 2.2] and minute 22(a)(ii) of 14 May 2024, Councillor Coulson had verified and signed the bank reconciliations and original bank statements for the period 1 April to 31 July 2024, with no exceptions to report.
 - (2) the Revised Budget – April 2024 included £103.20 increased North Yorkshire Council (NYC) Grounds Maintenance receipts, which offset the Highway Verges budget in the same sum.
 - (3) forecast receipts were increased:
 - (a) by £775.00 Old School House Rent, being rent due on 30 March 2024 (2023/24) received on 2 April 2024 (2024/25), as the due date occurred over a weekend.
 - (b) further to minute 51(b)(i)(5) of 11 June 2024, by £2,500.00 Miscellaneous receipts, being North Yorkshire Council Locality Budget funding towards re-roofing the Old School flat roofs, which was received on 13 August 2024.
 - (4) forecast additional expenditure:
 - (a) further to minutes 172(v)(1)(a) & (vi) of 12 December 2023, 206 of 13 February 2024, 14 of 9 April 2024 and 69(a) of the last meeting, of £10,371.00 Legal Fees reflected renewal of Deeds and conveyancing, including £4,450.00 for surveying.
 - (b) further to minutes 69(b)(i)(1) & (ii) of the last meeting, of £1,005.00 Old School/House Repairs/Improvements reflected removal of the central gate pillar and pedestrian gate and reinstatement of the drive surface at the Old School, and internal maintenance at the Old School House.
 - (5) this would reduce un-earmarked general reserves to £25,244.88 at 31 March 2025 year end if unchecked but the Council had existing confidential plans to offset this.
- (iii) further to Financial Regulation 2.8:
- (1) the Old School House Rent receipts budget be increased by £775.00 and this offset the Old School/House Repairs/Improvements budget in the same sum.
 - (2) the Miscellaneous receipts budget be increased by £2,500.00, and this offset the Old School/House Repairs/Improvements budget in the same sum.
 - (3) £8.00 be vired from the Office Equipment budget to the Office Printer Inks budget.
 - (4) £1,042.75 be vired, being £18.25 from the Clerk Office Allowance budget, £50.00 from the Training budget, £19.50 from the Office Equipment budget, £190.00 from the Audit Fee budget, £100.00 from the Members' Expenses budget, £100.00 from the Members' Training & Conference budget, £40.00 from the Memorial Hall – Hire of Hall budget, £335.00 from the Allotments Maintenance budget, £50.00 from The Green – Friends of Seamer Village (FoSV) – grounds maintenance budget, £50.00 from The Green – Equipment/Maintenance budget and £90.00 from the Public Seats budget, and committed along with a further £9,328.25 earmarked reserves to the Legal Fees budget.
 - (5) the commitment of earmarked reserves to the Old School/House Repairs/Improvements budget be reduced by £2,270.00 to £7,980.00
- (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.

86 ASSET INSPECTION SCHEDULE

RESOLVED that, further to minutes 54(iii) - (v) of 13 June 2023, 15(iii) - (v) of 9 April 2024, 52 & 54 of 11 June 2024 and 70 of the last meeting:

- (i) the Asset Inspection Schedule and Playground Routine Inspection Checklists of 31 July 2024 be received and noted.
- (ii) it be noted:
 - (1) the next annual programme of routine public seat maintenance be considered by the Council at the April 2025 meeting.
 - (2) arrangements for the maintenance of playground equipment be considered by the Council under agenda item 17(b)(ii) [minute 88] of this meeting.

- (3) the 30mph Vehicle Activate Sign usually sited on Stoney Haggs Road, Seamer had failed and been returned to the manufacturer for full inspection, test and repair under warranty.
- (4) Councillors Stockdale and White would move the road salt/grit bin from Londesborough Park to Centurion Way, at the end of footpath to Long Lane, Crossgates, when able.

87 **INSURANCE**

Further to Standing Order 5.m. and minutes 117(ii) of 12 September 2023 & 67(b) of the last meeting, the Council considered arrangements for insurance cover in respect of all insurable risks.

RESOLVED that:

- (i) the restructured and updated asset register be approved.
- (ii) the standard Core Cover, Optional Cover Extension and Business Interruption cover levels be approved.
- (iii) the proposed Buildings/Premises cover level be approved.
- (iv) the proposed Contents cover, as amended as follows, be approved:
 - (1) increasing General Content cover to £2,560.
 - (2) reducing Street Furniture cover to £46,500.
 - (3) increasing Gate & Fences cover to £17,890.
- (v) it be noted each Member of the Council confirmed no Declaration statement applied to them.
- (vi) the premium for the forthcoming insurance renewal period be considered at the next meeting.

88 **PLAYGROUNDS, OUTDOOR GYMS AND EQUIPMENT**

Further to minute 70(iv) of the last meeting, the Council considered arrangements for the maintenance and annual inspection of playgrounds, outdoor gyms and equipment.

RESOLVED that:

- (i) it be noted, with thanks, Councillor White had removed a snapped chain from the Swing – Tyre at the Recreation Ground, Seamer, following the asset inspection, on 31 July 2024.
- (ii) a decision taken under the general urgency delegation under Standing Order 15.b xvii, in consultation with all Members and then the Chairman & Vice-Chairman be noted, to accept an offer from LJ Property & Gardening Services to fell and remove a dead cherry tree from the Green, Seamer, subject to confirmation of relevant current insurances and on condition of closing the park and cordoning off the outside area for the duration of the works.
- (iii) Councillor Groves' offer to re-inspect and consider repairing the pedestrian gate and picnic tables at The Green be accepted with thanks.
- (iv) Councillor Stockdale's offer to remove the remaining chains and tyre from the Swing – Tyre at the Recreation Ground be accepted with thanks.
- (v) Councillor Stockdale's offer to re-inspect and adjust the chains to level a seat cradle and lubricate the shackles on the Swing – Toddler, and remove exposed nails and replace missing fence slats between the Multiplay-Toddler & Swing – Junior at The Green be accepted with thanks.
- (vi) Councillor Stockdale's report to the Council on alternative options for maintenance, following re-inspection of the Multiplay-Toddler & Rocker - Seesaw - Gullwing at The Green and the Multiplay & Swing – Tyre at the Recreation Ground, be deferred to the next meeting.
- (vii) Seamer Sports Association be requested to replace the broken gas cabinet at the Recreation Ground.
- (viii) an order be placed with RoSPA Play Safety for the annual inspections of the playgrounds and outdoor gyms.

89 **JUBILEE ALLOTMENTS**

(a) **Matters resolved under delegation**

Further to Financial Regulation 5.15. iii. [formerly 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) the report be received.
- (ii) it be noted the following decisions 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) the relevant tenant of a plot be written to with requirements to bring the plot up to the proper standard within 2 weeks, with further requirements to follow if not completed with notices of termination of their tenancy and claim for damages by the Council if not then resolved.
 - (2) the relevant tenants of 3 plots be written to with requirements to bring the plots up to the proper standard within 3 weeks, with further requirements to follow if not completed with notices of termination of their tenancy and claim for damages by the Council if not then resolved.
 - (3) the relevant tenants of 2 plots be written to, advising that a further serious and material breach of the tenancy agreement concerning a fire would result in the termination of their tenancy by the Council.
 - (4) the relevant tenants of 5 plots be written to with requirements to maintain their fences within 3 weeks.
 - (5) the relevant tenants of 5 plots be written to with requirements to remove a collective hose and make their own arrangement for water use on their plot within 2 weeks, with further requirements to follow if not completed with notices of termination of their tenancy and claim for damages by the Council if not then resolved.

90 CLERK AND RESPONSIBLE FINANCIAL OFFICER'S CONTRACT OF EMPLOYMENT AND TERMS & CONDITIONS

Further to the Internal Auditor's Recommendation 9 and minutes 20 of 12 April 2022, 208(i) of 13 February 2024, 49(b)(vii) of 11 June 2024, and 71(d) & (e) of the last meeting, the Council considered a draft letter specifying revised terms and conditions and consequent amendments to the Clerk and Responsible Financial Officer (RFO)'s contract of employment.

RESOLVED that:

- (i) the Clerk and RFO's working hours be increased to an average of 24.25 hours per week on a permanent basis from 1 April 2024, including a requirement to work full time 37 hours per week during the first 6 weeks from 1 April each year, other than in exceptional circumstances approved by the Council.
- (ii) the Clerk & RFO's salary be increased by 4 scale points, within Level 1 of the pay scale, from 1 April 2024.
- (iii) the thorough review undertaken of the responsibilities of the role be considered by the Council meeting in April 2025, in reviewing the Clerk & RFO's salary from 1 April 2025.
- (iv) annual reviews of the Clerk & RFO's salary from 1 April then be conducted by the Council meeting in April each year.
- (v) a further £2,744.86 earmarked reserves be committed in total between the Clerk Salary (net) and TAX & NIC budgets.
- (vi) the Salary section of the letter be amended to reflect minutes 90(iii) & (iv) of this meeting, above.
- (vii) the letter then be approved and signed by the Chairman.

The meeting closed at 9:25 pm.

The next ordinary meeting of the Council will be held at Crossgates Community Centre, Curlew Drive, Crossgates, Scarborough, YO12 4TP, on 10 September 2024 commencing at 7.00pm.