



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 9 April 2024 commencing at 7.05pm.

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

1 APOLOGIES FOR ABSENCE

RESOLVED that:

- (i) apologies for absence given in advance of the meeting by Councillors V Milner (Vice-Chairman) and M Sykes be received.
- (ii) the previously circulated reasons given for absence by Councillors Milner and Sykes be approved.
- (iii) apologies for lateness given in advance of the meeting by Councillor Stockdale be received.
- (iv) apologies for lateness by the clerk, delaying the start of the meeting to 7.05pm, be noted.

2 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.

3 MINUTES

RESOLVED that the previously circulated minutes of the meeting of the Council held on 12 March 2024 be approved as a correct record and signed by the Chairman.

4 PUBLIC PARTICIPATION

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

- (a) Cyclists using the footpaths on the B1261 between Musham Bank and the Byways.

RESOLVED that:

- (i) it be noted:
 - (1) cyclists using the footpaths instead of the cycle lanes caused a hazard to pedestrians.
 - (2) the build up of excess gravel in the cycle lanes caused a hazard to cyclists.
- (ii) Councillor Phillips' offer to request the regular road sweeping of the cycle lane on the B1261 by North Yorkshire Council Highways service be accepted with thanks.

5 REPORT OF NORTH YORKSHIRE COUNCILLOR H PHILLIPS

The Council considered a verbal report by Councillor Phillips.

RESOLVED that:

- (i) the verbal report be received, with thanks.
- (ii) it be noted:
 - (1) Councillor Phillips had received similar communication from a resident about the volume of agricultural traffic and the size of vehicles using Ratten Row, Seamer, as referred to in the correspondence to the Parish Council and in reply from North Yorkshire Council's Highways Customer Communications Officer at item 8(d) on the agenda [minute 8(d)] of this meeting.
 - (2) a deep pothole in Byward Drive, Crossgates had been repaired promptly.
 - (3) there was a lack of Councillors in a number of Parish Councils across the county.
 - (4) North Yorkshire Council started the new financial year with a £30 million deficit.

Councillor Stockdale joined the meeting at this point and apologised for lateness.

6 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) the report be received.
- (ii) further to minutes 128(a)(i) & (ii) of 10 October 2023, it be noted the following decisions were taken under Standing Order 15. b xviii. and Financial Regulation 4.1.d), in consultation with the Members of the Allotments Working Group and then the Chairman and Vice-Chairman:
 - (1) under Financial Regulation 11.1(a)(iv), as an extension to the existing contract to move and re-install Vehicle Activated Signs between approved sites, estimates be accepted and orders be placed with Neil Barnes Landscape Services:
 - (a) to re-fence the manure area and fence the chippings area, for completion of the works and invoicing before close of business on Thursday 28 March 2024, to include using 8 half round posts provided by the Council.
 - (b) to collect & apply a quantity of MOT Type 1 hardcore and collect, use & return an approximately 320mm Petrol Vibrating Plate Compactor, to be purchased and hired, respectively, by the Council, to fill in the potholes to the entrance track, only, for completion of the works and invoicing as soon as possible after Easter.
 - (2) the effective reinstatement of the surface, currently covered by grass/weed/mud, at the start of the parking area be further considered under delegation in consultation with the Members of the Allotments Working Group and then the Chairman and Vice-Chairman.
- (iii) it be noted the following decisions were 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 be approved on a half plot, subject to being placed on concrete slabs and not overshadowing any neighbouring plot.
 - (2) a greenhouse be approved on a plot, subject to the frame being placed on concrete blocks or slabs, and not overshadowing any neighbouring plot.
 - (3) a dwarf apple tree be approved on a plot, subject to planting just in front of, in the same area as, other existing fruit bushes.
 - (4) a 4m x 3m x 2m polytunnel and a 2m x 2m x 2m shed be approved on a plot, subject to the polytunnel being sited on the south side of the plot, the shed being placed on concrete slabs near the gate & communal path, and neither structure overshadowing any neighbouring plot.

(b) Tenants' Participation

None.

7 PUBLICATION SCHEME

Further to minute 129 of 10 October 2023, the Council considered approving and adopting a Publication Scheme under the Freedom of Information Act 2000.

RESOLVED that:

- (i) the Publication Scheme be approved and adopted.
- (ii) it be noted the Council's website provider was in the process of updating the functionality of the presentation of drop-down menus for sub-pages from mobile devices.
- (iii) the clerk be delegated to make and approve necessary temporary and permanent amendments to the Publication Scheme, subject to reporting to a future meeting.

8 CORRESPONDENCE

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

- (a) Monthly Police Report.

- (b) Expanded timetables and £1 youth fares under £3.5m bus pilot.
- (c) Underage drinking and anti-social behaviour survey - closing date 30 April 2024.
- (d) Ratten Row: E-mail from Resident & reply from North Yorkshire Council Highways.

RESOLVED that:

- (i) the reports and correspondence be received.
- (ii) the Council's support for the expanded timetables and £1 youth fares bus pilot be noted.
- (iii) it be noted the underage drinking and anti-social behaviour survey was available on the Consultations page of the Council's website.
- (iv) further to minute 5(ii)(1) of this meeting, the response of North Yorkshire Council's Highways Customer Communications Officer about the volume of agricultural traffic and the size of vehicles using Ratten Row, Seamer be noted.

9 PLANNING MATTERS

RESOLVED that it be noted no statutory consultations on planning matters had been received by the Council since the publication of the agenda for the last meeting.

10 OUTSIDE BODIES

No reports were received from representatives on outside bodies.

11 FINANCIAL MATTERS

(a) Revision of Budget 2023/24

Further to minutes 219(a)(iii) - (vi) of the last meeting, the Council considered a report by the Clerk and Responsible Financial Officer, confirming the virements within a Revised Budget 2023/24.

RESOLVED that the Revised Budget 2023/24 be received and approved.

(b) Accounts for payment and income received 13 - 31 March 2024

Further to minute 219(c) of the last meeting, the Council considered accounts received for payment and income received 13 - 31 March 2024.

RESOLVED that:

- (i) the report be received.
- (ii) it be noted the Employers' National Insurance Contributions and interest for the period 6 August to 5 September 2023 was not paid on 11 March, as stated on the schedule for the last meeting, but on 13 March including a further £0.05 interest, for which an exception report was made by the Clerk and Responsible Financial Officer by e-mail to all Members of the Council under Financial Regulation 6.16 on 13 March 2024.
- (iii) the accounts received for payment and income received 13 - 31 March 2024 and approved under delegation be noted.

(c) Accounts 2023/24

RESOLVED that:

- (i) the Budget Update for the outturn of 2023/24 be received.
- (ii) the unaudited Accounts 2023/24 be received.
- (iii) it be noted the Budget Update, Annual Internal Audit Report, Governance Statement, Accounts and Accounting Statement would be considered at the next meeting.

(d) Urban Highway Grass Cutting 2024/2025

RESOLVED that, further to minutes 173(b)(vi) of 12 December 2023 & 205(i) of 13 February 2024 and under Standing Order 15. b xvii & Financial Regulation 4.1 f), the Council's agreement under the general urgency delegation of the Council, in consultation with the Chairman & Vice-Chairman be noted, to continue to undertake urban highway grass cutting and the contract sum of £1,652.65 with North Yorkshire Council for 2024/2025,

(e) Revised Budget 2024/2025

Further to minute 173(b)(i) - (vi) of 12 December 2023, the Council considered a report by the Clerk and Responsible Financial Officer, recommending a Revised Budget for the current financial year 2024/25.

RESOLVED that the Revised Budget 2024/25 be received and approved, comprising:

- (i) inclusion of the Precept of £26,745.00 and VAT Recovered receipts of £4,315.21
 - (ii) deletion of the Guide Adverts receipts, as no longer required.
 - (iii) further to minute 11(d) above, increase in the NYC Grounds Maintenance receipt to £1,652.65
 - (iv) deletion of the Members Printer Inks budget, as no longer required.
 - (v) in budget virements of:
 - (1) £30.00 from Stationary Mags Misc to Postage, following stamps used in 2023/24.
 - (2) £17.00 from Office Printer Inks to YLCA Subs, based on actual cost.
 - (3) £250.00 from Allotments – water rates to Allotments Maintenance, reflecting improved infrastructure, controls and more accurate billing, for the delayed maintenance of the access track and parking area.
 - (4) £800.00 from Other Celebrations/Events to Playground Equipment Insp/Repairs, as no further event was committed to in year, and rubbing down and repainting had been delayed due to winter weather in 2023/24.
 - (vi) £4,194.00 commitments earmarked from reserves brought forward from 2023-2024, being:
 - (1) further to minute 169(a)(iii)(5) of 12 December 2023, £2,004.00 Legal Fees for renewal of deeds and conveyancing, which were ongoing.
 - (2) further to minute 91(b)(vii)(4) of 8 August 2023, £2,190.00 Old School/House Repairs/Improvements for roofing £3,285.00, for which £2,000.00 Locality budget funding was received in 2023/24, and maintenance.
 - (vii) £3,456.80 new commitments earmarked from reserves, being:
 - (1) further to minute 11(e)(v)(2) of this meeting, £810.00 Old School/House Repairs/Improvements for maintenance.
 - (2) £896.80 Highway Verges for the Grounds Maintenance contract price, which was part offset by the increased NYC Grounds Maintenance receipt.
 - (3) 1,750.00 Pubic Seats for the £1,120.00 second bench on the green at the top of Curlew Drive, Crossgates, for which £1,000.00 Locality Budget funding was received in 2023/24, and maintenance required.
- (f) Review of the Council's and/or staff subscriptions to other bodies**
Further to Standing Order 5.t. the Council reviewed its subscriptions to other bodies.
- (i) Information Commissioner's Office (ICO): Annual data protection fee**
RESOLVED that the Council continue to be committed to its annual data protection fee, as a Data Controller under the Data Protection Act, General Data Protection Regulations and Data Protection (Charges and Information) Regulations 2018.
 - (ii) Yorkshire Local Councils Associations (YLCA): Annual membership fee**
RESOLVED that the Council continue its membership subscription for professional advice and support, access to regional resources and forums and those of the National Association of Local Councils (NALC).
- (g) Accounts for payment and income received 1 - 5 April 2024**
The Council considered accounts received for payment and income received 1 - 5 April 2024. RESOLVED that:
- (i) the accounts received for payment and income received 1 - 5 April 2024 be received and approved.
 - (ii) payment to Seamer & Irton Memorial Hall in the sum of £30.00 be approved, for an invoice for room hire received at and for this meeting, subject to inclusion on the schedule for the next meeting.

- 12** 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:
- (a) which was likely to reveal the identity of an individual [*minutes 13(b)(ii) & (c) and 16*].

- (b) relating to the financial or business affairs of any particular person (including the authority holding that information) [*minutes 13 - 16*].
- (c) in respect of which a claim to legal professional privilege could be maintained in legal proceedings [*minutes 13(a) and 14*].

13 OLD SCHOOL (YOUTH CENTRE) & HOUSE

(a) Old School (Youth Centre) Lease

Further to minute 223(a) of the last meeting, the Council considered a verbal report by the clerk.

RESOLVED that it be noted:

- (i) a further meeting had been held between the clerk and the Council's solicitor.
- (ii) a meeting was to be held between the clerk with the Chairman with the Trustees or a representative group of the Trustees of Seamer Pre-School, to discuss arrangements for the Pre-School's future use of the Old School.

(b) Maintenance

(i) Roofing

Further to minute 223(b)(ii) & (iii) of the last meeting, the Council considered a verbal report by the clerk.

RESOLVED that:

- (1) JW Joinery Ltd be recontacted to expedite progress with the outstanding works.
- (2) Councillor Stockdale forward his images of the remaining issues with the roof with explanations to the clerk.

(ii) Old School House Internal Maintenance

The Council considered:

- (a) a verbal report by the clerk.
- (b) the Agent's report of its inspection undertaken on 27 March 2024.

RESOLVED that:

- (i) it be noted:
 1. the Agent had instructed an electrician to investigate the switch socket for the shower, which was hot and smelling after use, which the electrician had resolved alongside the hall light fitting referred to in the report.
 2. under Standing Order 15. b xvii & Financial Regulation 4.1 f), the Agent had been instructed to engage a plumber to attend to the downstairs toilet and basin pipework issues and a suitable tradesperson to remove the glass doors as soon as possible, under the general urgency delegation of the Council, in consultation with the Chairman & Vice-Chairman
- (ii) an extractor fan be not installed but an internal filter be explored for the kitchen.
- (iii) the kitchen flooring under the laminate be investigated with a view to replacement of the laminate with vinyl.
- (iv) a plumber be engaged to assess and repair or replace the kitchen tap.
- (v) further to minute 139(a)(ii)(2) of 10 October 2023, the tenants' request to replace the internal glass doors continue to be agreed in principle, subject to consideration and approval by the Council of a specific proposal in advance, to be followed by satisfactory inspection following completion.
- (vi) further to minute 139(a)(ii)(3) of 10 October 2023, the partial re-plastering of a bedroom wall be considered by the Council following completion of roofing works.
- (vii) redecoration by the tenants in neutral colours be approved.
- (viii) the downstairs internal wooden doors, main bathroom bath panel and under the sink require further assessment.
- (ix) an explanation be sought from the Agent as to the extent of issues raised in their inspection at this stage and only 7 months into the current tenancy, following internal maintenance and redecoration.

- (x) under Standing Order 25(a)(i), Councillor Groves be duly authorised to inspect the Old School House, subject to this being by arrangement by and in the company of the Agent, and with prior notice to the clerk.

(c) Old School House Letting Policy and Procedure

Further to minute 223(c)(ii) & (iii) of the last meeting:

- (i) the Council considered the response of the Agent.
- (ii) the Council further considered the draft Letting Procedure concerning arrangements for marketing and viewing the property.

RESOLVED that:

- (1) the Letting and Management statement and Letting Policy be noted.
- (2) the draft Letting Procedure be amended and prefaced "Other than in exceptional circumstances agreed between the Council and the Agent:"
- (3) the Old School House Letting Policy & Procedure then be approved and adopted.

14 RECREATION GROUND (SEAMER SPORTS ASSOCIATION) LEASE

Further to minute 172(v)(1)(a) of 12 December 2023, the Council considered a verbal report by the clerk.

RESOLVED that the clerk be delegated to instruct a Surveyor/Architect to draw up an up to date Land Registry Compliant Plan, in consultation with the Chairman and Vice-Chairman.

15 PUBLIC SEATS

Further to minute 126(ii) of 10 October 2023, the Council consider a report by the clerk concerning maintenance required.

RESOLVED that:

- (i) the report be received.
- (ii) enquiries be made of North Yorkshire Council concerning ownership and responsibility for the wooden bench at the Recreation Ground, to achieve replacement of the missing slat, rubbing down and restraining.
- (iii) quotations be sought to refurbish the Priority 1 (High) public seats, as the first annual programme of routine public seat maintenance:
 - (1) B1261 Scarborough Road near Pasture Lane, including further assessment of the back and 2 remaining seat slat timbers.
 - (2) subject to minute 15(ii) of this meeting, Recreation Ground - Long - old Scarborough Borough Council assets design.
 - (3) Back corner of The Green, right hand side near picnic bench.
 - (4) Back corner of The Green, left hand side near electricity bunker.
 - (5) Left hand side of The Green, right hand side of front two near seesaw.
 - (6) Left hand side of The Green, left hand side of front two near multi-play.
 - (7) Crab Lane.
 - (8) B1261 Byways roundabout, north side.
- (iv) public seats continue be reviewed via street furniture and open spaces quarterly checks.
- (v) the next programme of routine public seat maintenance be considered by the Council annually.

16 BUILDING DEVELOPMENT AT MEADS LANE, CROSSGATES

Further to minute 212(iv) of the last meeting, the Council considered a verbal report by the clerk.

RESOLVED that:

- (i) an enquiry be made via the Land Registry to establish ownership and responsibility for the unauthorised building development at Meads Lane, Crossgates.
- (ii) the making of a planning complaint be considered by the Council at the next meeting.

The meeting closed at 8:30 pm

The annual Parish Meeting (Assembly) will be held at Seamer & Irton War Memorial Hall, Main Street, Seamer, Scarborough, YO12 4QD, on 7 May 2024 commencing at 7.00pm

The Annual Meeting of the Council, will be held at Crossgates Community Centre, Curlew Drive, Crossgates, Scarborough, YO12 4TL, on 14 May 2024 commencing at 7.00pm

Chairman

14 May 2024