



# 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 13 February 2024 commencing at 7.00pm.

**PRESENT:** Councillor L Wallis (Chairman) in the Chair;  
Councillors M Coulson, K Elbourne, A Groves, V Milner (Vice-Chairman), M Sykes and J White;  
North Yorkshire Councillor H Phillips, 1 member of the public and the clerk.

## 191 DECLARATION OF ACCEPTANCE OF OFFICE

RESOLVED that, further to minute 181 of the last meeting, Councillor Groves' signed Declaration of Acceptance of Office be received.

## 192 APOLOGIES FOR ABSENCE

RESOLVED that it be noted Councillor J Stockdale was absent.

## 193 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 Councillor Groves declared a disclosable pecuniary interest as the Caretaker of Seamer and Irton War Memorial Hall.

### (b) Applications for dispensation from restrictions on participation

RESOLVED that an application by Councillor Groves for dispensation from restrictions on participation in discussion and voting, as the Caretaker of Seamer and Irton War Memorial Hall, for a period of 4 years or the next Parish Council Election, whichever was sooner, to be able to assist the Council in matters concerning Seamer and Irton War Memorial Hall, be received and approved.

## 194 MINUTES

RESOLVED that the previously circulated minutes of the meeting of the Council held on 9 January 2024:

(i) be amended:

(1) in draft minute 185(c)(ii) to add the words "and be adopted".

(2) in draft minute 188(ii):

(a) to replace the word "options" with "an option".

(b) to replace "up to 2 further years" with "a 2nd year".

(c) to add commas after the words "parties" and "inflation".

(d) to replace "the preceding year" with "2025/26".

(3) in draft minute 190(a)(v)(2):

(a) to replace the second "and" with "following which under Standing Order 23 the Chairman & Vice-Chairman be authorised".

(b) to replace the word "agreement" with "deed".

(c) to add "and the Proper Officer to witness their signatures".

(b) then be approved as a correct record and signed by the Chairman.

## 195 PUBLIC PARTICIPATION

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

(a) Further to minutes 132(a) of 10 October 2023 and 163(iii) of 12 December 2023, a blatant disregard by drivers and lack of enforcement by the Police of the North Yorkshire Council (School Streets, Seamer and Irton Community Primary School — Bell Close, Scarborough) (Prohibition of Driving) Experimental Order 2023, with reduced issues at the Pasture Lane junction with Eastgate as drivers access Bell Close, including the misuse of permits.

- (b) A need for publicly funded transport for some residents to attend medical appointments if the Seamer Surgery is closed.
- (c) The removal of a litter bin by North Yorkshire Council from near the top of the green on Curlew Drive/Station Road, Crossgates.
- (d) Issues with litter on the B1261, Crossgates.
- (e) Travellers having accessed the Park & Ride car park on Seamer Road, Scarborough, just beyond the Council boundary.
- (f) Riders of 'mini' motor cycles without helmets endangering and being abusive to pedestrians, and causing criminal damage to grass surfaces and trespass between Crab Lane, Long Lane, including the area known as 'the mountains' between Long Lane and Centurion Way, Crossgates, and James Stockdales Ltd's field between Long Lane and Dennison Avenue, Seamer.
- (g) A rotten or damaged fence post undermining a heavy steel gate, close to the pavement on the B1261 towards Musham Bank, opposite its junction with Byward Drive, Crossgates.

RESOLVED that:

- (i) the driver issues in Bell Close be reported to North Yorkshire Police, North Yorkshire Council's Senior Traffic Management & Parking Engineer and the Headteacher of Seamer and Irton Community Primary School.
- (ii) Councillor Phillips' offer to follow up on North Yorkshire Council's response to Travellers having accessed the Park & Ride car park on Seamer Road be accepted with thanks.
- (iii) the dangerous and criminal behaviour of riders of 'mini' motor cycles between Crab Lane & Long Lane, Crossgates & Dennison Avenue, Seamer, be reported to North Yorkshire Police.
- (iv) the dangerous gate close to the pavement on the B1261 towards Musham Bank, opposite its junction with Byward Drive, Crossgates be reported to North Yorkshire Council Highways and North Yorkshire Police.
- (v) members of the public be reminded to report anti-social and offending behaviour promptly directly to North Yorkshire Police, with images if possible and safe to do so, and with as much detail as possible to increase the likelihood of identifying and dealing with those responsible.

#### **196 REPORT OF NORTH YORKSHIRE COUNCILLOR H PHILLIPS**

The Council considered a verbal report by Councillor Phillips.

RESOLVED that:

- (i) the verbal report be noted, with thanks, and in particular:
  - (1) the increase in North Yorkshire Council Tax to meet the priority for Adult Social Care funding, with a lesser percentage increase locally due to the relatively high level of the former Scarborough Borough Council Tax compared to most of the other former District and Borough Councils.
  - (2) a North Yorkshire Council commitment to increasing social housing, with an acknowledgement of the need for infrastructure and services to match this, and a need to focus on the reuse of older urban properties over further development in rural areas.

#### **197 JUBILEE ALLOTMENTS**

RESOLVED that 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 these matters be noted.

##### **(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 of the Council.

RESOLVED that:

- (i) the report be received.
- (ii) 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) splitting of a plot and retaining of half the plot be approved, subject to splitting into equal half-plots parallel to the current entrance path by suitable posts at the expense of the existing tenant, with any fencing to be the responsibility of the tenants, and relevant fees to be refunded to the existing tenant following remittance for the reletting of the other half plot.

**(b) Tenants' Participation**

The Council considered the following matter raised by a Tenant within the meeting at the Chairman's discretion:

- (i) Further to minute 77(d)(i)(2) of 9 November 2021, turning on the mains water supply, following it being turned off to conserve water and reduce the likelihood of a burst pipe during the winter.

RESOLVED that it be noted the water supply would be turned back on on 28 February 2024.

**198 GOVERNANCE DOCUMENTS**

**(a) Financial Regulations**

Further to minute 185(c)(ii) of the last meeting, the Council considered assimilating amendments made to the Public Contracts Regulations 2015 [to be replaced by the Procurement Act on its taking effect later in 2024] into the Financial Regulations.

RESOLVED that the Financial Regulations:

- (i) be amended in footnote 3 on page 14, relating to Financial Regulation 11.1.c):
  - (1) in footnote 3 a), concerning goods and Services, to replace "over £213,477 (previously £189,330 ex VAT)" with "over £214,904 (previously £213,477)".
  - (2) in footnote 3 b), concerning public works (construction), to replace "over £5,336,937 (previously £4,733,252 ex VAT)" with "over £5,372,609 (previously £5,336,937)".
- (ii) then be approved and adopted.

**(b) Standing Orders**

Under Standing Order 5.r. and further to minutes 202 of 14 March 2023, 14(a)(ii) of 11 April 2023, 85(b)(iii) of 8 August 2023 & 108(ii) of 12 September 2023, the Council reviewed it's Standing Orders.

RESOLVED that the Standing Orders:

- (i) be amended:
  - (1) in Standing Order 18.a.v. on page 18 to replace "£25,000" with "£30,000", to assimilate amendments made to the Public Contracts Regulations 2015.
  - (2) in Standing Order 5.p. on page 9 to add ", and review of rents and fees".
  - (3) in Standing Order 5.q. on page 9 to add "review of the effectiveness of the Council's system of internal control, and" before "review and adoption of appropriate financial regulations..."
- (ii) then be approved and adopted.

**199 ENFORCEMENT OF NO DOGS ALLOWED**

Further to minutes 115(i) of 12 September 2023 and 126(vii) of 10 October 2023, the Council considered the correspondence of North Yorkshire Council's Dog Warden.

RESOLVED that:

- (i) the correspondence be received.
- (ii) inclusion of The Green park, Main Street, Seamer as a 'No Dogs' area for enforcement under the Public Spaces Protection Order 2024 (PSPO), with a standard fixed penalty notice of £100, be noted with thanks.
- (iii) it be noted the Recreation Ground could not be included for enforcement under the PSPO, and this information had been reported by the clerk to the President and Secretary of Seamer Sports Association.
- (iv) it be highlighted to North Yorkshire Council that there was no 'No Dogs' signage at its enclosed children's playgrounds at Magpie Garth/Crab Lane/Long Lane and Hadrian's Walk, Crossgates.

**200 CORRESPONDENCE**

RESOLVED that further to minutes 28(c)(iv) of 9 May 2023 and 193(b) of this meeting, respectively, Councillor White's declared other interest and Councillor Groves' declared pecuniary interest, and the Council's approved dispensations from restrictions on participation in discussion and voting in matters concerning Seamer & Irton War Memorial Hall, be noted.

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

- (a) Monthly Police Report.
- (b) IDAS (Independent Domestic Abuse Services) Safe Havens.
- (c) Recycling Solutions re clothing bank for Yorkshire Air Ambulance at Memorial Hall.

RESOLVED that:

- (i) the report and correspondence be received.
- (ii) it be noted:
  - (1) there were clothing banks:
    - (a) next to the bus stop by The Green on Main Street, Seamer.
    - (b) at Crossgates Community Centre car park.
  - (2) there was limited space on the car park of Seamer & Irton War Memorial Hall, which was required for car parking for the users of the Memorial Hall.
- (iii) the hosting of a clothing bank at Seamer & Irton War Memorial Hall be not approved.
- (iv) there be no alternative suitable site in the Council's control to site a further clothing bank.

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

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

- (1) ZF23/01807/LB Installation of replacement wooden doubled glazed windows, 80 Main Street, Seamer.

RESOLVED that no objection and no comment be raised.

**(ii) Current application(s)**

Further to minute 183(a)(i)(1) of the last meeting:

- (1) ZF23/01806/LB Remove the bridging render to the bottom section of the wall only (approx. 15-20cm), and painting of the render to the rear (west) and side (north) with a white finish, 80 Main Street, Seamer.

RESOLVED that no objection and no comment be raised.

**202 OUTSIDE BODIES****(a) Yorkshire Local Councils Associations (YLCA) Scarborough Branch**

RESOLVED that further to minute 28(c)(i) of 9 May 2023, Councillor Wallis' declared other interest, and the Council's approved dispensation from restrictions on participation in discussion and voting in this matter be noted.

The Council considered a verbal report by the Chairman, following a meeting of the YLCA Scarborough Branch held on 8 February 2024 by Zoom.

RESOLVED that:

- (i) the verbal report be noted, with thanks, and in particular:
  - (1) Councillor R Swiers, North Yorkshire Councillor, Cayton Division, in her capacity as Vice-Chairman of Cayton Parish Council was Chairman, YLCA Scarborough Branch.
  - (2) Councillor H Phillips, in her capacity as Chairman of East Ayton Parish Council, continued as Vice-Chairman, YLCA Scarborough Branch.

- (3) further to minute 169(c) of 12 December 2023, the Model Agreement arrangement for the Parish and Town Councils of the former Scarborough Borough Council area was scheduled to be reviewed by North Yorkshire Council by 1 October 2024.
- (ii) a presentation by the Chief Executive of North Yorkshire Health Watch be forwarded to all Members of the Council.

**(b) Seamer Sports Association**

RESOLVED that further to minute 176(b)(iii) of 9 January 2024, Councillor Sykes' declared other interest, and the Council's approved dispensation from restrictions on participation in discussion and voting in this matter be noted.

The Council considered a verbal report by Councillor Sykes, following a meeting of the Seamer Sports Association Management Committee held on 8 February 2024

RESOLVED that:

- (i) the verbal report be noted, with thanks, and in particular:
  - (1) further to minute 199(iii) of this meeting, the Sports Association's Members continued to experience anti-social behaviour from some dog owners, with their dogs off the lead, on and soiling sports pitches.
  - (2) further to minute 150(ii) of 14 November 2023, the Sports Association Clubs and Teams were considering making grant applications to the Voltalia Solar Community Benefit Fund.
  - (3) the Sports Association was arranging a 'family fun' fundraiser for 28 April 2024.

**203 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 received and approved.
- (ii) the January bank statement details be included on the schedule for the next meeting.

**(b) Locality Budget Funding**

RESOLVED that approval of North Yorkshire Councillor Phillips' Locality Budget funding be noted with thanks:

- (i) further to minute 187(b)(i) of the last meeting, in the sum of £2,000 towards the urgent roofing works on the Old School (Youth Centre).
- (ii) further to minute 190(b)(ii)(1) of the last meeting, in the sum of £1,000 towards the new bench for the green at the top of Curlew Drive, Crossgates, which had been received.

**204 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:

- (a) relating to any individual [*minute 208*].
- (b) relating to the financial or business affairs of any particular person (including the authority holding that information) [*minutes 205 - 208*].
- (c) in respect of which a claim to legal professional privilege could be maintained in legal proceedings [*minute 206*].

**205 GROUNDS MAINTENANCE CONTRACT 2024/25+**

Further to minute 188 of the last meeting, the Council considered quotations received.

RESOLVED that:

- (i) JJ Harrison Landscapes Ltd's quotation be accepted and the contract for the forthcoming year 2024/25 awarded accordingly, with an option to extend for a 2<sup>nd</sup> year by agreement of both parties, subject to inflation, for 2025/26.
- (ii) JJ Harrison Landscapes Ltd's good service to the Council since 2020/21 and, alongside positive feedback, an increase last year in comments/'complaints' about grass cuttings left on footpaths/pavements be noted.

- (iii) JJ Harrison Landscapes Ltd be requested to tidy up better after grass cutting.
- (iv) under Financial Regulation 11.1.iv. a quotation be sought from JJ Harrison Landscapes Ltd as an extension of the existing contract, for a 'one off' cut of the 'roadside' front and top of the hedge along the side of the pavement/footpath on the south east side of the B1261, from the A64 Musham Bank, between its junction with Byward Drive to the start of the Byways Pub car park, Crossgates, well clear of the pavement/footpath and to the approximately 6' height of the highest fence inside the hedge, whilst the Council continues to pursue the issue of ownership and responsibility.
- (v) the clerk be delegated, in consultation with the Chairman and Vice-Chairman, to accept a quotation and place an order with JJ Harrison Landscapes Ltd for the works specified in minute 205(iv), subject to the clerk notifying relevant residents and businesses of the works.

#### **206 OLD SCHOOL (YOUTH CENTRE) LEASE**

Further to minute 187(a) of the last meeting, the Council considered:

- (a) a report by the clerk, concerning initial legal advice received and a meeting held with representatives of Seamer and District Youth Centre.
- (b) further legal advice received.

RESOLVED that:

- (i) the clerk be delegated, in consultation with the Chairman and Vice-Chairman:
  - (1) to instruct the Council's solicitors to determine the lease, subject to all funds held by Seamer and District Youth Centre being transferred to the Council on determination of the lease, such funds to be ringfenced by the Council for repairs, maintenance and improvements of the Old School.
  - (2) subject to further legal advice, to undertake negotiations with representatives of the regular users of the Youth Centre concerning any lease and/or arrangements for use of the Old School.
- (ii) any further decision having the effect to grant any lease, licence and/or other arrangement for use of the Old School then be subject to the approval of the Council.

#### **207 BUS SHELTERS**

Further to minute 171(iii) of 12 December 2023, the Council considered:

- (a) the response of National Highways.
- (b) a verbal report by the clerk, following further liaison with North Yorkshire Council's Highways and Integrated Passenger Transport services.

RESOLVED that:

- (i) the correspondence and the verbal report be noted.
- (ii) the further response of North Yorkshire Council be awaited.

#### **208 CLERK AND RESPONSIBLE FINANCIAL OFFICER: TRAINING AND DEVELOPMENT**

The Council considered a report by the Clerk and Responsible Financial Officer concerning the Certificate of Local Council Administration (CiLCA).

RESOLVED that:

- (i) the contractual requirement for the current Clerk and Responsible Financial Officer to "undertake the Certificate of Local Council Administration" be discontinued.
- (ii) the merit of the contractual requirement to "undertake the Certificate of Local Council Administration" be reconsidered for subsequent Clerk and/or Responsible Financial Officer appointments.

*The meeting closed at 9:10 pm*

The next ordinary meeting of the Council will be held at Crossgates Community Centre, Curlew Drive, Crossgates, Scarborough, YO12 4TL, on 12 March 2024 commencing at 7.00pm