

**FLAMBOROUGH PARISH COUNCIL****MINUTES OF PARISH COUNCIL MEETING
4TH JULY 2011, 7.30 PM, METHODIST CHAPEL, FLAMBOROUGH**

Present: Councillors I Woodhouse (in the Chair), P Couzens, J Crossland, S Emmerson, A Grainger, Mrs K Johnson, Miss B Nettleship, Mrs M Sexton, M Smales, Mrs C Taylor, F Villani
4 members of the public.

ERYC Ward Councillors had sent apologies
Clerk, Libby Woodhouse, recorded the Minutes

163/11 To receive apologies for absence:

RESOLVED: To accept apologies of absence from Councillor V Leppington.

164/11 To receive Declarations of Personal/Prejudicial Interests on Agenda Items, the Nature of the Interest and Registration of Gifts:

Any declarations of interest made by Councillors are recorded at the appropriate Minute.
Registration of gifts – there were none.

165/11 To receive and consider a presentation by Kat Sanders (Yorkshire Wildlife Trust) and Richard Baines on the proposed fruit orchard at South Landing:

Unfortunately Kat Sanders and Richard Baines had sent apologies that day as they were unable to attend the meeting due to other commitments and they will attend September's meeting instead.

166/11 Public Participation session to include items on the agenda (to include members of the public and Councillors with prejudicial interests):

Mr D Hinde – spoke in depth with regard to agenda item 12 (planning application for a wind monitoring mast at land north of Marton Manor). He stated that the developer (Wind Energy Direct) would lease land from the Wains family and following the monitoring mast there would be a turbine which would generate electric and Muntons PLC would be the sole beneficiary. Along with the mast application, there was in existence a scoping request for an Environmental Impact Assessment report for a single turbine of 410 ft high to blade tip. The site was between Muntons/Bempton/Danes Dyke and would be very visible in the headland heritage coast and local communities and in close proximity to Danes Dyke. He was concerned that people in Flamborough were not aware. If this application was approved, it would lead to a foot in the door for future development of this nature within the Flamborough area. Hunmanby PC and Scarborough BC had thrown out applications of this nature despite Officers recommending approval because it is alien to this landscape. The lighting on the structure would also be an issue, there had been no consultation with communities, no mention of the scoping report and the proposed access that would be required if a turbine went ahead. The Officer's report mentioned Danes Dyke would screen the development from Flamborough however it would not screen it and Flamborough's settings would be visibly affected. He urged the Parish Council to protect Flamborough's assets and write to the Planning Committee for 7th July to strongly recommend refusal of this application.

Councillor Smales – declared a prejudicial interest (works for Muntons PLC) and spoke at this point using his right to speak as a Councillor with a prejudicial interest. He read out an email from the manager at Muntons and the email confirmed that Muntons had been approached by WED who had submitted a letter of intent to proceed subject to the scheme viability. Muntons would benefit from the electric. Muntons was committed to the 34 jobs on site and the company needed to pay the bills. If Councillors wished to go to visit the Manager to discuss the proposal, this could be arranged.

The Chairman proposed that agenda item 12 was brought forward and discussed at this point, seconded by Councillor Villani and the Council agreed.

167/11 To consider whether the Parish Council wishes to comment on planning application 11/01924/STPLF - Erection of a 60 metre high wind monitoring mast for a period of 18 months at Land North Of Marton Manor, Flamborough Road, Sewerby (see enclosed report):

Councillor Smales declared a prejudicial interest (works for Muntons PLC), left the meeting for the duration of this item, did not take part in discussion and did not vote.

Councillor Couzens declared a prejudicial interest (undertakes work for Muntons PLC), left the meeting for the duration of this item, did not take part in discussion and did not vote.

There was considerable discussion.

RESOLVED: (8 in favour, 1 against) to write strongly to the Chief Executive at ERYC complaining of the failure to consult the local community and ask why we were not consulted, proposed the Chairman, seconded Councillors Mrs Sexton.

RESOLVED: (6 in favour, 3 against) to object strongly to the proposals and recommend refusal, the Clerk to make a case for objection along the lines of visual impact, detrimental to heritage coast sites, there is a SSSI on adjacent land, the landscape character assessment and failure to consult the local community, etc. The Clerk is to email the response to ERYC Planning Officer and also members of the Planning Committee due to the proximity of the meeting of 7th July. Proposed the Chairman, seconded Councillor Mrs Sexton.

Councillors Smales and Couzens returned and resumed the meeting.

168/11 To approve the Minutes of Parish Council Meeting of 6th June 2011:

RESOLVED: (All in favour) that the Minutes of this Meeting are approved and signed as a true and correct record.

169/11 (a) To receive the Clerk's Report & Action Log (for information enclosed):

Temporary Toilets – An ERYC Officer emailed on 15th June stating “Subject to the following items it is intended to place temporary toilets at South Landing shortly:

1) Works to replace building - At present I am awaiting details on the exact start date of the works in respect of the cafe and method of construction as this has impact on the temporary toilets in two respects. Firstly if we can connect to the main foul drainage whilst the scheme is undertaken then we can provide better and cheaper temporary toilets to the site. Secondly the works may impact on the positioning of the toilets.

2) Costs - As you appreciate from last year the costs were in the region of £1200 per month for the toilets, and as from the above you will see we are trying to minimise these costs in light of budget pressures, and the fact that the permanent toilets are now due to be replaced. The cost information will allow a judgement of how long they can be positioned on site.

In both instances I would expect to have the information to hand by next Wednesday, and if satisfactory I would hope to have the toilets on site by end of June early July pending availability. I will contact you next week to let you know further details”. So far the Officer has not sent any further details.

Allotment break in – The Clerk was informed on Saturday morning 11th June by Mrs Elliott (Secretary of the Association) that the allotments had been broken into on Friday night 10th June – a few sheds had been targeted and it was mainly small metal items that had been taken from the site through a hole made by cutting through the wood at the side of the gates. They had already informed the Police. Repairs are on the agenda for consideration.

Payphone, Crofts Hill – This was reported for repair on 14th June.

Road Closure Disruption – The Head of Streetscene Services had responded that with respect to the work by Yorkshire Water between 4th and 8th June on Church Street, this was classified as urgent and he regretted that “advance planning is not always possible due to the urgent nature of the defect”. With respect to the closure of the B1255 for a road race, publicity was placed in the Free Press and East Riding Mail, local businesses along the route were contacted to inform them and that the road was actually only closed between 16:10hrs and 16:45hrs and not 14:00hrs to 17:30hrs as originally indicated. The event was well received and is likely to take place again. The Parish Council will be notified.

Rights of Way, Flamborough – The Countryside Access Officer will have a look at the stile at Beacon Farm and the bridge at Stylefield.

Tree cutting, Little Village Green – Mr Alan Wiles responded to our letter to him by letter stating “the trees you are referring to are ones I set in 1980 on what is common land. I have kept them cut back on a regular basis with no complaints from yourselves before. I have not cut a tree down; just taken off a bough that was shading my garden. As I planted these trees I see them as my responsibility. In future I will contact yourselves when I want them cutting back again”. Unfortunately, by the time Mr Wiles planted these trees in 1980, the Parish Council had registered the land (rightly or wrongly) as a Village Green in 1967 which became final in 1970 and so is not common land. The Parish Council successfully registered land ownership at land registry (absolute title) in 2005.

Junction Tower Street, Post Office Street – road re-surfacing and road markings for the right hand turn from Tower Street to Post Office Street were completed during week of 20th June. There have been complaints regarding the double yellow lines outside the paper shop but these have been removed. The Clerk will write to thank Highways for this work.

Camerons Gardens – there are patches of bare earth at the top and by Castle Crescent.

Newsletter/Annual Report – copied by East Yorkshire College. We went for a trial A5 size however some A4 copies were made in the event that the smaller print on the A5 versions can't be read by some. Next year, print size can be altered at the time of writing to make the print larger to read if the A5 versions are successful this year. They were copied, stapled and folded by East Riding College and ready for delivery by the Guides which is a huge time saving cost to the Clerk and represents value for money.

ERNLLCA Spring Conference, 10th June – The Clerk attended this and there were interesting presentations on:

(1) Planning and the Localism Bill (by Peter Ashcroft, ERYC) – this may become law by November; Policy Changes - the Regional Spatial Strategy will be abolished; revocation of the Joint Structure plan; the Local Development Framework remains in place with the saved local plans; there are minor enforcement changes – where there is notice of a breach of planning the enforcement officers will be able to take action almost immediately and persons breaching planning will not be able to put in a retrospective planning application whilst going through enforcement; there will be a developer's threshold for consulting the community; the community infrastructure levy remains a proposal (funding from the developer needed by that development, ie, education, flood defences, parks, school, transport and partly replaces s106 agreements) but a “meaningful” proportion should be passed down to “local” level. Windfarms attract s106 agreements if approved, however, if proposed windfarm developments go to planning appeal, the inspector will not be required to insist developers provide a s106 fund.

Community led planning – Neighbourhood Development Plans and Orders and Community right to build – will give parishes power to set planning objectives for the neighbourhood, key neighbourhood projects, infrastructure priorities, development policies on housing, economic development and environment, give outline/detailed permission for a specified type of development/use class in a defined neighbourhood without the need for a planning application and bring forward development by the community where the benefits of the development are retained by the community – the parish will have to secure finance, sites and support and the plans/orders etc must conform to national planning policy, the local development framework, local transport plan, green space strategy, local housing strategy, etc, etc, etc, and be evidence based with regard to sustainability assessments, environmental assessments, etc, etc, etc and at the end of the day will be subject to a local referendum, the parish having spent between £17,000 and £63,000 on producing it prior to the local referendum. Unfortunately, there will be no greater power for parishes as a result of the Bill with regard to consultation or determination of planning applications.

(2) Code of Conduct (by Rob Walsh, NE Lincs Council Monitoring Officer) - current code remains in force until the Bill becomes law and transitional arrangements are put in place – likely to be next year. The Standards Board and Standards Committee and Code of Conduct in their current form are being abolished however the standards regime is NOT going altogether – that is a myth. Key provisions include that Parish Councillors will have a duty to maintain and uphold standards, there will be a voluntary code and standards functions exercised by a committee of that authority to promote and maintain high standards but with no sanction other than censure and discretion as to how complaints are dealt with. As a direct response to the problem of MPs expenses, it is likely that separate regulations will create a criminal offence and will cover defining interests to register, when to declare them, when Councillors cannot participate and sanctions if they “wilfully” fail to register or declare an interest “without reasonable excuse”, possibly resulting in prosecution at a magistrates court (possible penalties of £5,000 fine or 5 year disqualification). All this asks more questions than it answers, and is subject to debate and change until the Bill becomes law.

(3) Communications and Media Relations (Alan Jones, Head of Communications, NALC) – on methods of communications, media strategies, press releases, handling a media crises (!), publications, digital communications, social media (blogging, twitter, facebook) and Standing Orders.

(4) Finance (Alan Johnson, Internal Auditor for many parishes).

ERYC, training on planning – 26th July, 5.30 pm, County Hall, Beverley – no-one wished to attend.
Steve Gibbon, Flamborough Holidays – Would be happy to donate £70 for planting at Fishermans Gardens when this work is undertaken.

Cllr Hemmerman, Market Weighton TC – emailed concerns at ERYC’s lack of considering flood risk in relation to planning applications and asking for support. No-one wished to comment.

Post, Village Green – J Crossland Jnr had installed the concrete base and has the post but needed a padlock. Councillor Couzens has a padlock.

Finials, Fishermans Memorial – J Crossland Jnr has installed the finials.

(b) To consider action required from the Clerk’s Exceptions Report (enclosed):

Junior Swings – work to the swings - removal of the top bar to repair the swings, new bushes made, new shackles purchased, tightening fixtures, seats, etc has been completed by Councillor Crossland.

Operators/Dog sign/Sign for Camerons Gardens – are with Councillor Crossland for installation.

170/11 Questions/Reports from Councillors and Committee Representatives:

Councillor Smales – had received complaints that the High Street Fisheries empty building is a mess however this is privately owned.

Councillor Smales – had received complaints about the amount of dog fouling around the village.

Councillor Smales – reported he would not be able to put up the Yorkshire Day Flag on August 1st. Councillor Crossland will undertake this.

Councillor Mrs Taylor – reported a cracked pavement outside 24 Beech Avenue – the Clerk will report it.

Councillor Mrs Taylor – reported complaints of the overhanging trees at the Cricket Field, however, these have a TPO and cannot be pruned. The Chairman would refer this to the Sports Club Trust.

Councillor Crossland – asked whether the Fire Officer is going to have the tyres removed at Monument Garage. The Clerk had received a verbal indication that enforcement letters had been sent to the previous tenant, the landowner and the Environment Agency. Councillor Crossland asked that the Clerk get in touch with the Fire Officer to request removal of the tyres and to get this in writing.

Councillor Crossland – reported that he had received a letter from the Chair of Governors at Flamborough School advising him of plans to erect a 5 ft 11 inch fence around the school inside the school wall. Although the proposals affected him, he was not bothered but residents are concerned. He was concerned that this is wrong, it would affect the setting of the adjacent Conservation Area and that there had been no consultation (although no planning application is needed for a fence of this height). The Clerk informed the Council as a School Governor that this issue had been brought to the attention of the School during the recent Ofsted Inspection. The School had known this was an issue for some time, however Ofsted had clearly stated that the School must be fenced as soon as possible and this is for safeguarding and child protection reasons. There are no Schools that are unfenced now.

RESOLVED: (8 in favour, 1 against, 1 abstention) to write to the education authority objecting to the fence and ask them to look at alternative measures, proposed Councillor Crossland, seconded Councillor Mrs Johnson.

Chairman – had received complaints about the state of the new footpath outside South Sea Mews as this has never been completed and has been in this state for 18 months. The developer has not surfaced the path and it is dangerous for residents.

RESOLVED: (All in favour) to write to Highways to ask that this work is completed as soon as possible, proposed the Chairman, seconded Councillor Villani.

Councillor Emmerson – reported that ERYC are emptying bins more regularly but the replacement one at North Landing is 30% smaller than the original and so litter is being scattered everywhere very quickly. The Clerk will write to ERYC.

171/11 Chairman's Report:

The Chairman reported that he had been contacted by the Free Press for comments regarding the proposed wind monitoring mast whilst he was working in London. He had been misquoted as he had stated that the Parish Council had not considered it as they did not know anything about it. The reporter had asked him questions and he had responded that they were not the Parish Council's view.

172/11 To consider Planning Applications as listed below and subsequent plans received after the agenda is sent out (planning applications available for public inspection at 7.15 pm):

- (1) **DC/11/02807** – Change of use of dwelling to form 2 no. apartments
At Sunnyside, North Marine Road, Flamborough
For Mr Trevor Cruxon
Application Type: Full Planning Permission

RESOLVED: (All in favour) that the Council has no objections to the proposals, proposed Councillor Crossland, seconded Councillor Couzens.

Planning Applications Granted by ERYC

- (1) **DC/11/01832** – Erection of single storey extension to rear at Lang Ness, South Sea Road, Flamborough
- (2) **DC/11/01555** – Erection of a detached dwelling following demolition of existing dwelling and garage at 36 North Moor Road, Flamborough – conditions include (1) that the dwelling shall not be altered or extended on any elevation and (2) that the north west and south east walls shall be timber clad with cedar shingles to match those used on the north east and south west walls and these materials shall thereafter be retained – it was noted that this was what the Parish Council had recommended.

Planning Applications Refused by ERYC

- (1) **DC/11/01382** – Continued use of industrial unit as DIY centre for temporary period (additional information received) at Flamborough Gas, Unit 11, Flamborough Rural Workshops, Bempton Lane, Flamborough

173/11 To note/deal with correspondence as listed below:

- 23-June-2011 ERYC, Agenda LAT Meeting 1st July, 9.30-12 noon, Drifffield rugby club and minutes of LAT meeting 8th April 2011
- 20-June-2011 ERYC, invitation to “Meet the Manager” question and answer session at the Orangery, Sewerby Hall regarding any relevant matter relating to Sewerby Hall and Gardens on 7th July 9.30-11.30 am.
- 15-June-2011 NHS East Riding of Yorkshire, invitation to AGM on 14th July, 6pm, Cottingham
- 15-June-2011 Rollits Solicitors, localism bill and impact on Parish Councils.
- 10-June-2011 ERYC, suspension of NAT meetings until the future direction of community engagement has been decided by the Local Strategic Partnership
- 07-June-2011 Joint Local Access Forum, AGM, Pocklington on 15th June at 2 pm.
- 02-June-2011 East Riding Age UK, information re the Good Neighbour Scheme
- 25-May-2011 NPower, new fixed term electric contract (toilets)
- June ERNLLCA newsletter (enclosed)

174/11 Accounts

- (a) **To approve payment of accounts to 30th June 2011 (as attached sheet):**

Received

£9.47 Toilets donations box (22nd June 2011)

Chq No	Creditor	Net Due	VAT	Total
2019	Zurich Insurance, Annual Insurance inc IPT	1,537.21		1,537.21
2020	MR & KM Couzens, Grounds Maintenance (Cut 6)	247.00	49.40	296.40
2021	St Oswald's Church, maint of graveyard (LGA1972 s214)	350.00		350.00
2022	1st Flamborough Rainbows, delivery newsletters/annual report	200.00		200.00
2023	East Riding College, printing newsletters/annual report	169.00	33.80	202.80
2024-26	PAYE (June)	1,220.15		1,220.15
2027	Clerk Expenses (June)			
	Telephone	8.00		8.00
	Broadband connection	7.50		7.50
	Expenses for working from home	12.00		12.00
	Postage	8.41		8.41
	Stationery	7.67		7.67
	Photocopying paper	13.96		13.96
	Car Allowance	20.00		20.00
	Deliveries	2.00		2.00
	Toilets supplies, Tesco - mop/heads	11.19		11.19
2028	Wicksteed, shackle, bolt & pin x 8, playground	51.50	10.30	61.80
2029	A B Grainger, supply of fixings for village entry signs	6.00		6.00
	Totals	3,871.59	93.50	3,965.09

Councillor Grainger declared a personal interest (has an account for payment).
Extra account – MR & KM Couzens, grounds maintenance cut 7, £296.40 inc VAT.

RESOLVED: (All in favour) to pay the accounts as submitted and the extra account, proposed Councillor Mrs Taylor, seconded Councillor Mrs Johnson.

RESOLVED: (All in favour) that the Clerk pay the accounts at the end of July, proposed the Chairman, seconded Councillor Crossland.

(b) To note Budget Monitor to end of June:

Noted.

175/11 To note the ERYC “Village Walkabout” schedule of works as identified on the walkabout (enc):

A Schedule of Work had been sent by ERYC and this was noted by the Council.

176/11 Light 32 Crofts Hill – to receive a breakdown of the price and to approve replacement of the unit as recommended by ERYC:

The Clerk reported the breakdown as given by ERYC and this totalled £524.84 – ERYC had recommended the whole unit is replaced.

Councillor Crossland reported that he would be seeing Yorkshire Electric about another job and would see if they would install a new fuse box cheaper as a new lantern was not needed and the Council would be paying for work that was not needed.

RESOLVED: (10 in favour, 1 against) for Councillor Crossland to ask YE for the cost to replace the cut out box and ask that YE contact the Clerk, proposed Councillor Crossland, seconded Councillor Smales.

177/11 To receive a price from J Crossland to repair the broken seat at South Landing:

J Crossland as the seats contractor reported that the cost to repair the seat may be £30 but if new wood was required if this was twisted, the cost would be £80-£90.

Councillor Crossland then declared a prejudicial interest (as the seats contractor) and left the meeting for the remainder of the item, did not take part in discussion and did not vote.

RESOLVED: (All in favour) that J Crossland should repair the seat, proposed the Chairman, seconded Councillor Villani.

Councillor Crossland returned and resumed the meeting.

178/11 To receive Minutes from Flamborough Youth Council and a report from Councillor Miss Nettleship on the activities and future plans of the Youth Council:

Councillor Miss Nettleship provided copies of recent Youth Council Minutes for the Councillors and outlined plans for a Friday night youth club at the Church Hall between 7 and 9 pm. The Youth Council was working hard to achieve this with the Church, ERVAS and the Youth Workers. There was concern that Flamborough would lose Youth Worker hours in September when re-organisation takes place. The Council thanked Cllr Miss Nettleship.

RESOLVED: (All in favour) to write to ERYC to request that there is a continued Youth Worker presence in Flamborough to help sustain work into the future, proposed the Chairman, seconded Councillor Villani.

179/11 To note that the allotments were broken into on 10th June via the wood section at the side of the new gates and to consider either repair work to the wood or replace with a metal section to deter future intruders:

Councillor Miss Nettleship declared a prejudicial interest (her family are tenants), left the meeting for the duration of this item, did not take part in discussion and did not vote.

The Chairman thanked Councillor Grainger had done some work to fix the hole. The Council did not consider that a metal section would be appropriate. Councillor Villani reported a conversation with the Secretary of the Allotment Association who had mentioned that the Association and the PCSO would be looking at setting up an allotment watch and asked that the Council agree for the Association to paint anti-vandal paint on top of the gate.

RESOLVED: (All in favour) to give permission for the Association to use anti-vandal paint on top of the gate provided the correct signage is displayed, proposed Councillor Villani, seconded the Chairman.

The Chairman requested and the Council agreed that agenda item 21 be brought forward and considered at this point in the meeting.

180/11 Allotments:

Councillor Miss Nettleship remained out of the meeting as she had already declared an interest.

(a) To clear plot 59 ready for re-letting (NTQ expires on 6th July):

The Clerk and Councillor Smales had visited the plot that day. The shed was full. The Clerk will write to ask the tenant to remove items that he wishes to keep within 7 days and then ask for prices for September's meeting to clear the shed and contents and any rubbish on the plot.

(b) To receive and consider advice on removing plots from tenants with more than one plot (enclosed):

The Council noted the advice from ERNLLCA.

(c) To report on the Clerk's monthly site visit and consider action re management:

The Clerk and Councillor Smales had visited the site. Letter 1s were required for plots 70, 71, 72 and 50b for non-cultivation. The Council will consider plot marking at September's meeting.

Councillor Mrs Sexton reported the boards on the highway advertising the sale of vegetables and ferrets looked awful.

RESOLVED: (All in favour) that the Clerk writes to ERYC Highways complaining that this looks an eyesore, proposed Councillor Mrs Sexton, seconded Councillor Crossland.

(d) To let vacant plots:

There are no vacancies..

(e) To consider granting permission for sheds, greenhouses, etc:

There are no enquiries for permissions. The Council gave the Clerk authority to give permission for sheds and greenhouses over the summer.

Councillor Miss Nettleship returned and resumed the meeting.

181/11 To consider digital mapping (see enclosed):

The Council noted the documents regarding digital mapping.

182/11 ERNLLCA**(a) To consider attendance at the East Riding (North East) District Committee on 12th July 2011, 7.30 pm, Drifffield Town Council offices (enclosed):**

No-one wished to attend. The Clerk had another meeting that night and cannot attend.

(b) To consider attendance at Meeting Procedure Training, £30 per attendee:

No-one wished to attend the training.

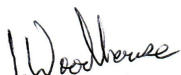
(c) To consider attendance at the Joint Regional Training Conference 23rd-25th September, Willerby (day delegate £85) as enclosed:

RESOLVED: (All in favour) that the Clerk may attend if she wished at a cost of £85.

(d) Notice of AGM, 17th September 2011 and invitation for resolutions (enc): Noted.**183/11 To note playground work authorised in an emergency – the top bar of the junior swings has been removed to repair the swings (£100 approx for cutting off the attachments and welding back), new bushes to be made as the standard ones are too small because of wear, and new shackles purchased (£51.50 plus VAT) – authorised due to proximity of summer holidays:**

The Council noted the work.

Signed as a true and correct record
Councillor I Woodhouse
Chairman, Flamborough Parish Council



..... Date ...5th September 2011