



FLAMBOROUGH PARISH COUNCIL

MINUTES OF PARISH COUNCIL MEETING 8th APRIL 2013, 7.30 PM, WI HALL, FLAMBOROUGH

Present: Councillor R Sellick (in the Chair), P Couzens, J Crossland, S Emmerson, A Grainger, V Leppington, Mrs C Taylor, F Villani and I Woodhouse
Ward Councillor J Wilkinson (Councillors R Harrap and C Matthews had sent apologies)
PCSO Liz Smith had sent apologies
Four members of the public
Clerk, Libby Woodhouse, recorded the Minutes.

65/13 To receive apologies for absence:

Apologies of absence were received from Councillors Mrs K Johnson, Mrs M Sexton, and M Smales.

66/13 Code of Conduct:

- (a) **To record Declarations of Pecuniary/non-Pecuniary Interests by any member of the Council in respect of the agenda items listed below. Members declaring interests should identify the agenda item and type of interest being declared:**

Any declarations of interest made by Councillors are recorded at the appropriate Minute.

- (b) **To note dispensations given to any member of the Council in respect of agenda items below:** None

67/13 Vacancy for a Councillor:

- (a) **To note the resignation of Councillor Miss B Nettleship on 4th March 2013. A request to fill the vacancy by election has not been received within the prescribed time. The Council may fill the vacancy by co-option.**

The Council noted the vacancy.

- (b) **To either co-opt a Councillor or advertise the vacancy and co-opt at May's meeting. One expression of interest has already been received (Mr D Morton):**

RESOLVED: (All in favour) that the Council will co-opt at this meeting, proposed Councillor Crossland, seconded Councillor Villani.

Two expressions of interest had been received – Ms Ruth Lilley and Mr David Morton. Both applicants were present and were invited to say a little bit about themselves prior to voting.

RESOLVED: (9 in favour of Mr Morton and 0 in favour of Ms Lilley) that Mr D Morton is co-opted to the Parish Council.

Councillor Morton signed his Declaration of Acceptance of Office and took a place at the table.

68/13 Public Participation Session (15 minutes):

Ms R Lilley – was concerned about the state of dog fouling and wanted to see more dog bins. The Council informed her that ERYC no longer installed specific dog bins and that dog waste was put into regular waste bins – this is to do with how it is disposed of. There are only two Dog Wardens to cover the whole of the East Riding. It was suggested that this issue is highlighted in the next newsletter

69/13 To approve Minutes of Parish Council Meeting of 4th March 2013:

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

70/13 To review the Action Log and receive the Clerk's Report (for information enclosed):

ERNLLCA – Neighbourhood Planning Seminar, 8th March, Tickton – The Parish Council committed to sending three delegates. Councillor Mrs Johnson and the Clerk attended. The third delegate did not attend. The Parish Council may be invoiced for the day as the funding for the event was dependent on three delegates per Council.

Danes Dyke, Gullies and Fencing – Scheme has been completed.

Cliff top steps, handrails – repairs to the first ravine bridge and steps were completed in Jan/Feb this year. The Countryside Access Officer has looked at the second ravine and responded “I went and had a look at the steps yesterday. I will arrange for them to be back filled but am not sure when this will happen because of access. With the land being so wet it will be difficult to get the required stone to the steps as the landowners don't want us on the headland until it is drier which is why our contractor had to come through South Landing and along the cliff top for the other set.” He stated that the second bridge was fine and only done a few years ago at the same time as the steps which now need topping up.

Yorkshire Water, bathing water improvements – Yorkshire Water has responded with the attached information outlining the developments in Bridlington and how Flamborough's sewage is dealt with.

Tree Felling, Constable Road – following the Parish Council's request for a definitive response as to what happened, the attached letter was received from ERYC. A site visit has been arranged by Mr S Robson for Monday 8th April.

Light 63, North Marine Road – the work approved by the Council is waiting for completion. The old lantern has been requested to be returned to the Parish Council. Following the query to ERYC regarding the ignitor, the attached response was received. ERYC suggests considering various items which the PC will consider on the next agenda.

Street Light 84, Bampton Lane – Mr Woodcock has paid the invoice for work to replace this light last October in the sum of £955.35. A receipt has been received from ERYC.

Plot 34 - £60 has been received from the outgoing tenant for the remainder of the work to clear the plot.

Gas canisters and truck, rear of Post Office Street – ERYC responded that the vehicle is not one of theirs and therefore they cannot take any action, enforcement of public rights of way does not fall within ERYC's civil parking enforcement powers so the matter should be referred to the Police. PCSO Feirn spoke with the Fire Service regarding the safety aspects and they are not concerned although they will monitor it. The right of way issue is not resolved.

SLCC Training Event – despite being on leave, the Clerk attended a training event on 21st March at Swanland at no cost to the Parish Council. Included were presentations from HMRC on Real Time Reporting (which the PC will need to comply with from April), accounts, audit and year end procedures (Internal Audit, David Walker), Good Governance (Alan Barker) and an introduction to Working With Your Council training (the Clerk undertook this training in 2004 prior to completing the Certificate in Local Council Administration in 2006) – the Clerk and the Clerk to Hornsea Town Council will be hosting a seminar group in the East Riding to assist other Clerks to gain the WWYC qualification.

Planning Applications at meetings – advice from ERNLLCA has always been that Planning Applications can be dealt with if they are received after the agenda has gone out and so not listed on the agenda because of the fast turn round timescales required by ERYC and that common sense should apply. ERNLLCA has revised this advice after cases of developers challenging local opinion because Parish Council meetings have not been procedurally correct and therefore the PC decision is challenged by judicial review as unlawful/non-existent. Developers have succeeded in overturning planning decisions because of this. Therefore in future, no planning application should be considered unless it is listed on the agenda. Extra meetings or delegation to the Clerk should be considered if an extension to time cannot be negotiated with ERYC for submission of comments. Requests for extensions to time are successfully negotiated in most cases.

Small Works Contract – six small works have been completed and the details are found on the accounts sheet for payment.

Buckrose Ward, Bridlington Hospital – response received from Mr Knight’s Secretary on 8th March that he has received hundreds of letters about this matter and will be replying to us shortly. No response received yet.

Conservation Area – a response was finally received from the ERYC Officer stating “Apologies for the delay in responding. We had a meeting this week to plan out our work program to complete this task. We have been trying to complete the outstanding few Conservation Appraisals including Flamborough for some time now, but resources and the high level of planning application work has slowed down progress and I am aware we keep having to put back suggested completion dates. We have now (subject to Full Council approval at the beginning of April, of the Cabinet minute and completing the notifications) finished Beverley which was our biggest task and are now due to continue the work on the other five. We will be in contact in the next few weeks with you regarding the boundary proposals and seeking the PC’s views on the final version on the appraisal.”

Work to School Ditch – Councillor Matthews unfortunately confirmed that the work to the ditch will not go ahead prior to 31st March as the Environment Agency, who originally predicted an under-spend, had reviewed their position and predicted an overspend which in turn has led to projects being carried over to the next financial year. Subsequent confirmation was received from Councillor Matthews that provision has been made for the scheme to go ahead after nesting season (ie, September) using the Council funding (the £30k earmarked in the ERYC Flood Fund). ERYC will continue to bid for to the Environment Agency in the meantime.

Toilets, non-domestic rates for 2013-2014 – Invoice is nil due to Small Business Rate Relief.

Police – PC Scotter requested names and addresses of all allotment tenants – this is so that the Police can write to all tenants with regard to safety measures on the allotment site, advice re crime, marking equipment, etc, to try to prevent burglaries being repeated.

ERYC Local Grant Fund – The £2470 was returned by cheque to ERYC in November and although email confirmation was received from ERYC that they had received the cheque, ERYC has lost it. ERYC contacted the PC on 25th March to arrange to stop the cheque and send another one prior to the end of March. ERYC was informed the Clerk was on leave and there was no chance and that ERYC would need to pay for any charges for stopping the cheque as they had lost it – the Clerk will find out whether there is any charge. ERYC were informed that the PC may wish to keep the grant as a new slide is needed. ERYC agreed to send a change of use application form so that ERYC can consider changing the purpose of the grant. The next Panel date is 17th April and if the Parish Council approves, the form will be submitted for that date. There are five quotes for a new slide (the Parish Council will consider all this in the agenda item for the slide). The Clerk further updated the Council that ERYC had now found the cheque but was holding on to it pending the results of this meeting.

Weather vane, Camerons Gardens – this is damaged and was reported by Cllr Smales but the Clerk was away on holiday. The Council will consider this in the agenda for this meeting. Should this become dangerous, arrangements will be made to remove it prior to the meeting. It does not extend over the highway or footpath.

Freedom of Information requests – from Bempton Parish Council for Grounds Maintenance contract and Footway Lighting Maintenance contract.

Clerk’s hours – The Clerk had 57 hours holidays remaining in 2012-2013. 42 hours worked in March and 22 hours taken as leave. 35 holiday hours remain which will be carried over to 2013-2014.

Memorial Plaque, Thornwick – Paul Arro had emailed querying why the plaque had not been fixed. It is bought and paid for and the Council had seen it. Councillor Crossland assured the Council that it is in hand to be fitted.

War Memorial repairs – Councillor Crossland will remind Mr Mooney to have a look at the Memorial

NICEIC testing toilets and street lighting tests – the Clerk will chivy these up.

PCSO Liz Smith – had sent a monthly report to the Council and this was read out.

Yorkshire Wildlife Trust – had sent a request for permission for an advertising board at the crossroads of South Sea Road and Lighthouse Road and they were directed to ERYC. The YWT also sent an open invite to Councillors to visit the Living Seas Centre as further facilities were being added.

71/13 Questions/Reports from Councillors and Committee Representatives:

Councillor Crossland – asked what has happened re the truck to the rear of Post Office Street and the bins on Chapel Street – residents cannot walk through and there is a safety issue when the truck backs out. The Clerk reiterated the report given in the Clerk’s Report section but the issue was not resolved.

- The Clerk will write to ERYC’s Chief Executive, the Police and Fire Service regarding the truck blocking the right of way, the safety of gas canisters being stored on it, the safety matter when the truck backs out, the number and operation of bins on Chapel Street.

Chairman – reported a street sign had been damaged on Stottlebink

- The Clerk will report this to ERYC Highways.

Councillor Couzens – reported that a tree on the Village Green had been hacked back. The Council was concerned as this is unlawful within a Conservation Area and is criminal damage.

Councillor Leppington – asked that the Council ask for confirmation from the Post Officer whether the Post Box will be re-sited or not.

Councillor Grainger – noted that cars were being parked on Post Office Street despite the double yellow lines.

- The Clerk will request Highways to place a No Loading at Any Time restriction there.

72/13 Chairman’s Report:

The Chairman had nothing to report.

73/13 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) **13/00630** – Continued use of land as campsite and extension to existing campsite to accommodate up to 20 touring caravan pitches and 20 tent pitches (along with ancillary facilities block and use of existing building for storage)
At Wold Farm, Bempton Lane, Flamborough
For S & P Southwell
Application Type: Full Planning Permission
(See enclosed correspondence received separately from S & P Southwell, Wold Farm).

Councillor J Crossland and Councillor P Couzens stated they were not declaring an interest in this planning application however they were not going to take part in discussion or vote.

RESOLVED: (8 in favour, 2 abstentions) that the Parish Council supports this application, proposed the Chairman, seconded Councillor Villani.

Applications granted by ERYC

- (1) **13/00250** – Relocation of shop entrance following brick-up of existing access, with installation of internal disabled access ramp at Ye Olde Tucke Shoppe, Tower Street, Flamborough
- (2) **13/00054/TCA** – Remove major deadwood from sycamore, crown thin by 15%, remove crossing branch towards neighbouring property, light crown lift over garden back to suitable growth points to re-balance canopy at Greenside Cottage, Greenside Flamborough.

Application to Appeal

- (1) **12/02625** – Outline – Erection of three holiday cottages (access and layout to be considered) at land west of the Viking Hotel, North Marine Road, Flamborough.

74/13 To note/deal with correspondence as listed below:

26-Mar-13	ERNLLCA, ERNLLCA NE District Committee, 7.30pm, Hutton Cranswick Recreation Hall (enclosed and emailed to Cllrs) – consider attendance <ul style="list-style-type: none"> ▪ No-one was available to attend. The Council wished to withdraw the turbine item.
25-Mar-13	ERYC, Draft Allocations Document – Gypsy and Traveller Sites Further Consultation Paper – consultation until 6 th May 2013 (enclosed and emailed to Cllrs)
25-Mar-13	ERYC, ERYC Brid & Driff Community Partnership notes from meeting of 11 th March. Next meeting will be 11.30, 22 nd April, Bridlington Resource Centre (emailed to Cllrs)
March 2013	Newsletters: ERNLLCA Newsletter (enclosed and emailed to Cllrs) ERYC, Data Observatory (emailed to Cllrs), ERYC Parish News (emailed to Cllrs)
March 2013	Humber & Wolds Rural Community Council Newsletter Community Services Health & Social Care Pathways in the East Riding of Yorkshire

75/13 To approve payment of accounts to 31st March 2013 (see attached sheet):

To include approval of annual membership to ERNLLCA for April 2013-Mar 2014 - £625.05.

Councillors A Grainger and P Couzens declared pecuniary interests in that they had accounts for payment but remained in the meeting. They both abstained from voting.

Chq No	Creditor	Net Due	VAT	Total
2266	Small Works Contract (Feb/March) see details below	300.40		300.40
2267	ERYC, xmas lighting maintain, switch on/off	161.28	32.26	193.54
2268	ERYC, street light work inc YE costs - lights 8, 6, 47 and 32	1,075.71	215.14	1,290.85
2269	Annual Subscription to Local Councils Review	16.00		16.00
2270	MR & KM Couzens, Grounds Maint cut x 1	254.40	50.88	305.28
2271-74	PAYE (March)	1,445.25		1,445.25
2275	Clerk Expenses (Mar)			
	Telephone	8.00		8.00
	Broadband connection	7.50		7.50
	Expenses for working from home	12.00		12.00
	Postage	16.80		16.80
	Stationery	5.18		5.18
	Photocopying paper	6.65	1.33	7.98
	Car Allowance	20.00		20.00
	Deliveries	2.00		2.00
2276	ERNLLCA, Annual Membership (2013-2014)	625.05		625.05
	Totals	3,956.22	299.61	4,255.83

Received

£60.00	Outgoing tenant of plot 34 to reimburse Council for work to plot.
£30.00	Allotment rent, plot 53
£2.54	Toilets Donations Box

Accounts Paid

Chq 2263	£1,080.00 inc VAT	MR & KM Couzens, for clearance work to allotment site.
Chq 2264	£72.00 inc VAT	MR & KM Couzens, clearance work to plot 34.
Chq 2265	£37.83	Yorkshire Water, toilets water rates

Small Works Contract (jobs undertaken in Feb/March)

Invoices 12020-12025 for six jobs.

08-03-13	£25.00	Unblock drains to toilets
08-03-13	£90.40	Replace guttering to toilets (£77.32) and paint (£13.08)
08-03-13	£50.00	Replace broken laminated glass in Notice Board
15-03-13	£20.00	Repair guttering, Woodcock Road bus shelter
15-03-13	£60.00	Repair guttering, replace fall pipe, North Landing bus shelter
15-03-13	<u>£55.00</u>	Repair guttering, replace fall pipe, Crofts Hill bus shelter
	£300.40	

RESOLVED (8 in favour, 2 abstentions) that the accounts as submitted should be paid, proposed Councillor Villani, seconded Councillor Mrs Taylor.

RESOLVED (All in favour) to give the Clerk authority to pay the accounts at the end of April, proposed Councillor Crossland, seconded Councillor Mrs Taylor.

The Clerk gave Councillors the year end budget report t 31st March 2013 which would form the basis of the year end accounts (to be submitted for approval at the next meeting) and the Council noted that spending had been within budget. The Clerk gave Councillors the new budget for 2013/2014.

76/13 To approve further comments on the Draft Local Plan consultation documents in terms of the enclosed report:

RESOLVED: (All in favour) to respond with the further comments as below, proposed the Chairman, seconded Councillor Villani.

- That as Minute 53/13(b) of Meeting of 4th March 2013, the Council approves residential site allocations FLA1, FLA7 and FLA9 as put forward in the Draft Allocations Document as these do not significantly intrude into the open countryside.
- Concern that work to complete the review of Flamborough's Conservation Area will not be completed before the final draft version of the Local Plan.
- The Village Green is not correctly identified as the three small Greens are not and should be identified as Open Spaces on the Policies Map.
- That even though the Draft Strategy document is strategic and accepting the limited residential development, there are still serious concerns that the Draft Strategy fails to protect the Heritage Coast. Flamborough comes within Policy A2 (Bridlington Coastal Sub-Area) and as Bridlington must develop, in doing so, inadequate consideration has been given to protecting the adjacent Heritage Coast. It has been overshadowed by the proposed development to Bridlington and the policy is based too much on Bridlington. Stronger, more robust strategies should be developed within Policies A2 and ENV2 to protect the quality of the environment. Failure to protect the Heritage Coast is inconsistent with a number of NPPF Policies.

77/13 Neighbourhood Planning Seminar:

- (a) **To receive a report from Councillor Mrs Johnson and the Clerk on the Seminar at Tickton on 8th March (Clerk's report enclosed):**
- (b) **To consider moving forward with a Neighbourhood Plan:**

In the absence of Councillor Mrs Johnson, this item was deferred to the next meeting.

78/13 Playground slide

- (a) **To receive reports on the condition/repair/replacement of the slide from Councillor Grainger and the Clerk:**

Councillor Grainger had sourced a quote of £675 plus VAT from H Cowton to repair the slide. There was conflicting advice as the Play Inspection Company did not see an issue with repair of the slide but other advice stated that the slide should be removed because of its age and condition and because it does not meet current BS EN standards. The Clerk recommended removal of the slide because of liability issues (which would lie with the Council) when replacing the structural supports which would also create an unstable piece of equipment, the lack of kite marked guarantee from a contractor undertaking the work to the supports and re-installing equipment that does not meet current safety standards. Prices quoted for installing new a new slide plus grass mat surfacing ranged from £4,393 to £7,505 plus VAT.

(b) To approve the way forward – repair slide, replace slide, replace whole playground:

As stated in Clerk’s Report, a change of use form could be completed to keep the grant fund.

RESOLVED: (All in favour) that the Clerk looks into holding the grant money and submits a change of use form, proposed Councillor Couzens, seconded Councillor Leppington.

79/13 To approve a grass-cutting schedule to Charlie’s Gardens for 2013:

Councillor Crossland reported that he had contacted the Community Payback Scheme who will keep the grass down at Charlie’s Gardens.

80/13 To approve removal and repair/replacement of the damaged weather vane at Camerons Gardens:

Councillor Crossland reported that he will get the weather vane down and report back to the next meeting with its condition.

81/13 To receive correspondence from a resident regarding previous bus-stop discussions and approve further action:

The Clerk will chase up ERYC as to the progress.

82/13 To approve a new Notice Board (public board below the Parish Council board) at Camerons Gardens:

This item will be deferred to the next meeting for Councillor Crossland to find out if an outside board can be found for a drawing pin to go into easily.

83/13 To review attendance at the new Parish Council network (see enclosed from Burton Agnes Parish Council):

Councillor Couzens will attend when it is known when the meeting is.

84/13 To approve painting of Tower Street bus shelter and all bus shelter fascias – Cllr P Couzens:

Councillor Morton will undertake the painting and the Council will reimburse him for the paint used.

85/13 Allotments:

(a) To receive and consider correspondence from the tenant of plot 25b in relation to rubbish against the piggeries:

The Council noted the response and will monitor the situation. The Council noted that the Association must start taking some responsibility and support should be given to it to get it going efficiently. The Clerk will release the information the Association had asked for.

(b) To receive a report on the Clerk's monthly site visit and approve action required:

The Clerk and Councillor Smales had visited the site on 5th March. Most of it was in a good condition and being cultivated. Letter 1 had been sent to the tenant of plot 14 however there had not been any work to the plot. The Clerk will send Letter 2. Two other plots were being monitored for non-cultivation.

(c) To let plots and grant permissions:

There were currently three applicants wanting 2.5 plots. There were 6.5 plots vacant. Five full and three half plots.

Signed as a true and correct record*R Sellick*..... Date.....13th May 2013.....
Chairman, Flamborough Parish Council