

FILEY TOWN COUNCIL

ORDINARY MEETING HELD 14 JANUARY 2015

AT 7.00pm

Present : Councillor John Shackleton (Chairman) and Councillors Susan Bosomworth, John Casey, Diane Glanvill, John Haxby, John Thurston, Richard Walker, Kevin Wilkie and Marion Wright.

Also present : Boro Cllr Mike Cockerill, Cty Cllr Sam Cross, Sgt Chris Gosling North Yorkshire Police, Mr Dave Newbury Chairman Discover Filey Development Trust, Miss Natalie Bosomworth and Mr Tony Viney representatives of Filey Festival Group, Mrs Gina Robinson Town Clerk and Mrs Maureen Prentice Deputy Town Clerk plus 4 members of the public.

Cllr Shackleton reminded everyone present of the emergency evacuation procedure in the event of an emergency taking place. No-one requested to record or film the meeting.

Cllr Shackleton went on to inform members that Mr David Crimlisk had passed away over the Christmas period and as a mark of respect for a former Filey Town Councillor, a minute's silence was held.

NOTICE OF MEETING

RESOLVED : That Public Notice of the meeting had been given in accordance with Schedule 12, para 10(2) of the Local Government Act 1972. 001/015

APOLOGIES

Apologies had been received from Cllrs K Burton (ill health), E Holden (ill health), T Willis (ill health) and J Meek (holiday).

RESOLVED : That the above apologies be accepted. 002/015

DECLARATIONS OF INTEREST

The Chairman reminded members of the need to consider whether they needed to declare a disclosable pecuniary interest (DPI) or personal interest, as detailed in Appendix A and Appendix B of the Town Council's Code of Conduct.

Cllr Wilkie declared a personal interest in Agenda Item 6 in respect of the Discover Filey Development Trust Ltd as his step mother was on the Board of Directors.

RESOLVED : That Cllr Wilkie's declaration of interest be noted. 003/015

NORTH YORKSHIRE POLICE

Members had been circulated with a copy of the Police Report and Sgt Gosling stated that the crime figures had increased but this was due to how the crimes were recorded. He went on to inform members of the theft of a Play Station from premises in Queen Street, however the victim had refused to take the matter any further. Sgt Gosling stated that the new CCTV camera had been used and was proving to be excellent especially as there had been a fight between females outside a Public House in Union Street, one between several people in a Public House in Belle Vue Street and a female assaulted a female in a Public House in Murray Street. The Filey pub watch was involved in all these incidents. Cllr Shackleton enquired about an incident involving youths at the Allotments however Sgt Gosling was unaware of this but would make enquiries and let him know. There being no additional comments it was :

RESOLVED : That the Police Report be accepted and additional comments noted. 004/015

PUBLIC QUESTION TIME

RESOLVED : That it be noted no questions were forthcoming. 005/015

TO RECEIVE ITEMS FROM PREVIOUS MINUTES WHICH REQUIRE FURTHER CONSIDERATION

Min 836/014 – Discover Filey Development Trust Ltd.

The Chairman welcomed Mr Dave Newbury, the newly appointed Chairman of the Discover Filey Development Trust to the meeting who stated that Members had been circulated with information in respect of the following items and went on to give the following verbal information:

Filey Bay Initiative as a Partner/Stakeholder of the Trust

Mr Newbury stated that there had been no change of status of the Filey Bay Initiative however subsequent to that the Friends of Filey Bay Initiative group had been wound up and their activities taken over by the Filey Bay Initiative. With regard to the Filey Underwater Research Unit, this no longer reported to the Filey Bay Initiative group as it was semi-dormant. Cllr Haxby commented that this was the Maritime aspect of the group and Mr Newbury stated that some other maritime objectives would have to be found.

RESOLVED : That members note the above comments.

006/015

Filey Country Park Top Scrub Fencing

Mr Newbury stated that in 2013 a "master plan" was submitted for the enhancement of the Filey Country Park which showed the Top Scrub fencing around the bird ringing area and pond only and Discover Filey was allocated Yorventure funding towards this fencing. Following this a site meeting had been held at Top Scrub with Alan Tomlinson (SBC), Ian Robinson (FBOG) and two Discover Filey representatives to decide on the fencing route. Unfortunately the results of this meeting were not reported back to the Discover Filey Board nor were these reported to the Town Council and the fence was installed in early 2014. Cllr Haxby commented that Boro Cllr Cockerill could not find any reference to permission for a fence being given by the Borough Council. He went on to state that the erected fencing was not re-fencing as stated nor was it temporary fencing but was permanent due to the type and strength of materials which had been used. He re-iterated that the fencing should have been around the bird ringing area and pond only.

Standing Orders were suspended to permit Boro Cllr Cockerill to speak

Boro Cllr Cockerill stated that unfortunately there was no adequate paper trail and suggested that the modified plan showing the fencing around the bird ringing area and pond areas be considered and after tonight's discussions with the Town Council then Discover Filey should move on and find a solution.

Standing Orders were re-instated at this point

Mr Newbury stated that at a Board Meeting held earlier in the day the Group had agreed to do nothing about this fencing. A prolonged discussion then took place following which it was :

RESOLVED : That a letter be sent to Scarborough Borough Council requesting that the illegal part of the fence be removed forthwith and would request that the Borough Council addresses this matter as a priority in the spirit of the Memorandum of Understanding between the Town Council and the Borough Council.

007/015

Filey Country Park Replacement Shelter

Mr Newbury stated that it had never been a plan to replace the old toilet block with a new shelter however he considered that it may be possible to allocate some of the Section 106 monies towards this project, but at a meeting of the Board this afternoon it had been decided to do nothing. Cllr Haxby stated that the old toilet block/shelter should have stayed in situ until such time as a replacement building was in the process of being built and considered that it was an illegal spending of the 106 monies to demolish a community asset and was morally wrong.

Standing Orders were suspended at this point to permit Boro Cllr Cockerill to speak

Boro Cllr Cockerill stated that the Section 106 monies was given to use for match funding in order for the Group to obtain lottery funding but had learned since that no lottery funding had been applied for. Boro Cllr Cross stated that there was a need to move forward but felt that trust in the Discover Filey Group had been lost. Boro Cllr Cockerill went on to enquire how much unallocated 106 monies was left and was informed approx. £14,000. He went on to request that Mr Newbury send him an email stating where the Section 106 monies had been spent and how much there was left.

Standing Orders were re-instated at this point

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Filey Country Park Replacement Shelter (cont)

A discussion then took place following which it was :

RESOLVED : Members requested that ways be found for a replacement public shelter to be built on the Filey Country Park **008/015**

Proposed Discovery Centre Project

Mr Newbury informed members that this project was on hold until solutions had been found in respect of the fencing and shelter.

RESOLVED : That this be noted. **009/015**

Cllr Walker at this point requested that Asset Transfer of Filey Country Park be placed on the next Agenda for discussion. Cllr Haxby also requested that a letter be sent to the Borough Council asking that there be no further work on any trees in our area without the Town Council first being consulted.

TO RECEIVE ITEMS FROM PREVIOUS MINUTES WHICH MAY NOT REQUIRE FURTHER DISCUSSION

RESOLVED : It be noted that no items had been received. **010/015**

FESTIVAL OF FILEY GROUP

The Chairman welcomed Miss Natalie Bosomworth and Mr Tony Viney who were representatives of the above Group to the meeting and Miss Bosomworth went on to state that the Group was well supported and they were keeping the dates as previous, 26 June to 5 July 2015. She informed the members that the Group had a Facebook page, Twitter and would shortly have a web page. The Festival programme would be undertaken by herself and it was hoped to celebrate all things Filey and engage all of the town. Miss Bosomworth stated that they hoped to re-instate the parade however there would be no floats as it would be a walking procession with open cars and an open topped bus with a theme for fancy dress however this parade was subject to all relevant permissions being obtained. Mr Tony Viney confirmed that he was applying to the County Council for these permissions later in the week, the Clerk reminded him that he would also need to discuss this with the North Yorkshire Police and Scarborough Borough Council etc. and have a planned route, a risk assessment and a traffic management plan in place. Miss Bosomworth stated that various Groups in the town were already letting her have information on what they intended to put on during the above dates. Cllr Shackleton requested that he be informed of when the Groups meetings are and Cllr Casey requested that minutes of meetings also needed to be circulated. Miss Bosomworth hoped that members would support their efforts through their own personal interests in various groups and that the Town Council would support their efforts.

RESOLVED : That the Town Council support 'in principle' the proposed event being organised by the Festival of Filey Group. **011/015**

Report from Cllr John Casey, Council Representative

A written report of the meeting of the Festival of Filey group which had been held on Tuesday 6 January 2015, from Cllr Casey, had previously been circulated to members and this gave further details of some of the events already scheduled to take place.

RESOLVED : That the contents of this report be accepted and duly noted. **012/015**

MINUTES

Ordinary Council held 10 December 2014

RESOLVED : That the Minutes of the above meeting, as circulated and taken as read, be and are hereby approved as a true and correct record of the proceedings thereat with Minutes 832/014 to 866/014 inclusive being accepted by the full Council and action be taken thereon as necessary. **013/015**

continued overleaf

MINUTES (cont)

Staffing Committee held 16 December 2014

RESOLVED : That the Minutes of the above meeting, as circulated and taken as read, be and are hereby approved as a true and correct record of the proceedings thereat and Minutes 867/014 to 875/014 inclusive be accepted by the full Council and action be taken thereon as necessary.

014/015

Planning Committee held 22 December 2014

RESOLVED : That the Minutes of the above meeting, as circulated and taken as read, be and are hereby approved as a true and correct record of the proceedings thereat and Minutes 876/014 to 880/014 inclusive be accepted by the full Council and action be taken thereon as necessary.

015/015

REPORT OF WORKING PARTY MEETINGS

RESOLVED : It be noted that no meetings had been held.

016/015

FINANCE

RESOLVED : That members accepted the financial payment schedules for the following accounts and agreed to pay the amounts detailed thereon.

017/015

General Fund :	11 – 31 December 2014	£ 6,547. 08
	1 - 14 January 2015	£ 18,397. 82

NORTH YORKSHIRE COUNTY COUNCIL

Report from County Councillor

Cty Cllr Sam Cross had submitted an email report which had been circulated to members a copy of which is attached hereto (Appendix 1). He went on to state that Filey School was to become an Academy sponsored by the Ebor Academy Trust which is based in York. Cllr Marion Wright enquired when a Traffic Management Working Party meeting would be held and was informed that it had been agreed at a previous meeting that the walk-about meetings with Cty Cllr Cross, Mr Paul Birkett and members would continue as an alternative. As Cllr Wright seemed unaware of this she requested further information as to when this had been agreed. Cllr Shackleton reported potholes around the utility grates on Mitford Street. here being no further questions it was :

RESOLVED : That the Report and contents be duly noted.

018/015

SCARBOROUGH BOROUGH COUNCIL

Report from Borough Councillors

Boro Cllr Cross stated that he had no report to give.

Boro Cllr Cockerill had submitted a written report which had been circulated to members, a copy of which is attached hereto (Appendix 2). Boro Cllr Cockerill then gave a verbal update, a copy of which is attached hereto (Appendix 3) in respect of Flood Alleviation next meeting, grass cutting, Filey Tourism Association to fund advertising panels on entrances to Filey for various local events. Boro Cllr Cockerill also stated that at a forthcoming Borough Council meeting Council Tax will be discussed with 2 options (a) zero increase in which case they would receive 1% from the Government or (b) an increase of just under 2%. There being no further comments it was :

RESOLVED : That the above reports be accepted and other information noted.

019/015

Sale of Land and Rationalisation of Existing Tennis Provision at Southdene, Filey

Members had previously been circulated with copies of correspondence between the Town Clerk and Boro Cllr Tom Fox together with a copy of the amended draft minutes of the SBC Cabinet Meeting held on 17 December 2014 and the decision made thereon. The Clerk informed members that she had challenged the Minutes of the Cabinet meeting which were subsequently amended to reflect the Town Council's comments. Cllr Wilkie queried whether the sale was best value for money as Filey desperately needed sports facilities for its residents rather than the sale just benefitting a minority of the residents.

Continued overleaf

Filey Town Council 14 January 2015

Sale of Land and Rationalisation of Existing Tennis Provision at Southdene, Filey (cont)

Boro Cllr Cockerill stated that it was the percentage of affordable homes which had reduced the amount of receipts and went on to use a phrase to describe this situation which could be perceived as having a racial connotation, although no-one present at the meeting made any comment regarding his choice of words. When asked whether the work on the grass courts would be undertaken first he replied in the affirmative and went on to suggest that members consider putting forward ideas for the possible uses for the money in the future.

RESOLVED : That the above information be duly noted. **020/015**

*A short comfort break of five minutes was taken at this point 9.18pm
Cty Cllr Cross left the meeting at this point*

NEW LOCAL COUNCIL AWARD SCHEME 2015

Members had previously been circulated with copies of email letters from the Yorkshire Local Councils Associations and the National Association of Local Councils in respect of the new 'Local Council Award Scheme' and to advise the Council that its Quality Council Status would expire on the 31 January 2015. The Clerk explained that the Town Council could automatically be offered the Foundation Level without having to go through any accreditation process provided they applied before the above date which would then give the Council a year to submit its application for either a Quality Award or Quality Gold Award. She stated that she had spoken with the YLCA, who would be running training workshops in the near future, and they agreed that this would be the best course of action for the Town Council to take.

RESOLVED : That the above information be noted. **021/015**

A Guide to the Local Council Award Scheme

Members had previously been circulated with a copy of the above document giving details of the three different levels for awards for information. The Clerk explained that the new scheme was more complex with three different levels for awards, Foundation, Quality and Quality Gold. The new criteria would require new information which the Council will have to put in place, and a lot of emphasis is more information being made available on the Council's website, performance management with positive outcomes, action plans, new policies, community engagement etc.

RESOLVED : That the contents of the document be duly noted. **022/015**

Foundation Level Status

Members were asked to give consideration to applying for the Foundation Level Status in the interim until such time as the new criteria for either a Quality Award or a Quality Gold Award could be evaluated by the Strategic Planning Committee, in consultation with the Staffing Committee, to determine what needed to be implemented prior to applying for either of the two higher awards.

RESOLVED : That an application be submitted for the Foundation Level Status prior to 31 January 2015. **023/015**

TOWN CLERK'S REPORT

Outstanding Matters from previous meetings

RESOLVED : It be noted that there had been no change in outstanding matters over the Christmas period. **024/015**

Diary Dates for Members

Members had been circulated with a list of various dates of meetings and events etc. during the forthcoming month. The Clerk informed members that there would also be meetings of the Decorative Lighting Scheme and Yorkshire Day Working Parties in early February.

RESOLVED : That members would make a note of the dates submitted. **025/015**

Mayoral Engagements

Members had been circulated with a list of engagements for January and early February.

RESOLVED : That the list of engagements be noted. **026/015**

Continued overleaf

TOWN CLERK'S REPORT (cont)

Model Agreement Tenders

Members were informed that the following Tenders would be advertised on 15 January 2015 with a closing date of 12 noon on 13 February 2015.

- 3 year contract for Grounds Maintenance of Lawns Cemetery (including Grave Digging)
- 3 year contract for maintenance of Public and Commemorative Seating

RESOLVED : That the above be noted.

027/015

Yorkshire Local Councils Associations

Members had previously been circulated with the current edition of the White Rose Update which included several interesting articles – Information on Council Tax support grants; New Local Council Award Scheme; New pensions regime for automatic enrolment; .gov.uk domain names and Council of the week.

RESOLVED : That the information in this publication be duly noted.

028/015

Letter of thanks

Members had previously been circulated with a copy of the letter of thanks from a local resident regarding Christmas lighting and the strimming of the banks of Church Ravine. Cllr Haxby complimented the members of the Decorative Lighting Group on the Christmas lighting in Filey last year and Cllr Marion Wright stated that a lot of compliments had been received and she thanked the Town Clerk for her hard work liaising with the contractors.

RESOLVED : That the letter be accepted.

029/015

Christmas Card Collection

Members were informed that the sum of £61. 10 had been collected and duly donated to Scarborough Hospital's Intensive Care Unit.

RESOLVED : That members note the above information.

030/015

Reports on Items Raised at Public Question Time

Members were informed that all questions were responded to at the last meeting and the request for an item to be placed on the next agenda had been complied with.

RESOLVED : That this be noted.

031/015

REPORTS FROM COUNCILLORS ON OUTSIDE ORGANISATIONS

Members were requested to give a report if they had attended any meetings of any other outside organisations between 11 December and 14 January 2015.

Cllr Casey, as Council Representative on the Filey Bay Traders Group had submitted a written report which stated that their main discussion was regarding Yorkshire Day with the Chairwoman informing their members that she had been invited to attend the Town Council's Yorkshire Day Working Party meeting and various ideas were then put forward as to what the Traders could organise. It was hoped that the beach racing event hosted and organised by the Auto 66 Club would take place during October 2015 with permissions from the Borough Council being awaited. An "End of Season" Ball was to be arranged in October with finalised details later. It was also hoped to have an Easter Egg hunt.

Cllr Shackleton reported that there were 8 names on the waiting list of the Allotment Association and that there had been youths running amok on the site who had escaped through the Dams Goit.

Cllr Shackleton further reported that the Town Council's Christmas Card had been well received and thanked the pupils of Filey Junior School for their designs as well as Mrs Susan Bosomworth for all her assistance in this project. He informed members of the various mayoral engagements he and the Mayoress had undertaken recently being the Filey in Bloom and Friends of Filey Parks Annual Dinner; Rotary Christmas Grotto and painting competition; Filey Lions Club Over 85's Christmas Dinner at which the students of Filey School had assisted and were a credit to themselves and the school.

Cllr Shackleton went on to inform members that Mr David Crimlisk, a former Town Councillor, had passed away on the 22 December 2014 and he had attended his funeral.

REPORTS FROM COUNCILLORS ON OUTSIDE ORGANISATIONS (cont)

Cllr Susan Bosomworth, as Deputy Town Mayor went on to state that she and her Consort had attended the Scarborough Area Music Centre's Gala Concert at the Spa.

RESOLVED : That the above Reports be accepted and contents duly noted. **032/015**

REQUESTS TO OBTAIN OR PRESENT INFORMATION

RESOLVED : That no requests had been received. **033/015**

Under Section 17 of the Crime & Disorder Act 1998 members considered that none of the above decisions would impact on crime and disorder

The meeting closed at 9.45pm

Councillor John Shackleton
Town Mayor & Chairman

NORTH YORKSHIRE COUNTY COUNCIL REPORT

APPENDIX 1

-----Original Message-----

From: Cllr.Sam Cross [mailto:Cllr.Sam.Cross@northyorks.gov.uk]

Sent: 13 January 2015 07:46

To: mail@fileytowncouncil.co.uk

Subject: Report

Gina

I thank Councillor Bsomworth for walking round and advising we did over 4000 steps and on a very cold morning.

1 The railings on RavineTop are now finished, they will now be left to weather and the painted Filey Blue

2 A project run by Mr.Naylor is looking at the bottom of Scarborough Road for replacement

3 New posts will be put on the sign after Filey stores

4 The Gardens is being looked at for repair at the entrance

5 A scheme is being looked at on the Croft

6 The Imperial garage signed we have asked to be removed and the owner is in dispute.

7 A programme is being looked for resurfacing the Avenue.

The council are looking for a 2% increase even when they are cutting our services and building a very expensive incinerator.

The school is being dealt with by council officers, to turn it round.

rgds Sam Cross

County Councillor Sam Cross

SCARBOROUGH BOROUGH COUNCIL REPORT

Sale of Southdene grass courts

This was discussed at the December meeting of the Cabinet.

I stated that I could not support the recommendation before the Cabinet and reminded the meeting that part of my remit as Portfolio Holder is to secure the best value during any disposal of land belonging to the Borough.

I did suggest that, as an alternative action, officers could be instructed to investigate alternative opportunities and bring forward a further report early in the New Year.

The decision of the majority was to accept the offer I mentioned in my November statement.

As I stated at the time, the amount of the proposed capital receipt, after the relocation of the Tennis Club onto the existing hard courts and allowing for the required percentage of affordable housing, did not provide anywhere near the funding necessary to cover the bids I submitted for the use of the funds.

The bids I had previously submitted were -

1. for the relocation of the Tennis Club onto the hard courts after the courts had been brought up to the recommended specification approved by the Lawn Tennis Association, including the provision of floodlighting together with the provision of a small clubhouse. This relocation will take place and does not alter the nett capital receipt.
 2. for the improvement of the drainage to the Scarborough Road football field circa £60k.
 3. for the improvement of the internal road at the Clarence Drive sportsfield circa £30k.
 4. for a feasibility report into the provision of an indoor gym facility in Filey circa £5k.
 5. for the provision of an indoor gym facility in Filey ~£250k - £500k.
- This last one is the only one for which there is now inadequate funding.

The situation where I am not allowed to divulge the amount of the capital receipt remains and will do so until the contract is signed.

At that time the Town Council will be asked for suggestions as to how the capital receipt could be spent in Filey, although there is no guarantee that any suggestion will come to fruition.

Cross Connections

The work in Pinewood Avenue to correct the incorrect sewer system is scheduled for completion this week.

Cobles on Coble Landing

A follow up meeting with the owner of the cobles and other interested parties took place before Christmas. The owner of the cobles informed the meeting that he was due to have discussions with a third party that had expressed an interest in becoming involved. The owner was given a deadline of the end of January to come forward with viable ideas.

NYCC reduction in funding for Grass Cutting on NYCC land

This was discussed at the December meeting of Cabinet.

During earlier discussion, I raised the issue of the Discretionary Grant to Town and Parish Councils. I stated that I had been requested to put forward the suggestion that the value of the Discretionary Grant likely to be retained by the Borough Council could make a contribution to the shortfall caused by the action of the County Council. No support for that suggestion was forthcoming.

In regard to the grass cutting I expressed my view that the Borough Council are on a hiding to nothing in respect to this matter.

Even though we know that the funding comes from County, the General Public sees the Borough Council cutting the grass. If SBC attempts to fudge the matter and do a partial job on any County land, it will be the Borough Council that gets it in the neck from the general public, as they will perceive that it is the Borough Council that is not fulfilling its responsibility in this respect.

We need to clearly show the public that it is not the Borough Council causing the problem and the only way I can see this being done satisfactorily is for the Borough Council NOT to cut the grass on any land belonging to the County Council where there is no funding forthcoming.

The County Council need to act in a responsible manner by maintaining its own property, i.e. the grass cutting of its own land.

Hopefully the peer pressure will eventually convince the County that they need to think again.

My basic view that there was no practical half way house in this matter was shared by colleagues and we were informed that discussions at a senior officer level would be taking place with NYCC later this month.

The Minutes of the Cabinet meeting reports that "All agreed that the current Service Level Agreement with the County Council was both unacceptable and unworkable. There was also opposition to asking parish councils to make up the funding shortfall, which could entail parish councils subsidising non-parished areas of the Borough."

Former Police Station

I arranged a site meeting with the applicant and expressed my disappointment that he had not taken the opportunity of submitting a revised application that could have offered some degree of compromise.

He did state that he would be clarifying some of the concerns expressed by the Town Council e.g. re the inappropriate use of the balcony.

Flood Alleviation Scheme

The monthly meeting of the project team takes place next week.

Tour de Yorkshire

You will be aware that I was unable to support the recommendation to the Cabinet to find circa £135,000 to bring the start of a day of racing to Scarborough.

However, wearing my Filey hat, later that week I had discussions in regard to the possibility of the race passing through Filey.

I have since been assured that the case for Filey to be included in the route has been discussed with the organisers of the race, this was confirmed to me this week.

We await the detailed route later this month.

Borough Councillor M J Cockerill

VERBAL UPDATE

The meeting of the Flood Alleviation Scheme Project Team, scheduled for this afternoon, was postponed as there was nothing new to report.

The next meeting is scheduled for February when it is expected there will be major items to discuss.

You will recall the concern last year about the events being advertised on the boundary boards.

I have just received the proposed list of the six that are funded by Janet Deacon.

The 6 that have been suggested by Chris Smith of the Filey and District Tourism Association are –

Filey Folk Festival 1, 2 and 3 May

Filey Music Festival 23 – 31 May

Filey Regatta 27 and 28 June

Filey Safety Awareness Fun Day 2 August

Filey Lifeboat Weekend 8 & 9 August

Filey Fishing Festival 5 – 13 September

Jim Dillon is meeting Richard Flinton today, one of the matters to be discussed is the decision by County to withdraw funding for the cutting of the grass on many of the areas owned by County.

Borough Councillor M J Cockerill