

FILEY TOWN COUNCIL

ORDINARY MEETING HELD 10 MAY 2017 at 7.00pm

Present : Councillor Susan Bosomworth (Chairman) and Councillors Marilyn Anthony, Jacqui Houlden-Banks, John Casey, Diane Glanvill, John Haxby, Robert Horley, John Shackleton, John Thurston, Richard Walker, Marion Wright and Kevin Wilkie.
Also present : Boro Cllr Mike Cockerill, Cty Cllr Helen Swiers, Boro Cllr Sam Cross (7.24pm), Sgt Chris Gosling, Sgt Vicky Mason North Yorkshire Police and Mrs Maureen Prentice, Deputy Town Clerk

Cllr Bosomworth reminded everyone present of the emergency evacuation procedure in the event of an emergency taking place. She went on to state that the filming and recording of the meeting was taking place and enquired whether anyone else did not wish to be filmed, and further enquired whether anyone else wished to record or film the meeting and no response was made. She also welcomed Filey's new County Councillor, Helen Swiers, to the meeting and informed members that tonight would be Sgt Gosling's last Police Report before he retired.

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. 370/017

APOLOGIES

Apologies had been received from Cllr Jeff Meek (holiday) Mrs Gina Robinson, Town Clerk (illness) and Boro Cllr Colin Haddington (work commitments). Boro Cllr Cross had a prior meeting and would be arriving late, it was :

RESOLVED : That the above apologies be duly noted. 371/017

RESOLVED : That the above reasons for absence be accepted. 372/017

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.

RESOLVED : The no declarations of interest were made at this point. 373/017

NORTH YORKSHIRE POLICE

Members had been circulated with a copy of the Police Report and Sgt Gosling stated that this would be his last Police Report as Vicky Mason who is to be the new Sergeant at Filey would be attending although he would attend future meetings as a resident from time to time. Sgt Gosling stated that the crime figures were down on last year and as there had been vandalism to the beach chalets, staff from other areas had been assisting and the problem seemed to have decreased. Sgt Gosling stated that the dog who had reportedly bitten an eight year old boy in Glen Gardens had belonged to a holiday-maker who was not known and who had left the area. With regard to the road traffic collision on Muston Road, both parties had been arrested whilst an investigation had taken place following which there was to be no further action on one person but the other was to go to court. Sgt Gosling commented that with regard to the annual Safety Day as this had been a major event for the Police but would no longer be taking place they were to hold their own event at the Country Park possibly during the Festival of Filey. He went on to state that plans were in place for the forthcoming Seamer Horse Fair. Cllr Wright stated that children had been reported playing football recently in the Rose Garden and targeting the rose bushes, Sgt Gosling stated that there was now a new camera in this area which had an all-round view and should have picked this incident up. Cllr Wright went on to state that at the recent Filey in Bloom meeting they had been visited by a British Transport Police Officer, who was stationed at York, regarding damage to their displays and the need for CCTV and he was to assist the Bloom Group to try to achieve this. Sgt Gosling stated that they were also going to be in touch with him. Cllr Casey reported empty cans in Northcliffe Gardens on a regular basis which Sgt Gosling noted.

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NORTH YORKSHIRE POLICE (cont)

At this point Cllr Shackleton stated that he would miss Sgt Gosling around the town and at meetings and wished him all the best in his retirement. Sgt Gosling thanked the members of the Town Council for their support and information which had helped him during his time in charge at Filey. Cllr Bosomworth stated that it had been a pleasure to have him in uniform in the town and re-iterated the best wishes on behalf of all members of the Town Council and staff. There being no further comments it was :

RESOLVED : That the Police Report and additional comments be duly noted. 374/017

Police representatives left the meeting at 7.16pm

Filey Youth Project – Ravine Skatepark

Cllr Bosomworth stated that the next meeting of the above group was to take place on 24 May 2017.

RESOLVED : That this information be duly noted. 375/017

PUBLIC QUESTION TIME

RESOLVED : It be noted that no members of the public were present. 376/017

TO RECEIVE ITEMS FROM PREVIOUS MINUTES WHICH REQUIRE FURTHER CONSIDERATION

Min. 223/017 Tree Management

Members had previously been circulated with a letter of thanks from Mr James Hodgson, White Lodge Hotel together with images of the newly created viewpoint for information.

RESOLVED : That the letter of thanks be accepted. 377/017

Min. 294/017 Vote of No Confidence

Members were informed by the Deputy Town Clerk that no letter of response had been received from Mr J Dillon, Chief Executive and Cllr D Bastiman, Leader of Scarborough Borough Council. Cllr Haxby commented that he could not find any reference on Cabinet Agendas as to when the Town Council's and Whitby Town Council's letters had been discussed but considered that a response should have been forthcoming. Cllr Casey suggested that a Freedom of Information request be sent to the Borough Council in respect of this.

RESOLVED : That the Town Council submit a Freedom of Information request to Scarborough Borough Council requesting sight of all correspondence in relation to the vote of no confidence in Scarborough Borough Council's Chief Executive, Leader and Cabinet made by Filey Town Council. 378/017

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

RESOLVED : It be noted that no items had been received. 379/017

MINUTES

Ordinary Council meeting held 12 April 2017

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 281/017 to 321/017 inclusive be accepted by the full Council and action be taken thereon as necessary. 380/017

Staffing Committee meeting held 13 April 2017

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 that Minutes 322/017 to 332/017 inclusive be accepted by the full Council and action be taken thereon as necessary. 381/017

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MINUTES (cont)

Planning Committee meeting held 24 April 2017

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 333/017 to 338/017 inclusive be accepted by the full Council and action be taken thereon as necessary. 382/017

Staffing Committee meeting held 2 May 2017

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 that Minutes 339/017 to 345/017 inclusive be accepted by the full Council and action be taken thereon as necessary. 383/017

Special Council Meeting held 8 May 2017

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 that Minutes 354/017 to 361/017 inclusive be accepted by the full Council and action be taken thereon as necessary. 384/017

Property Committee Meeting held 9 May 2017

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 that Minutes 362/017 to 369/017 inclusive be accepted by the full Council and action be taken thereon as necessary. 385/017

REPORT OF WORKING PARTY MEETINGS

Filey Town Guide/Map

Members had been circulated with a copy of the Report of the meeting held on 11 April 2017 and it was :

RESOLVED : That the Report of the meeting be accepted. 386/017

FINANCE

RESOLVED : That members accepted the financial payment schedules for the following accounts and agreed to pay the amounts detailed thereon. 387/017

General Fund:	13 - 30 April 2017	£ 7,803.62
	1 - 10 May 2017	£ 3,144.38

REPORTS FROM COUNCILLORS ON OUTSIDE ORGANISATIONS

Cllr Casey had submitted a written report in respect of a meeting he had recently been invited to attend as a representative on Filey Tourism Association in which he reported that the Borough Council were encouraging local businesses to incorporate Tourist Information facilities where possible within their premises and would support training and provide information to give out. Other interesting items included a potential new lessee of the old TIC hoping to come into Filey by May 2018, no further details due to commercial sensitivity. There was also to be a new interactive screen larger than the current one in the Tourist Information Point with plans to provide these at rail and bus station and perhaps the seafront, this would negate the need for the Town Council's bid to the Coastal Communities Fund. Cllr Casey commented that some positives had come out of the meeting.

RESOLVED : That Cllr Casey be thanked for his written report. 388/017

NORTH YORKSHIRE COUNTY COUNCIL

Report from County Councillor

Cty Cllr Helen Swiers was welcomed and stated that she had not submitted a written report this month but hoped to do so in future. 28 new Councillors had been signed in at County Hall and the Council would have a majority of Conservative members.

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Report from County Councillor (cont)

She went on to state that the following Wednesday she would become the Chairman of the County Council. Cty Cllr Swiers stated that each County Councillor was given a locality budget of £5k and would seek assistance from the Town Council in order to make good use of this money. Cllr Wilkie commented that as Filey was so far from Northallerton the town needed a proper link as there were on-going items which needed progressing i.e. Crescent Hill setts, transport, grass cutting etc. Cllr Shackleton stated that the Town Council had had a good and close relationship with former Cty Cllr Sam Cross and hoped that she would continue in this vein. He went on to thank Cllr Cross for all he had done for Filey during his term of office which was re-iterated by all members.

RESOLVED : That the above information from Cty Cllr Swiers be noted **389/017**

Scarborough Road

Members were reminded of the resurfacing work being carried out on Scarborough Road from 8 – 12 May from 6pm to 2am from Grove Hill Road junction to the Copse Hill junction. Members commented on the bad signage in respect of this as many motorists were driving as far as Grove Hill Road then having to turn round and go back to the Scarborough Road roundabout.

RESOLVED : That this be duly noted. **390/017**

SCARBOROUGH BOROUGH COUNCIL

Report from Borough Councillors

Borough Cllr Mike Cockerill had submitted a report, which was duly circulated to members of the Town Council which is attached at **Appendix 1**. With regard to Flood Alleviation, Lawn Cemetery Extension, Coble Landing Attendant and Trees. With regard to the trees, Boro Cllr Cockerill confirmed that all highway trees in Filey were still the responsibility of the North Yorkshire County Council and not the Borough Council as had been intimated.

RESOLVED : That the above information be duly noted and Boro Cllr Cockerill be thanked for his informative report. **391/017**

Vote of No Confidence

Members had previously been circulated with a copy of the email from Boro Cllr Sam Cross in respect of a requisition, signed by himself and four other Borough Councillors calling for an Extraordinary Meeting of the full Council to Table a Motion for a single item of business, being a Declaration of No Confidence in the Leader and incumbent Portfolio Holders of his Cabinet in accordance with the terms of the SBC constitution. He commented that in his opinion it was a sad state of affairs for local politics when the Borough Council's Constitution was ignored as no further progress had been made with regard to holding this Extraordinary Meeting as the Monitoring Officer considered that purdah restrictions applied pertaining to the North Yorkshire County Council elections. Cllr Haxby again queried why these serious complaints were not getting any responses he also queried as to whether all members of the Borough Council had any knowledge of these votes of no confidence.

Boro Cllr Cockerill commented that both the Assistant Chief Executive of NYCC and the Chief Executive of SBC concur with the advice given by the Director of Legal Services, Lisa Dixon as she had also sought a second opinion from one of the country's leading local government lawyers, Judith Barnes of Bevan Brittan who had stated that ...*"the meeting should not be called before 9 June as the Local Government Association consider we are already in purdah for the general election."*

RESOLVED : That the above information be noted. **392/017**

TOWN CLERK'S REPORT

Outstanding Items and Actions Log 2017 to date

Members had been circulated with a copy of the updated outstanding log which gave a potted history of any outstanding items. It was

RESOLVED : It be noted no further progress had been made on these items. **393/017**

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Diary Dates for Members

Members had been circulated with a list of various dates of meetings and events etc. during the forthcoming month and were requested to note these in their diaries. Members were informed that the proposed Planning Committee Meeting of the 15 May 2017 had been cancelled. as had the proposed Staffing Committee Meeting of 1 June 2017. Boro Cllr Cockerill queried the proposed Flypast on Armed Forces Day Saturday 24 June 2017 as he was of the opinion that this had not been confirmed. A new provisional schedule of meetings would be supplied to members. It was:

RESOLVED : That these dates be duly noted together with amendments. 394/017

Mayors Engagements

Members were circulated with the list of engagements for May 2017.

RESOLVED : That the information be noted. 395/017

Bank Holidays

Members were informed that the office would be closed on Bank Holiday Monday 29 May 2017.

RESOLVED : That this information be noted. 396/017

Grant Awards

Members had previously been circulated with a letter of thanks from the Festival of Filey in respect of their grant.

RESOLVED : That this letter of thanks be accepted. 397/017

Reports on Items Raised at Public Question Time

The questions raised during Public Question Time at the last meeting were responded to at the meeting.

RESOLVED : That this be noted. 398/017

REQUESTS TO OBTAIN OR PRESENT INFORMATION

RESOLVED : That no items were raised. 399/017

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 7.55pm

Councillor Susan Bosomworth
Chairman & Town Mayor

MONTHLY STATEMENT from MJC

FLOOD ALLEVIATION

The finalisation of the complex financial discussions with the owners of the land on which it is intended to construct the FFAS has become protracted. Until these are completed it is not possible to provide a firm start date but I believe it will not now be practical to start work in 2017.

LAWN CEMETERY EXTENSION

The same contractor who was identified for the Flood Alleviation Scheme was to be engaged to undertake the feasibility study in regard to the additional provision of burial plots. Unfortunately, they were only prepared to do this at the same time as they were doing other work in the locality. As this is the same contractor as the Flood Alleviation Scheme, this will not happen. Consequently the study is going out to tender with an end date around August.

COBLE LANDING ATTENDANT

The part time seasonal attendant started work on 29 April.

TREES

At your April meeting Cllr Meek again asked for information in regard to the management of trees on the Wharfedale Estate. You were informed that NYCC had contracted SBC for the "tree gang" to undertake work on some trees on Wharfedale.

As I had previously reported that SBC no longer received such orders, I checked with Alan Tomlinson, I quote from his reply –

" I can confirm that all highway trees in Filey are the responsibility of NYCC and that SBC currently has no contractual arrangements with the County to inspect, survey, monitor or conduct arboricultural works.

The Service Level Agreement between NYCC and SBC applies to trees located in Scarborough only.

I understand that County have a contract with a third party regarding tree works in Filey"

This is a further instance of incorrect information being provided to the Town Council.

A handwritten signature in cursive script, reading "Mike Cockerill", written in black ink. The signature is written over a thin, slightly curved horizontal line.

Borough Councillor M J Cockerill