

FILEY TOWN COUNCIL

ORDINARY MEETING HELD 14 JUNE 2017 at 7.00pm

Present : Councillor Richard Walker (Chairman) and Councillors Marilyn Anthony, John Casey, John Haxby, Robert Horley, Jacqui Houlden-Banks, Jeff Meek, John Shackleton, John Thurston and Marion Wright.

Also present : Boro Cllr Mike Cockerill, Cty Cllr Helen Swiers, Sgt Vicky Mason North Yorkshire Police, Mr Graham Wilkinson, Health & Safety Risk Advisor, Mrs Gina Robinson Town Clerk and Mrs Maureen Prentice, Deputy Town Clerk and 2 members of the public.

Cllr Walker reminded everyone present of the emergency evacuation procedure in the event of an emergency taking place. He 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. He also requested that those present take a moment to reflect on the terrible tragedy in London last night.

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.

458/017

APOLOGIES

Apologies had been received from Cllrs Susan Bosomworth (holiday), Diane Glanvill (holiday) and Boro Cllr Sam Cross (personal). Cllr Wilkie had sent belated apologies due to work commitments. It was :

RESOLVED : That the above apologies be duly noted.

459/017

RESOLVED : That the above reasons for absence be accepted.

460/017

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.

461/017

NORTH YORKSHIRE POLICE

Members had been circulated with a copy of the Police Report and PcsO Vicki Leeson stated that it had been relatively quiet over the last few months although a shop window on Murray Street had been broken and enquiries were still ongoing with CCTV being viewed.

PcsO Leeson stated that Sgt Gosling had retired last Friday. She went on to report that

the Filey Community Radio was working well and a further five or six new businesses

were joining this scheme. Cllr Houlden-Banks commented on the Harris Hawk which

was being flown in Filey to help disperse the seagulls and was informed that the Police were aware of this but the owner did not need a licence as he was not doing anything illegal.

Cllr Houlden-Banks also commented on the access road between Murray Street and Mitford Street being blocked on a regular basis by 2 vans who were using this road as

their workshop to undertake work at a nearby property, PcsO Leeson was unaware of

this and stated that complainants should ring the Police on 101 to report this. The

Clerk stated that she had already reported this to Sgt Gosling previously who was to send

PcsO's round to investigate PcsO Leeson noted this and would check on this matter.

She went on to state that with regard to the recent Sports Club incident, a man had admitted the offence and was on bail at the present time however independent

witnesses were still being sought. There being no further comments it was :

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

462/017

Continued overleaf

Council Meeting held 14 June 2017

Filey Youth Project – Ravine Skatepark

Cllr Meek stated that to date no bank account had been opened however PcsO Leeson stated that she had all the necessary paperwork ready to go. She went on to state that a new member of the group was undertaking a lot of the administration work including a planning application and was at the present time preparing letters therefore it was looking positive. Cllr Houlden-Banks commented that her business had been visited by the young people from the Ebor Academy regarding the project and they were very polite and respectful. PcsO Leeson stated that she would relay this back to the Academy. She went on to state that 2 companies were to undertake a site visit as they would tailor a skatepark to the site and quote accordingly.

RESOLVED : That this information be duly noted.

463/017

PcsO Leeson left the meeting at this point

PUBLIC QUESTION TIME

RESOLVED : It be noted that no questions were raised by the members of the public who were present.

464/017

TO RECEIVE ITEMS FROM PREVIOUS MINUTES WHICH REQUIRE FURTHER CONSIDERATION

Min 133/017 Sale of Land at Southdene

Members had previously been circulated with a further response from Kevin Hollinrake MP for consideration and members enquired whether there had been any updates on this matter and were informed that there had not been. Cllr Haxby commented that the Town Council did not require to know the names of the companies who had put in tender offers only the figures and that this be sent as a Freedom of Information request.

RESOLVED : That the Town Council write to the Borough Council with a Freedom of Information request asking for details of the tenders received for the Southdene site. The Town Council are quite happy for all details to be anonymous.

465/017

Min. 294/017 Vote of No Confidence

Members had previously been circulated with a copy of the letter of response from Mr J Dillon, Chief Executive and Cllr D Bastiman, Leader of Scarborough Borough Council stating that the members of the Borough Council's Cabinet and Chief Executive would be willing to meet informally in private with members of the Town Council to consider the issues raised. A full discussion took place following which a proposal to accept the above meeting was put forward however Cllr Haxby proposed an amendment, that the Town Council refuse entirely to attend a private meeting as for Openness and Transparency this should be held in public. The amendment was voted upon resulting in 5 for and 5 against with the Chairman having the casting vote against. The original proposal was then voted upon with 5 for and 5 against resulting in the Chairman again having the casting vote for the proposal and it was :

RESOLVED : That the members of the Town Council accept a private and informal meeting with the Borough Council's Cabinet and Chief Executive on the provision that the meeting be minuted. It was also suggested that this meeting be held in the Evron Centre, Filey on a mutually convenient date.

466/017

At this point Cllrs Haxby and Shackleton stated that they would not attend the above meeting and members were individually asked to indicate whether they would attend as it was important that equal numbers from both parties should be present.

Mr Graham Wilkinson, Health & Safety Advisor arrived at this point 7.45pm

Min. 378/017 – Freedom of Information

Members were informed that to date no response had been received from the Scarborough Borough Council although as from tomorrow this request would be outside the 20 working day legal obligation to provide under the Freedom of Information.

RESOLVED : That should a reply be not received from the Borough Council regarding the Town Council's Freedom of Information request within the requisite period of 20 working days then a complaint be made to the Information Commissioner.

467/017

Council Meeting held 14 June 2017

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

RESOLVED : It be noted that no items had been received. 468/017

MINUTES

Ordinary Council meeting held 10 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 Minutes 370/017 to 399/017 inclusive be accepted by the full Council and action be taken thereon as necessary. 469/017

Annual Council meeting held 22 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 400/017 to 411/017 inclusive be accepted by the full Council and action be taken thereon as necessary. 470/017

Finance & General Purposes Committee meeting held 31 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 after due consideration of the recommendations made in respect of Minutes F418/017, F420/017 and F423/017 to F430/017 inclusive that Minutes F412/017 to F433/017 inclusive be accepted by the full Council and action be taken thereon as necessary. 471/017

Cllr Shackleton stated that as this was Mrs Gina Robinson's last Annual Return he thanked his fellow Committee members and wished her all the best on her future retirement.

Property Committee meeting held 1 June 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 after due consideration of the recommendation made in respect of Minute 440/017 that Minutes 434/017 to 444/017 inclusive be accepted by the full Council and action be taken thereon as necessary. 472/017

Staffing Committee Meeting held 8 June 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 after due consideration of the recommendations made in respect of Minutes 451/017 and 455/017 that Minutes 445/017 to 457/017 inclusive be accepted by the full Council and action be taken thereon as necessary. 473/017

REPORT OF WORKING PARTY MEETINGS

Filey Town Guide/Map

Members had been circulated with a copy of the Report of the meeting held on 30 May 2017 and it was :

RESOLVED : That the Report of the meeting be accepted. 474/017

FINANCE

RESOLVED : That members accepted the financial payment schedules for the following accounts and agreed to pay the amounts detailed thereon. 475/017

General Fund:	11 - 31 May 2017	£ 7,911.55
	1 - 14 June 2017	£ 8,239.67

REPORTS FROM COUNCILLORS ON OUTSIDE ORGANISATIONS

Cllr Casey had submitted a written report in respect of the Festival of Filey which gave information on the various fundraising events which had been held as well as others still to take place.

Cllr Anthony had submitted a written report in respect of the Filey Chamber of Trade regarding investigating costs of a new website page and Facebook site with links to all members as well as implementing a yearly membership fee of £50 which would allow members to advertise on Facebook page and have access to the monthly meetings. Eat Yorkshire would organise the Steampunk Filey 2018 event and a new Facebook site had been set up. Questions were asked regarding the town bunting which would not be erected this year however the Town Council were investigating the possibilities of undertaking this project in 2018.

RESOLVED : That Cllrs Casey and Anthony be thanked for their written reports. 476/017

ELECTION OF MEMBERS TO COMMITTEES

Strategic Planning Committee

Three additional members were required on the above committee and Cllrs Anthony, Houlden-Banks and Wright had put their names forward therefore it was :

RESOLVED : That Cllrs Anthony, Houlden-Banks and Wright be elected to serve on the Strategic Planning Committee. 477/017

NORTH YORKSHIRE COUNTY COUNCIL

Report from County Councillor

A copy report from the informal meeting held on 9 June 2017 with Cty Cllr Helen Swiers and Mr Andrew Santon had previously been circulated to members and Cty Cllr Swiers updated members on some of the topics raised at that meeting. Cllr Meek expressed his thanks regarding the cutting of the hedge on Muston Road. Members had queried whether the Park & Ride service could be used by people attending the concerts at the Open Air Theatre as there were no buses to or from Filey after 7pm, Cty Cllr Swiers stated that any request for such a bus would have to be made by the Open Air Theatre operators. She went on to comment on Extra Care Housing and the need to identify a site, some suggestions had been made i.e. behind Silver Birches, the former Gas Showroom site or behind the Doctors Surgery. She informed members that once a site had been identified this would be subject to consultation. She explained that these would be 1 or 2 bedroomed flats each with their own front door but that this project was in its very early stages. Members queried the progress regarding Crescent Hill but as no contract had been awarded further details were not available. Cty Cllr Swiers stated that she would investigate this. Members had enquired whether the cones could be put back on the junction of Station Avenue/West Avenue to deter drivers getting into the wrong lanes but the update queried who would replace the cones if knocked over or moved to which members commented that they had normally undertaken this on a daily basis in the past and did not expect the County Council to undertake this. With regard to 'A' Boards and footpath obstructions, in the update document Mr Santon had stated that he would be attending a meeting regarding the 'Street Trading Policy' of the Borough Council and whether such items are included in this policy.

Standing Orders suspended to permit Boro Cllr Cockerill to speak

Boro Cllr Cockerill stated that he had been working with a County Officer regarding this problem and had agreed that 4 flags wide or 3 flags wide should be available to the pedestrians to use. With regard to the 'Street Trading Policy' this is with regard to vans and not footpaths.

Standing Orders were re-instated at this point

Cllr Casey commented that there needed to be a policy on 'A' Boards although tables and chairs were now also being left out on pavements overnight.

RESOLVED : That the above information from Cty Cllr Swiers be noted. 478/017

Continued overleaf

Council Meeting held 14 June 2017

The North Yorkshire Permit Scheme

Members had previously been circulated with a copy of the consultation documents for comment thereon before 7 August 2017. The Clerk stated that this document was mainly aimed at contractors or utilities however Cllr Meek commented that there needed to be further clarification on level crossings.

RESOLVED : That the above comment be submitted.

479/017

SCARBOROUGH BOROUGH COUNCIL

Report from Borough Councillors

Borough Cllr Sam Cross had submitted a written report which had been previously circulated to members and was attached at **Appendix 1** the contents of which were duly noted.

Borough Cllr Mike Cockerill had submitted a report, which was duly circulated to members of the Town Council which is attached at **Appendix 2**. With regard to Boundary Commission, Tour de Yorkshire 2018, Seafront Crazy Golf, Coble Landing, Spitfire Fly Past, Borough Local Plan and Celebration of Centenary of WW1 Armistice.

He also gave a verbal update **Appendix 2a** and was pleased to note that Queen Street Garden was on the agenda; a meeting of the Borough Council was to take place to consider the motion of No Confidence; he had contacted the MP with regard to the transfer of Salmon Licences and confirmed that the SBC Cabinet had approved a recommendation to the full Council that the Borough Local Plan up to 2032 be adopted. Cllr Haxby queried the PR video which had been produced with no mention of Filey and which inferred that Flamingo Land would come to Scarborough despite the fact that no planning permission had been received. Boro Cllr Cockerill stated that no contract had been signed although Flamingo Land had been the preferred bidder. Cllr Haxby asked why the Borough Council had spent a lot of money producing this video and Boro Cllr Cockerill stated that he would look into this. Cllr Houlden-Banks went on to thank Boro Cllr Cockerill for his part in getting a positive outcome with regard to Flatcliffs following the appointment of Royal Haskoning as the Borough Council's consultant to undertake the roles of Principal Designer, Project Manager and Supervisor of the proposed works at Flatcliffs.

RESOLVED : That the above information be duly noted and Boro Cllrs Cockerill and Cross be thanked for their informative reports.

480/017

Review of Coble Landing

Members had previously been circulated with a report from Boro Cllr Cockerill regarding a full review into the operation and management of Coble Landing in which he was inviting constructive suggestions as to how stakeholders believe Coble Landing could operate after the completion of the RNLI work by November 2019. Cllr Haxby welcomed this and stated that a Special Council meeting should be held to discuss this which members were fully supportive of therefore it was :

RESOLVED : That a Special Council meeting be arranged in the near future to formulate constructive suggestions as requested.

481/017

One member of the public left at this point 8.50pm

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.

482/017

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 Civic Service was to be held at St Oswald's Church on 10 September 2017 and this should also be entered in their diaries. It was:

RESOLVED : That these dates be duly noted together with additional information. **483/017**

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TOWN CLERK'S REPORT (cont)

Mayors Engagements

Members were circulated with the list of engagements for June and early July 2017.

RESOLVED : That the information be noted.

484/017

Grant Awards

Members had previously been circulated with a letter of thanks from Filey Festival of Music and Filey Childcare in respect of their grants.

RESOLVED : That these letters of thanks be accepted.

485/017

Events Attended by the Clerk and Members of the Town Council

The Town Mayor & Mayoress, Deputy Mayor and Deputy Mayoress, Town Clerk and Town Councillors organised a minute's silence on Thursday 25 May 2017 at the Filey War Memorial in memory of those who lost their lives and were injured in the Manchester bombing on Monday 22 May 2017

The Town Mayor & Mayoress, Deputy Mayor and Deputy Mayoress, Town Clerk and Town Councillors organised a minute's silence on Tuesday 6 June 2017 at 11.00am at the Filey War Memorial in memory of those who lost their lives and were injured in the London Bridge attack on Saturday 3 June 2017.

The Town Mayor, Deputy Mayor and Clerk hosted a 'mock council meeting' for two groups of Filey Junior School children on Wednesday 7 June 2017 in the Council Chamber.

RESOLVED : The above information be duly noted.

486/017

Yorkshire Local Councils Associations

Members had been circulated with a copy of the May 2017 edition of the White Rose Update which contained several interesting articles together with a copy of the Training Calendar 2017. Cllrs Anthony and Thurston expressed an interest in attending future Training events in this area.

RESOLVED : That the contents of these publications be duly noted.

487/017

Community Defibrillators

The Clerk informed members that the housing for the two defibrillators were now in situ with one being at the Coastguard Station, The Beach and the other on the wall of the Co-op Funeralcare building on Murray Street and thanks were expressed to Mr Graham Wilkinson and Mr Ken Leathley who had undertaken the risk assessments and were to check the batteries on a weekly basis. The defibrillators would be commissioned within the next week after registering with Yorkshire Ambulance Service.

RESOLVED : That this information be welcomed.

488/017

Reports on Items Raised at Public Question Time

There had been no members of the public at the last meeting.

RESOLVED : That this be noted.

489/017

At this point members were informed that the new Town Clerk, Mr Tom Clay would be officiating at the July meeting of the Town Council.

RESOLVED : That this be duly noted.

490/017

EXCLUSION OF PRESS & PUBLIC

RESOLVED : That under the Public Bodies (Admission to Meetings) Act 1960, members of the press and public be excluded for the following item(s) of business in view of the confidential nature of the following items relating to proposals in negotiations for contracts.

491/017

Members were asked if they would be willing to permit Borough Ward Cllr Mike Cockerill to remain as this contract affected both councils and he had been involved in this project. All members agreed to this request.

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QUEEN STREET GARDEN

Further to Property Committee Minute No. 443/017 to receive framework contract for proposed drainage works at Queen Street Garden from Scarborough Borough Council under delegated power Local Government Act 1972 s101. *A confidential report was circulated to each member who were given time to read the document, this was also collected from them at the end of the debate.* Mr Graham Wilkinson, Health & Safety Advisor stated that he had perused the proposals and the nature of the work was complicated and needed adequate insurance and protection and considered that a structural civil engineer was essential as at least 30 tonnes of soil would have to be removed and the Borough Council's framework contractor had been vetted and approved. All the works would be supervised by Borough Engineers with the framework contractor being totally responsible for any liability or risk. Cllr Mike Cockerill stated that this solution was hopefully the way forward and this framework contractor had already undertaken works to repair the sea wall and work to Martins Ravine. He went on to state that this was Phase 1 of the works to drain the garden. It was :

RESOLVED : That the proposed framework contract for Queen Street Garden works be accepted with an order being placed with Scarborough Borough Council for the works as soon as possible and funding be taken from the Council's Property Reserve Fund.

492/17

REQUESTS TO OBTAIN OR PRESENT INFORMATION

Cllr Casey had requested that a debate take place at the next meeting on a Public Space Protection Order.

RESOLVED : That the above item be placed on the next agenda as requested.

493/017

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 9.28pm

Councillor Richard Walker
Chairman & Town Mayor

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

From: Cllr.Sam Cross [<mailto:Cllr.Sam.Cross@scarborough.gov.uk>]

Sent: 14 June 2017 07:51

To: Filey Town Clerk <mail@fileytowncouncil.co.uk>

Subject: Monthly Report

hi unfortunately have to give my apologies,

1 I have again asked for the Vote of No Confidence which may happen soon ?

2 I'm pleased the O/s road markings were being done last week.

if you have any queries do not hesitate to contact myself regards Sam

Borough Councillor Sam Cross

MONTHLY STATEMENT from MJC

Boundary Commission

Consultation regarding the revision of Ward Boundaries will commence 27 June and run until 4 September, there has been a temporary halt on the work due to the General Election.

The Boundary Commission has agreed that the number of Borough Councillors be reduced from 50 to 45 for the election in May 2019.

Tour de Yorkshire 2018

During the event in April I took the opportunity to speak to a number of people from the organising company who are directly involved with the TdY, this included the Race Director. During our chat I suggested that the TdY should come through Filey, I stated that I understood there were logistic concerns regarding the railway but that I didn't consider them unsurmountable.

At the May meeting of the SBC Executive Board I was informed that the organisers were now looking to have new discussions with the railway about the practicalities of bringing the event through Filey. Nothing promised but at least the organisers are talking to the railway people.

Seafront Crazy Golf

Although I was pleased with the painting and tidying of the area I was most unhappy on 18 May when I saw the 3 red creations that had been installed. I spoke to officers together with the relevant Portfolio Holder and was pleased that within 5 hours the offending articles were in the process of being removed.

Coble Landing

I have invited constructive suggestions from stakeholders as to how they believe Coble Landing could operate after the completion of the RNLI work which, I am informed, should be complete by November 2019. The replies will contribute to the review of Coble Landing that will be completed when the RNLI finally confirm their intentions to SBC.

Spitfire Fly Past

I am pleased that, once again, it has finally been confirmed that we should see a Spitfire over Filey on Armed Forces Day, 24 June. The Spitfire is expected shortly before 1.00pm

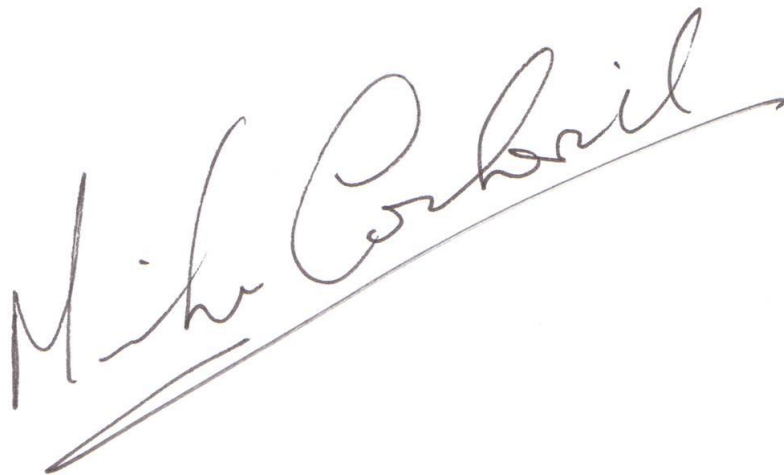
Local Plan

The new Local Plan is on the agenda for Cabinet the day before your meeting

Celebration of the Centenary of WW1 Armistice

Following my mention of the opportunity to celebrate the centenary of the end of World War 1, I am informed that a senior officer of Filey Branch of The Royal British Legion is supportive of the suggestion.

The celebration of the 50th Anniversary of the end of World War 2 was supported by the Town and Borough Councils together with various local organisations and co-ordinated by the Town Mayor of the time. I hope similar action will ensue.

A handwritten signature in black ink that reads "Mike Corbair". The signature is written in a cursive style and is positioned above a long, thin horizontal line that extends across the width of the signature.

APPENDIX 2A

VERBAL UPDATE

Queen Street Garden

I am pleased that Queen Street Garden is on the agenda.

I hope members find the documentation acceptable, it stems from my discussion with Nick Edwards and Andy Crossley.

No Confidence Motion

In line with the Constitution and following the period of Purdah that finished with the General Election, I am informed that a meeting of SBC will take place to consider the motion of No Confidence.

Salmon Licences

Following the completion of Purdah and the General Election, I have been in contact with Kevin Hollinrake in regard to the transfer of Salmon Licences.

He will continue to apply pressure once DEFRA ministers are in place.

Local Plan

Yesterday Cabinet approved a recommendation to full Council that the Local Plan up to 2032 be adopted.

Flatcliffs

As Cabinet Member, I have approved the appointment of Royal Haskoning as the Council's consultant to undertake the roles of Principal Designer, Project manager and Supervisor of the proposed works at Flatcliffs.

The programme shows the design being completed around the turn of the year.

Planning approval and the tender process being complete by the end of May next year with the construction work complete by the end of 2018.

Councillor M J Cockerill