

REIGHTON & SPEETON PARISH COUNCIL
MINUTES OF EXTRA ORDINARY PARISH COUNCIL MEETING
16th MAY 2016, 7.15 PM, VILLAGE HALL, REIGHTON

Present: Councillors P Riley (in the Chair), D Bradshaw, Mrs M Cosier-Randall, P Gladstone-Spavin, Mrs L Paddock, Ward Councillor M Donohue-Moncrieff, Sandra Rees (Scarborough Borough Council Safer Communities Manager and Kimberley Proud (Scarborough Borough Council Solicitor)
Seven members of the public
Councillor Riley recorded the minutes

18/16 To accept apologies for absence:

Councillors K Bradley, T Marshall, and Mrs L Wilson.

19/16 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:**

Councillor Riley declared a non-pecuniary interest in agenda item 5 as co-signatory to the Community Trigger forms submitted in the case review process.

- (b) To note dispensations given to any member of the Council in respect of agenda items below:**

None.

20/16 Presentation from Sandra Rees and Kimberley Proud:

Sandra Rees summarised the various issues raised by residents in the dossier sent to SBC in November 2015 and outline further in a Community Trigger Anti-Social Behaviour Review request submitted in February 2016. The officers had considered the issues further after a visit to the Church Hill sites in April and many had now been resolved:

- Untrimmed hedges – whilst still a concern to residents, there was insufficient evidence of a long-term detrimental effect to justify seeking a Community Protection Notice.
- Dangerous tree – has now been removed after it fell into the field.
- Criminal damage to trees in the church yard – no complaint received from the church.
- Damage to electricity supply cables – assumed resolved between landowner and electricity company two years ago so is not now appropriate to refer to HSE.
- Planting of Leylandii and ragwort – no evidence of evergreen tree growth to trigger action under hedges legislation.
- Access issues to footpath – this is less of an issue now as vegetation has rotted down and manure has been trodden in or washed away. Landowner continued to dump grass clippings near the footpath entrance, but these were not encroaching on the path.
- Breach of planning re caravans – pitches were removed following an order from SBC Planning Department as contrary to policy of no new caravan parks in open countryside.
- Alteration to pavement at field entrance – insufficient cause to justify action as most pedestrians use the pavement at the other side of the road.

- Straw bales/horse box – referred to planning who ruled no cause to take proceedings as their situation was a legitimate use of private land.
- Alleged fly-tipping – whilst there remained some detritus in the field entrance most had been removed and a landowner with horses has reasonable cause to hold an old bath on his land as a water container for example.
- Telegraph pole and non-operational CCTV camera – planning department see no basis for action and any landowner can operate CCTV system provided it only records activity on his own land.

Ms Rees and Ms Proud had looked into the possibility of using the ASBO legislation and seeking injunctions, however taken as a whole, there was insufficient evidence to suggest the ASBO legislation could be used to address the issues. Their recommendation was for the matter to be resolved by way of mediation using an agency independent of SBC. Whilst this was not the solution requested by Church Hill residents, mediation on this basis had a record of success and would be the basis to seek co-operation on some of the issues, for example, seeking re-stacking of the straw bales and co-operation with the hedges.

21/16 Public Participation Session (15 minutes):

Local residents raised a number of specific issues of personal concern:

- The uncut hedge was causing distress to a disabled pensioner in poor health.
- That the row of sycamore saplings would eventually form a row of trees causing further distress. Councillor Gladstone-Spavin reported that the landowner cut his hedges twice a year, residents disputed this and suggested that there was no evidence that the hedges had ever been cut in recent years.
- The disposal of horse manure in proximity to some Church Hill resident's properties caused problems with flies during the summer months.
- That the landowner had failed to follow through on his verbal undertaking given at the July 2015 parish council meeting to clear the detritus near the public footpath.
- There was a report of an overheard conversation suggesting that the fly-tipping had been staged. Councillors suggested that there was an element of tit-for-tat.
- There was a report of a dispute involving the landowner over a right of way over private land, alleging obstructions, threatening language and the council and residents were dealing with a 'crank'. Councillor Donohue-Moncrieff advised that whether the landowner was a crank or not, there was no provision in local government legislation making cranky behaviour a basis for action. In any event a dispute involving private land was a civil matter with the police involved, in the event that the matter spilled over into a likely breach of the peace.

22/16 To discuss options and actions for resolution of ongoing issues surrounding Church Hill in relation to the complaint submitted via the Community Trigger Anti-Social Behaviour Case Review process:

RESOLVED: (All in favour) to pursue an independent mediation process recommended by SBC Officers.

Signed as a true and correct record Date 31st May 2016
Chairman,