

held in the Community Hub, 445b Scalby Road,
on Wednesday 8th March 2023 at 7pm.

PRESENT: Councillor R Towse (Chairman),
Cllrs. S Barnes, J Fennell, R Holliday, J Smith, D Sutton, R Thompson, D Wiles

ALSO IN ATTENDANCE
Mrs J Marley (Clerk to Council).

ABSENT: Cllrs. D Bastiman, S Foote, D Langmead, B Marley, County & Borough Cllr. Sharma, H. King (hub).

38/23 **APOLOGIES FOR ABSENCE** Cllrs. D Bastiman (prior commitment), S Foote (icy weather), D Langmead and B Marley (health), County & Borough Cllr Sharma (prior commitment), H. King (prior commitment).

39/23 **DECLARATIONS OF INTEREST:** None to receive.

40/23 **MINUTES**
40/23.1 Having been previously circulated, the minutes of the Ordinary Council meeting held on 8th February 2023 were **approved** as a correct record and **authorised** for signature by Cllr. Towse.

PROCEDURAL MATTER No suspension of Standing Orders as no public present.

41/23 **PUBLIC OPEN FORUM** No public present.

42/23 **MATTERS RAISED IN PUBLIC OPEN FORUM** None.

43/23 **VACANCY UNFILLED AT THE ELECTION BY REASON OF INSUFFICIENT NOMINATIONS**
Noted no applications for co-option to the existing Ordinary Vacancy had been received.

44/23 **EXTERNAL REPORTS**
44/23.1 **Police:-** :- The Scalby report for February 23 incidents [*tabled at meeting*] was **received & noted**.
44/23.2 **County Council:-** No report to receive.
44/23.3 **Borough Council:-** No report to receive.

45/23 **UPDATES ON VARIOUS MATTERS & COUNCILLOR'S REPORTS**
45/23.1 A written report from H King on Community and Wellbeing Hub covering February [*circulated with agenda*] was **received & noted**.
45/23.2 Update from Chairman and/or Clerk on any matters dealt with under delegated powers and on Neighbourhood Plan Working Group (NHPWG) – Cllr. Towse reported on a meeting of the NHPWG from which it had become clear that some members were not receptive to a large part of what was highlighted to be required in order to complete a NHP. It did not help that the Village Trust's draft policy parameters for inclusion in the NHP had been published on their website but not agreed by the Working Group. Following intense debate Council **agreed** that in the light of the changes to come in Local Plans as a result of the creation of the new unitary authority and the coming into law of the Levelling Up bill, the Neighbourhood Plan be placed on hold with the situation to be reviewed during 2024.
45/23.3 Update on local government re-organisation – none to receive.
45/23.4 Update on Scalby Toilets – Cllr. Towse reported some difficulties with the toilets not being opened/closed had now been resolved. Discussions on the future ownership/running of the toilets to be commenced with the new unitary authority after 1st April.
45/23.5 Reports from Councillors of any highway & footpath or general matters requiring attention – reports regarding potholes and the road surface in Hackness Drive, Low Street, Church Hill. Work had been done on Field Lane but Cllr. Barnes wanted to know if the work had been checked and by whom.

46/23 **CORRESPONDENCE**
46/23.1 Deferred from February meeting, [*Minute 30/23.1 refers*] – email from County Cllr. Bastiman

with suggestion for commemorative to the late Queen Elizabeth II – **agreed** the land on Newby Farm Road beside the hub to be main location, design and planting (to include seat[s] and shrubs) to be drawn up and agreed at a future meeting.

46/23.2 Request from parishioner for a grit bin on Carr Lane near Brook View – **agreed** bin to be provided by Town Council, Clerk to make necessary arrangements.

46/23.3 Correspondence received after preparation of the agenda which the Chairman of the meeting deemed it necessary to consider as a matter of urgency:– none.

47/23 **FINANCE, REGULATORY & GENERAL MATTERS**
47/23.1 **Resolved** the Schedule of Accounts Payable for March 2023 (Sch 12, £7,106-59) *[tabled at meeting]* be **approved**. Cllrs. Sutton and Thompson signed cheque and to do the online authorisations within 24 hours.

47/23.2 Internal Audit report *[circulated with agenda]* – **received & noted**.

47/23.3 **Received** request from Scalby Methodist Church for a grant of £125 towards their costs of £270 in providing a Warm Space drop-in event on a weekly basis and **agreed** discretionary grant of £125 be made.

48/23 **PLANNING APPLICATIONS & APPEALS NOTIFIED**
Comments on the following applications received *[circulated with agenda]* were **agreed**:–
1. 23/00058/FL Erect dwelling and garage, replace and relocate existing garage at 77 Green Lane, Newby. **No objections**.
2. NYM/2023/0075 Certificate of Lawfulness for use of land as leisure plot and use of three buildings for birdwatching and storage purposes (no overnight sleeping) in excess of 10 years at Mosslea, land west of Low Moor Farm, Barmoor Lane, Scalby. **No objections**, request condition of no overnight occupation on any consent.

49/23 **PLANNING DECISIONS** – The following were **received and noted**:–
1. 22/02320/HS Erect garage and store/workshop, Barmoor View, Barmoor Lane, Scalby. **Granted with conditions**.
2. NYM/2022/0864 Vary NYM/2021/0497/FL to allow reduction in size of garage & alterations to roof design, 113 Hackness Road, Scalby. **Granted with conditions**.

50/23 **PLANNING MATTERS RECEIVED AFTER 1/3/23** –
Comments on the following applications received *[previously notified to councillors by email]* were **agreed**:–
1. 23/00162/HS Erect two storey side extension, 9 Lady Edith's Avenue, Newby. **No objections**.
2. NYM/2023/0114 Vary condition 2 of NYM/2015/0197/FL to allow construction of detached garage in revised location and alterations to position of door and window at Ryefield, Hackness Road, Scalby. **No objections**.

51/23 **REPORTS FROM OUTSIDE BODIES** Cllr. Thompson reported on recent Twinning (SANTA) meetings when he had been asked what support was likely from Council and if the hub would be available on the afternoon of 8th June and the evening of 16th June. Council confirmed there was £200 in the twinning budget and noted 1] the hub was already booked on the 8th and 2] there was no staff availability on the 16th. Councillors were very unhappy to learn the civic reception was to be held in Wykeham instead of in the parish – it was felt this wasn't in the spirit of twinning and as such several councillors took a view that Council should not provide any funding. Following a robust discussion, **agreed** 1] the sum of £200 be made available; 2] a full review of the future of the twinning arrangement be considered at the September Council meeting and the Chairman of SANTA invited to attend that meeting so a full and frank discussion could take place.

52/23 **EXCLUSION OF PRESS AND PUBLIC** Not required as no confidential items to consider.

53/23 **CONFIDENTIAL ITEMS** None to consider.

There being no further business, the Chairman declared the meeting closed at 8.25pm.

R. Towse, Chairman
Dated: 12th April 2023

**MINUTES OF AN ORDINARY MEETING OF REVIEW & STAFFING COMMITTEE,
NEWBY AND SCALBY TOWN COUNCIL**

held in the Community Hub, 445b Scalby Road,
on Wednesday, 15th March 2023 at 7.00pm.

PRESENT:

Councillor R Towse (Chairman),
Councillors D Bastiman, R Holliday, R Thompson.

ALSO IN ATTENDANCE

Mrs H King (Hub & Support Services) Mrs J Marley (Clerk).

ABSENT: Cllr. D Langmead.

RS1/23 APOLOGIES FOR ABSENCE

Received & accepted from Cllr. D Langmead (work commitment).

RS2/23 DECLARATIONS OF INTEREST

None.

RS3/23 REVIEW OF POLICIES *[Minute 4 of R&S meeting of 8/12/22 refers]*

RS3/23.1 Received & noted Clerk's report *[circulated with agenda]*. A copy of NALC Standing Orders with amendments customised to Town Council requirements as suggested by the Chairman and Clerk had been circulated to committee members with the agenda. Members went through the document in detail, scrutinising each alteration and agreed changes as necessary. **Noted** review of Financial Regulations to take place at a future meeting once the necessary draft documentation was available.

Agreed Committee recommends to Full Council that:-

- 1] the LGA Code of Conduct be amended to reflect change of Council name but no other major changes and it be adopted by Council;
- 2] no major changes required to the Disciplinary and Grievance Policies and they be adopted by Council;
- 3] the customised version of NALC Standing Orders as agreed this evening be adopted by Council (copy to be included with agenda for meeting at which this is considered by full Council);

RS4/23 ADOPTED POLICIES - annual review

RS4/23.1 Received & noted Clerk's checklist & report *[circulated with agenda]*. **Agreed** Committee recommends to Full Council that 1] the Privacy Statement (as amended to reflect any proposed changes in Standing Orders) be adopted; 2] the remaining policies be adopted following amendments to reflect changes to Council's name.

RS5/23 TRAINING POLICY

RS5/23.1 Received & noted draft policy *[circulated with agenda]*. One minor amendment was made to the draft and it was **agreed** Committee recommend to Full Council that the amended policy be adopted.

RS6/23 HUB STAFFING

RS6/23.1 Received & noted report from Helen King *[circulated with agenda]* which included details of funding already held. **Agreed** Committee recommends to Full Council the following three posts be created:-

- Caretaker/Cleaner/Keyholder 5 hours/week
- Funding Co-Ordinator 5 hour/week
- Activity Support Worker 10 hours/month

There being no further business on the agenda, the Chairman declared the meeting closed at 8.58pm.

R. TOWSE, Chairman

Dated: 12th April 2023

Police Report

Hackness, Scalby and Staintondale & Ravenscar Parish Councils Report April 2023



Scalby, Hackness and Staintondale/Ravenscar Figures:

Breakdown data based on 01/04/2022 to 29/03/2023
versus same period in previous two years

Group	Crime Type	2020-21	2021-22	2022-23	Diff 2023 from 2022
Victim Based	Arson & Criminal Damage	12	14	11	-3
	Burglary	12	7	5	-2
	Sexual Offences	2	0	9	+9
	Theft	16	16	11	-5
	Robbery	0	0	1	+1
	Fraud	32	13	10	-3
	Vehicle Offences	13	0	6	+6
	Violence against the person	40	81	44	-37
	Total victim based crimes	127	131	97	-34
Crimes Against Society	Drugs	7	4	3	-1
	Misc Crimes Against Society	1	1	2	+1
	Possession Of Weapons	2	1	0	-1
	Public Order Offences	9	17	10	-7
	Total crimes against society	19	23	15	-8
	Total	146	154	112	-42

March 2023

There were 65 incidents reported in your area during March.

02/03/2023 14:25 – A vehicle was stopped by Officers on patrol on Scalby Road after the driver was seen allegedly using their mobile phone. They were reported for this offence.

06/03/2023 13:45 – A two vehicle RTC occurred on Swang Road in Suffield. One driver was treated at the scene by ambulance. Officers attended to assist ambulance and manage the scene.

07/03/2023 11:23 – A vehicle was stopped by Officer on patrol on Scalby Road in Burniston. Due to the manner in which it was being driven, the driver was issued with a Sec.59 Warning. This power allows Officers to initially warn, then seize a vehicle if it is causing or likely to cause alarm, distress or annoyance to members of the public. This was the first warning this driver had received so the car was not seized on this occasion.

07/03/2023 22:27 – A fawn was sadly struck and killed by a car on A171 north of Scarborough. The mother deer kept returning to its baby so Officers attended and moved the fawn away from the road and near to its mother to prevent her crossing the road and causing a further accident.

10/03/2023 21:59 – Cloughton Parish Council report that between 03/03/23 and 04/03/23, about 20 metres of timber post and rail fence at the park has been pushed over. The estimated cost of repair is £700.

11/03/2023 11:58 – A motorbike was stolen from a property in Scarborough. Social Media footage of this bike being ridden around a rural property in Harwood Dale was reported to Police by the bikes owner. Police attended this location and arrested a male – the burglary is currently under investigation.

18/03/2023 13:04 – Officers in an unmarked vehicle travelling on A171 witnessed a vehicle overtake on a double white line. A marked vehicle stopped the offending vehicle in Cloughton and issued the driver with a traffic offence report.

18/03/2023 22:56 – A vehicle was stopped by Officers on patrol on Newlands Road in Cloughton. The passenger had a small quantity of cannabis on them so was issued with a cannabis warning.

21/03/2023 17:45 – A resident received two phone calls from 07952 541695 and then 01224 749049. Both people spoke with an unidentified foreign accent and stated the same story, that the residents account had transactions of £300 and £1,100 about to go through and they need to stop them urgently. When the resident informed the scammer they only had £200 in their account, they became disinterested and hung up. The resident notified their bank, no money was stolen. An internet search of both these numbers shows they are connected to scams.

Mobile Phone Operation

Between 27th February and 11th March – Filey, Eastfield and Scarborough Rural Officers took part in a national mobile phone operation specifically to deter drivers from using their mobile phones. In conjunction with roads policing unit and response units based at Filey and Eastfield, a total of 43 traffic offence reports were issued in the following locations: -

- Stoney Hags Road, A170 East Ayton, Main Street, East Ayton, Dunslow Road, B1261 Crossgates, B1261 Seamer, Pasture Lane, Scalby Road, Scarborough Road, Seamer, Main Street Cayton, A171 Burniston, Westway in Eastfield and Racecourse Road in East Ayton.

Change to front office opening times - Due to staffing difficulties, the front counter hours of both Filey and Eastfield Police Station are changing for the next 7 months. Filey will be open 0900-1500 every Monday, Wednesday and Friday. Eastfield will be open 0900-1500 every Tuesday and Thursday.

During March we dealt with 756 incidents across the area as a whole, a breakdown of these follows (not inclusive of all incidents): -

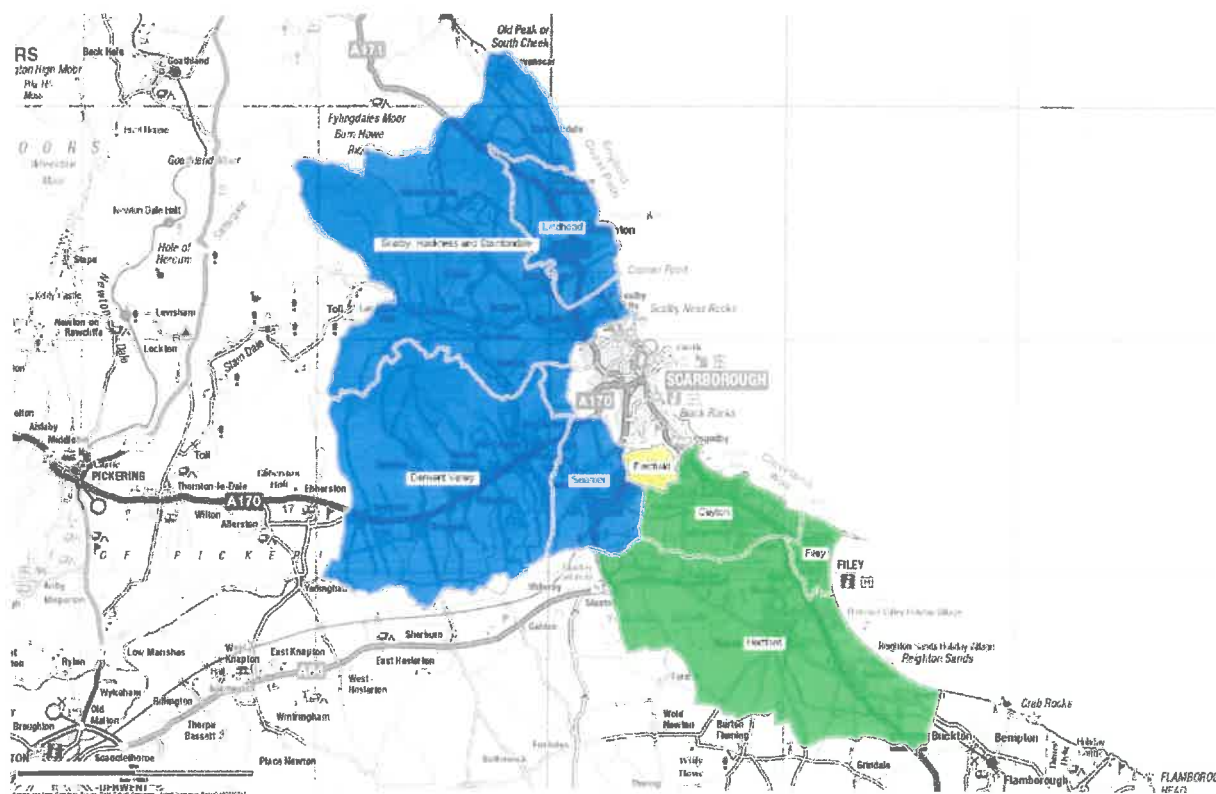
- 12 injury/death RTCs.
- 14 damage only RTCs.
- 39 road related offences, drink/drug driving, no insurance/license/dangerous driving/speeding etc...
- 69 reports of suspicious circumstances.
- 10 missing persons.

- 1 firearms/weapons incidents.
- 1 hoax calls.
- 43 domestic incidents/violence.
- 79 concern for safety incidents.
- 9 civil disputes.
- 8 animal incidents
- 10 highway disruptions
- 91 violence crimes.
- 10 sexual offences.
- 22 thefts.
- 3 stolen motor vehicles.
- 10 fraud or forgery.
- 2 drug offence.
- 20 criminal damages.
- 5 dwelling or commercial burglaries.
- 1 auto crimes.
- 57 anti-social behaviour reports.

In addition to the crime stats, we also have access to data to show how many total incidents and crimes your local Officers have attended. The below figures are for all Parishes/Towns covered by Filey and Eastfield Police Station and includes ALL incidents and crimes.

Time period	Total incidents
01/04/2022 – 29/03/2023	9,809 – Average 817 per month
01/04/2021 – 29/03/2022	9,839 – Average 820 per month
01/04/2020 – 29/03/2021	10,409 – Average 867 per month - (main covid lockdowns)
01/04/2019 – 29/03/2020	10,262 – Average 855 per month
01/04/2018 – 29/03/2019	9,820 – Average 818 per month

Areas in blue and yellow – covered from Eastfield Police station. Areas in green – covered from Filey Police Station.



Would you like a member of Police staff of volunteer to attend your event?

Filey SNT & or Police Volunteers would like to attend some of the local events in your area to provide information on topics such as Fraud, Crime Prevention, rural safety etc. This would not be a formal presentation and we can tailor the information to each particular event.

If you are aware of any meetings taking place which you think suitable, please let us know Dates and Place and Times and we will endeavour to get to some of them. Please email matthew.hazelwood@northyorkshire.police.uk if you would like more information or to book the volunteers.

Other News

Please note that in addition to the traditional 999 or 101 we can be contacted on our email address is snafiley@northyorkshire.pnn.police.uk. Please do not report incidents to this email, but if you would like to speak to a member of our team for advice then please use it. Incidents can also be reported direct on www.northyorkshire.police.uk

If an incident of Anti-Social Behaviour occurs which you would like Police to deal with then please report this as soon as possible after the event to allow Officers the best chance to deal with the culprits. Please do not wait until next time you happen to bump into an Officer or Parish Councillor. It allows us to make connections with other incidents and deal with individuals for patterns of behaviour rather than incidents in isolation. It does not matter if no suspects have been seen or cannot be identified; we may have this reported on another nearby incident and be able to link them.

If you wish to look at crime statistics, along with stop-searches, news & events and other information for your area, then please visit www.police.uk. This website has been updated and has new sections with more detailed statistics relating to your area. There is a multitude of information on this website. You can also search for general Police advice on this website - <https://www.askthe.police.uk/content/default.mth>

North Yorkshire Community Messenger

This is a free email alert service from North Yorkshire Police. Our local teams use the system to let you know what's happening in your area.

- You can sign up to receive alerts about events, crime appeals, safety advice and much more.
- The alerts can be tailored to where you live and work.
- You can unsubscribe at any time.

When you sign up, you'll be able to select the type of alerts you'd like to receive, including:

- various watch schemes for business owners
- a monthly fraud round-up newsletter.

Sign up here - <https://www.northyorkshirecommunitymessaging.co.uk/#signup-section>



Community Safety Advice – April 2023

Following on from the March advice piece, thieves, poachers, burglars, scammers never stop – not even for lockdown - and the Rural Safer Neighbourhood Team and Off-road Motorbike team have been stepping up their great works within our areas. They have carried out regular patrols, responded to calls, also carried out patrols in the Wykeham forestry areas to deter off-road vehicles/cyclists/motorbikes, especially on weekends.



Project Poacher

It is also up to us to do our own part by staying alert and keeping an eye out for anyone or anything suspicious and reporting incidents to 101 or 999; please do not share explicit information on social media as this could cause problems for any future prosecution and possibly get you into trouble for libel if what you post is found to be untrue!!



Poachers do not only take game and fish, they also destroy crops and farm property; as they are often armed, you are strongly advised not to approach any poachers but either report using the #ProjectPoacher app (projectpoacher.com) which will talk you through how to report a crime and #What3Words (what3words.com) which is a great app; if you are not sure of your exact location and need to report an incident #What3Words is a great app to use!

Scammers

And of-course there are the scammers/phishers/cat-fishers online also waiting to bait us with their wily websites, too-good-to-be-true deals or tax returns, those who are just waiting for the lost and lonely to be reeled in by either pretending to be someone they are not (catfishing) or by just taking advantage of those who are vulnerable and scamming them out of their hard-earned savings.

It is not an all-bad world out there though!

If we -

- are careful of what links we click on,
- double-check information that is supposed to be from everyday websites, they can be so deceiving – often the sites look genuine, but they could have been cloned, and
- ensure you do not give out personal information online or over the phone unless we are 100% certain that the source is trustworthy – the slightest doubt, break contact and double check.

then all these things can all go toward keeping you safe, both online and offline. **But it cannot be stressed enough – you MUST call the Police to report things, not putting things on social media. If you are unsure which number to call, ring 999 if something is happening and 101 if you are calling with information.**

If you wish to become a member of the Derwent & Hertford Rural WhatsApp Group, please contact PCSOs Lockey, Wilkinson or PC Bilton.

Until next time.....

Stay Safe out there

Community SpeedWatch

If you wish to make a complaint about speeding, please email – communityspeedwatch@northyorkshire.police.uk and they will get in touch to discuss what options are available. This can range from enforcement from speed vans to members of the Community being trained in the use of a speed gun!

Community Messaging is "Live"

If you wish to receive community news via messaging, please visit the North Yorkshire Police website – Community Messaging and sign up or speak with a member of the Safer Neighbourhood Team

Crimestoppers

If you have any information you would like to pass on in confidence, please contact Crimestoppers on **0800 555 111**

Property Marking

Consider marking your expensive property – such as laptops, iPads, game consoles and TVs. Your local Neighbourhood Team will be happy to assist with this.

Also, register your new property at www.immobilise.com

Local News

Here is where you will see local news posted – could be a forthcoming fete, Show or roadshow. Contact Matthew.Hazelwood@northyorkshire.police.uk to "advertise" your event here !!

For any complaints regarding 101 or other issues, please go to the North Yorkshire Police Website, click – Contact us at the top of the page, then 'complain to us box'

Or go straight to it by this link - <https://northyorkshire.police.uk/contact/complain-to-us/>



Contact NYP



Your Local Team

Beat Manager

PC 595 Graham Bilton –

graham.bilton@northyorkshire.police.uk

PCSOs

PCSO 5208 Ria Lockey –

ria.lockey@northyorkshire.police.uk

07741174576

PCSO 6780 Anna Wilkinson –

anna.wilkinson@northyorkshire.police.uk

07741174524

Useful Contact Numbers

Highways	01609 780 780
NHS	111
Local Dog Warden	01723 232323
Action Fraud	0300 123 2040



Force Twitter – [@NYorksPolice](https://twitter.com/NYorksPolice)

Checkout Facebook and give our page a “like” for updates.

Force Page – North Yorkshire Police

Report for Newby and Scalby Town Council Meeting. Wednesday 12 April 2023

The New Groups 3 and 4 of Menopause Meet commenced their ten sessions over 4 months on 7th March and 14th of March and already strong bonds and friendships are being made.

We have had varied sessions for our Social Group on Wednesday afternoons including pop up shops from The Body Shop and Jules Beauty Box of The Market Hall, Little Extras Cards, Jewellery and hats and Guest Speakers included John Hazelwood recalling days of the Old Music Hall performances.

I have had an update meeting with The Social Prescriber from Danes Dyke and Hackness Road Surgeries and continue to work closely with him and the patients he refers to me.

We have taken part in the Keep Scarborough Tidy litter picking and hope to make this a regular activity for The Hub. We collected 12 large bin liners full of litter from very close proximity to The Hub in just 2 hours – clearly there is a need for this service, also lots of volunteers willing to come forward and join in, including children.

On Wednesday 5 April our Wednesday Social Group took part in our Easter Bonnet Competition and the Hub was filled with laughter as they decorated the hats (men included). The photos of this event on Facebook have created a lot of interest for the events covered in this group. So maybe more members are on their way,

We have now purchased our large notice boards and await their fixing at the front of the building. This will enable us to notify the public what is happening both within the Hub and the Council.

I have also made enquiries to the prices of televisions for The Hub. This was included in the successful funding bid to Woodsmith and will be used for movie afternoons, quizzes, and USB friendly so will be accessed for training presentations etc.

The Hub regular bookings on both a weekly and monthly basis.

Monday afternoon –	Closer Communities Lunch Club Scalby Women's Institute Craft Club
Tuesday Morning	Warm Spaces Coffee Morning
Tuesday Afternoon	Dementia Forward Café
Tuesday Evening	Menopause Meet Groups 3 and 4
Wednesday Morning	Individual Support Sessions/Bereavement Support
Wednesday Afternoon	Warm Space / Social Afternoon
Thursday Morning	Slimming world
Thursday Afternoon	U3A Hobbies at The Hub
Friday	HUB CLOSED

Helen King. Head of Support Services, Newby and Scalby Town Council Hub. Tele 07849 690327

Subject:Community Governance Review – Draft Recommendations for the unparished part of Scarborough – views sought

Date:Tue, 28 Mar 2023 09:17:06 +0000

From:CGR <CGR@northyorks.gov.uk>

Dear Parish Clerk

North Yorkshire County Council is recommending:

that a new parish be created for Scarborough and that a town council be created to serve that parish. The town council would be known as Scarborough Town Council, with 5 wards and 15 elected councillors. that boundaries of neighbouring parishes be corrected to ensure that properties which are currently in the unparished area, form part of a more appropriate parish area rather than any new proposals for Scarborough, which are:

- o **the north-eastern boundary line of Eastfield Town Council be extended towards the A165 to match the Eastfield Division and Ward boundaries**
- o **to extend Newby & Scalby Town Council boundary to include all of Charles Williams Apartments, to become coterminous with the SBC Newby Ward and NYCC Newby Division**
- o **to extend Osgodby Parish boundary to include those 3 properties currently outside of the parish, at the northern boundary line, and to become coterminous with the SBC Cayton Ward and NYCC Cayton Division**

Background:

Harrogate and Scarborough are currently the only parts of North Yorkshire that do not have a town or parish council to represent their residents. On 1 April 2023 a new unitary authority, to be known as North Yorkshire Council, will replace North Yorkshire County Council, Harrogate Borough Council, Scarborough Borough Council and the other five district councils. The new council will deliver all services and is committed to keeping services local and empowering communities. A town council for Scarborough would provide a tier of governance which could give residents more control and ownership of local services and enable Scarborough to have consistency with all other areas of the county in discussions with the new unitary council. North Yorkshire County Council agreed to commence the review on 19 July 2022 and the first round of public consultation took place from 22 August to 14 October 2022. The consultation responses were analysed and used to develop draft recommendations, which were considered by the North Yorkshire County Council Executive on 10th January 2023. These recommendations were approved and are available to read on our website, along with all information relating to this review, at www.northyorks.gov.uk/CGR

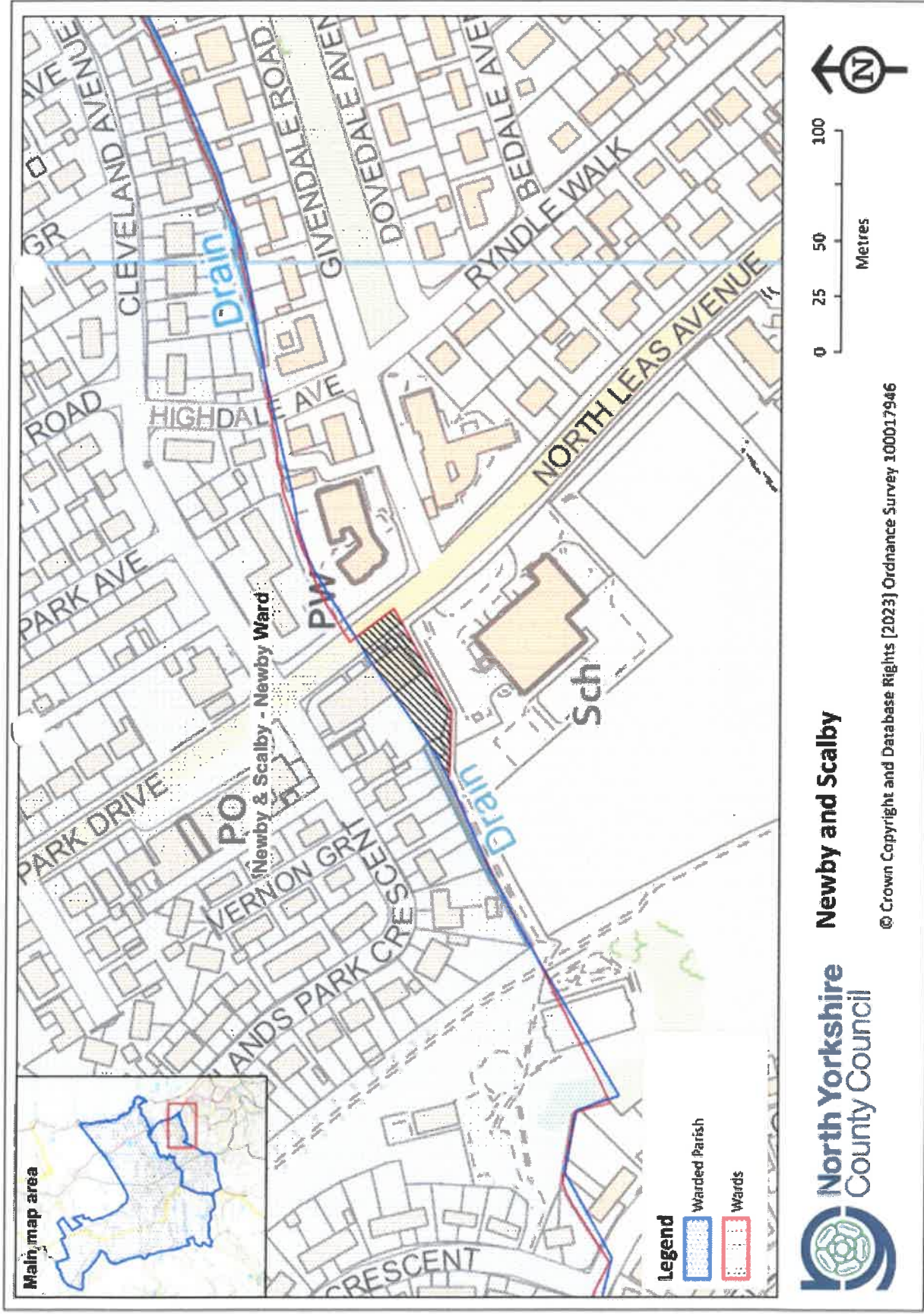
Have your say:

Because your parish is affected by the recommendations, we are writing to invite you to have your say on the draft recommendations by completing our survey. You can do this online at www.northyorks.gov.uk/CGR or you can request a paper copy of the relevant area survey to be sent to you by contacting us using the details above. There is a separate survey for each of the affected areas, and the recommendations relating to each; Scarborough, Eastfield, Newby & Scalby, and Osgodby.

It is important to let us know your views as this is a new survey and any responses to the previous survey will not be incorporated at phase two. Even if you have previously taken part it is important to respond, whether you agree or disagree with the draft recommendations, as it will form the basis of any final recommendations. Please ensure that you read the information before completing the survey. The closing date for this survey is 5 May 2023.

Yours faithfully

Barry Khan
Assistant Chief Executive (Legal and Democratic Services)



Newby and Scalby

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REPORT

FROM: Jools Marley, Clerk to Council.

TO: All Councillors

DATE: 23rd March 2023

SUBJECT: Recommendations of Review & Staffing Committee held on 15th March 2023.

The Review and Staffing Committee met on 15/3/23 to complete the tasks from its meeting of 8/12/22 in respect of reviewing/updating the following documents:-

- LGA Model Council Code of Conduct
- Disciplinary and grievance arrangements
- Template Disciplinary Document
- Model Standing Orders
- NALC Financial Regulations

All were reviewed and updated, with the exception of NALC Financial Regulations which will be considered at a future committee meeting once the necessary draft documentation is available.

Additionally, the Committee carried out the annual review of Council's adopted policies, dealt with the creation of a training policy and received a report in respect of hub staffing.

COMMITTEE'S RECOMMENDATIONS TO COUNCIL:-

1] the LGA Code of Conduct as amended to reflect change of Council name but no other major changes be adopted by Council;

2] no major changes required to the Disciplinary and Grievance Policies and they be adopted by Council;

3] the customised version of NALC Standing Orders as agreed on 15/3/23 be adopted by Council (copy enclosed);

4] the Privacy Statement (as amended to reflect any proposed changes in Standing Orders) be adopted (copy enclosed);

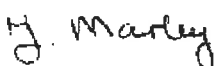
5] the remaining policies be adopted following amendments to reflect changes to Council's name;

6] the Training Policy (as amended 15/3/23) be adopted (copy enclosed);

7] in respect of Hub staffing, the following three posts (fully funded by grants already held) be created:-

- Caretaker/Cleaner/Keyholder 5 hours/week
- Funding Co-Ordinator 5 hour/week
- Activity Support Worker 10 hours/month; and
- the Review and Staffing Committee (or any recruitment sub-committee it may appoint), in conjunction with the Head of Hub and Community Services (and the Clerk to Council as necessary), be authorised to undertake the recruitment and appointment to the posts.

Councillors are asked to note that specific details in respect of length of contract, remuneration etc. are withheld from this report on the grounds of confidentiality.



Jools Marley CiLCA
Clerk to Council



Newby & Scalby Town Council

STANDING ORDERS

DRAFT – (from R&S 15/3/23) for adoption by Full Council 12/4/23

BASED ON MODEL STANDING ORDERS 2018 (ENGLAND) — UPDATED APRIL 2022

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CHECKED OFF AS BEING DONE AND IN THE RIGHT PLACE (printing this out so I
can see what is what and will change numbers from there, Jools)

INTRODUCTION (from NALC)

This is version two of Model Standing Orders 2018 (England) - [last updated February 2023. Update to Model Standing Order 18c) only.]

HOW TO USE MODEL STANDING ORDERS (from NALC)

Standing orders are the written rules of a local council. Standing orders are essential to regulate the proceedings of a meeting. A council may also use standing orders to confirm or refer to various internal organisational and administrative arrangements. The standing orders of a council are not the same as the policies of a council but standing orders may refer to them.

Local councils operate within a wide statutory framework. NALC model standing orders incorporate and reference many statutory requirements to which councils are subject. It is not possible for the model standing orders to contain or reference all the statutory or legal requirements which apply to local councils. For example, it is not practical for model standing orders to document all obligations under data protection legislation. The statutory requirements to which a council is subject apply whether or not they are incorporated in a council's standing orders.

The model standing orders do not include model financial regulations. Financial regulations are standing orders to regulate and control the financial affairs and accounting procedures of a local council. The financial regulations, as opposed to the standing orders of a council, include most of the requirements relevant to the council's Responsible Financial Officer. Model financial regulations are available to councils in membership of NALC.

Drafting notes

Model standing orders that are in **bold type** contain legal and statutory requirements. It is recommended that councils adopt them without changing them or their meaning. Model standing orders not in bold are designed to help councils operate effectively but they do not contain statutory requirements so they may be adopted as drafted or amended to suit a council's needs. It is NALC's view that all model standing orders will generally be suitable for councils.

For convenience, the word "councillor" is used in model standing orders and, unless the context suggests otherwise, includes a non-councillor with or without voting rights.

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1. RULES OF DEBATE AT MEETINGS

- a Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chairman of the meeting.
- b A motion including an amendment shall not be progressed unless it has been moved and seconded.
- c A motion on the agenda that is not moved by its proposer may be treated by the chairman of the meeting as withdrawn.
- d If a motion including an amendment has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- e An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- f If an amendment to the original motion is carried, the original motion as amended becomes the substantive motion upon which further amendment(s) may be moved.
- g An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the chairman of the meeting, is expressed in writing to the chairman.
- h A councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- i If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chairman of the meeting.
- j Subject to standing order 1(k), only one amendment shall be moved and debated at a time, the order of which shall be directed by the chairman of the meeting.
- k One or more amendments may be discussed together if the chairman of the meeting considers this expedient but each amendment shall be voted upon separately.
- l A councillor may not move more than one amendment to an original or substantive motion.
- m The mover of an amendment has no right of reply at the end of debate on it.
- n Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate on the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.
- o Unless permitted by the chairman of the meeting, a councillor may speak once

in the debate on a motion except:

- i. to speak on an amendment moved by another councillor;
 - ii. to move or speak on another amendment if the motion has been amended since he last spoke;
 - iii. to make a point of order;
 - iv. to give a personal explanation; or
 - v. to exercise a right of reply.
- p During the debate on a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.
- q A point of order shall be decided by the chairman of the meeting and his decision shall be final.
- r When a motion is under debate, no other motion shall be moved except:
- i. to amend the motion;
 - ii. to proceed to the next business;
 - iii. to adjourn the debate;
 - iv. to put the motion to a vote;
 - v. to ask a person to be no longer heard or to leave the meeting;
 - vi. to refer a motion to a committee or sub-committee for consideration;
 - vii. to exclude the public and press;
 - viii. to adjourn the meeting; or
 - ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.
- s Before an original or substantive motion is put to the vote, the chairman of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.
- t Excluding motions moved under standing order 1(r), the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 3 minutes without the consent of the chairman of the meeting.

2. DISORDERLY CONDUCT AT MEETINGS

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chairman of the meeting shall request such persons to moderate or improve their conduct.
- b If persons disregard the request of the chairman of the meeting to moderate or improve their conduct, any councillor or the chairman of the meeting may move that the person be no longer heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- c If a resolution made under standing order 2(b) is ignored, the chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

3. MEETINGS GENERALLY

Full Council meetings ●
Committee meetings ●
Sub-committee meetings ●

- a **Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.**
- b **The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**
- c **The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice.**
- d **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**
- e Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.
- f The period of time designated for public participation at a meeting in accordance with standing order 3(e) shall not exceed 15 minutes unless Council agrees otherwise.

- g Subject to standing order 3(f), a member of the public shall not speak for more than 3 minutes.
- h In accordance with standing order 3(e), a question shall not require a response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a written or oral response be given.
- i A person shall raise his hand when requesting to speak.
- j A person who speaks at a meeting shall direct his comments to the chairman of the meeting.
- k Only one person is permitted to speak at a time. If more than one person wants to speak, the chairman of the meeting shall direct the order of speaking.
- l **Subject to standing order 3(m), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To “report” means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.**
- m **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**
- n **The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**
- o Any resolution which, if carried, would, in the opinion of the Chairman, as advised by the Responsible Financial Officer, substantially increase the expenditure upon any service which is under the management of or reduce the revenue at the disposal of the Council, or which would involve unplanned capital expenditure, shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.
- p **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in his absence be done by, to or before the Vice-Chairman of the Council.**
- q **The Chairman of the Council, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman of the Council if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.**

r **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors and non-councillors with voting rights present and voting.**

s **The chairman of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote.**

See standing orders 5(h) and (i) for the different rules that apply in the election of the Chairman of the Council at the annual meeting of the Council.

t **Members shall vote by show of hands, or, if at least two members so request, by signed ballot. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave his vote for or against that question.** Such a request shall be made before moving on to the next item of business on the agenda.

u **The minutes of a meeting shall include an accurate record of the following:**

- i. the time and place of the meeting;
- ii. the names of councillors who are present and the names of councillors who are absent;
- iii. interests that have been declared by councillors and non-councillors with voting rights;
- iv. the grant of dispensations (if any) to councillors and non-councillors with voting rights;
- v. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
- vi. if there was a public participation session and content thereof; and
- vii. the resolutions made.

v **A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter.**

- w **5 members shall constitute a quorum of the Council. No business may be transacted at a meeting unless at least one-third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three.** If a quorum is not present when the Council meets or if during a meeting the number of Councillors present and not debarred by reason of a declared pecuniary interest falls below the quorum, the business not transacted at that meeting shall be

transacted at the next meeting or on such other day as the Chairman fix.

See standing order 4f(ix) for the quorum of a committee or sub-committee meeting.

- x **If a meeting is or becomes inquorate no business shall be transacted** and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.
- y A meeting shall not exceed a period of 2 hours.
- z Smoking including the use of devices intended to imitate smoking is not permitted at any meeting of the Council and its committees and sub-committees.
- aa All mobile phones must be switched to off or silent for the duration of any meeting of the Council and its committees and sub-committees

4. COMMITTEES AND SUB-COMMITTEES

- a Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**
- b The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.**
- c Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**
- d A member who has proposed a resolution which has been referred to any committee of which he is not a member, may explain his resolution to the committee but shall not vote.**
- e In order to avoid confusion (especially for members of the public who attend meetings) as to which Councillor is a member of a committee, non-members shall be seated separately and apart from the members of the committee. Councillors are only entitled to inspect committee documents or have committee papers for those committees of which they are a member.**
- f The Council may appoint standing committees or other committees as may be necessary, and:**
 - i. shall determine their terms of reference;**
 - ii. shall determine whether or not the Chairman and Vice Chairman of the Council are ex-officio members of any committee**
 - iii. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of the Council;**
 - iv. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;**
 - v. shall, subject to standing orders 4(b) and (c), appoint and determine the terms of office of members of such a committee;**
 - vi. may, subject to standing orders 4(b) and (c), appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer 7 days before the meeting that they are unable to attend;**

- vii. shall, after it has appointed the members of a standing committee, appoint the chairman of the standing committee;
- viii. shall permit a committee other than a standing committee, to appoint its own chairman at the first meeting of the committee;
- ix. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which, in both cases, shall be no less than three;
- x. shall determine if the public may participate at a meeting of a committee;
- xi. shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;
- xii. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
- xiii. may dissolve a committee or a sub-committee.

5. ORDINARY COUNCIL MEETINGS

- a **In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office.**
- b **In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.**
- c **If no other time is fixed, the annual meeting of the Council shall take place at 6pm.**
- d **In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council decides.**
- e **The first business conducted at the annual meeting of the Council shall be the election of the Chairman and Vice-Chairman of the Council.**
- f **The Chairman of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the Council.**
- g **The Vice-Chairman of the Council, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.**
- h **In an election year, if the current Chairman of the Council has not been**

re-elected as a member of the Council, he shall preside at the annual meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the Council but shall give a casting vote in the case of an equality of votes.

- i In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, he shall preside at the annual meeting until a new Chairman of the Council has been elected. He may exercise an original vote in respect of the election of the new Chairman of the Council and shall give a casting vote in the case of an equality of votes.**
- j Following the election of the Chairman of the Council and Vice-Chairman of the Council at the annual meeting, the business shall include:**

 - i. In an election year, delivery by the Chairman of the Council and councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chairman of the Council of his acceptance of office form unless the Council resolves for this to be done at a later date;**
 - ii. Confirmation of the accuracy of the minutes of the last meeting of the Council;
 - iii. Receipt of the minutes of the last meeting of a committee;
 - iv. Consideration of the recommendations made by a committee;
 - v. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;
 - vi. Review of the terms of reference for committees;
 - vii. Appointment of members to existing committees;
 - viii. Appointment of any new committees in accordance with standing order 4;
 - ix. Review and adoption of appropriate standing orders and financial regulations;
 - x. Review of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses.
 - xi. Review of representation on or work with external bodies and arrangements for reporting back;
 - xii. In an election year, to make arrangements with a view to the Council becoming eligible to exercise the general power of competence in the future;

- xiii. Review of inventory of land and other assets including buildings and office equipment;
- xiv. Confirmation of arrangements for insurance cover in respect of all insurable risks;
- xv. Review of the Council's and/or staff subscriptions to other bodies;
- xvi. Review of the Council's complaints procedure;
- xvii. Review of the Council's policies, procedures and practices in respect of its obligations under freedom of information and data protection legislation (*see also standing orders 11, 20 and 21*);
- xviii. Review of the Council's policy for dealing with the press/media;
- xix. Review of the Council's employment policies and procedures;
- xx. Review of the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the general power of competence.
- xxi. Determining the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council.

6. EXTRAORDINARY MEETINGS OF THE COUNCIL, COMMITTEES AND SUB-COMMITTEES

- a **The Chairman of the Council may convene an extraordinary meeting of the Council at any time.**
- b **If the Chairman of the Council does not call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting shall be signed by the two councillors.**
- c The chairman of a committee [or a sub-committee] may convene an extraordinary meeting of the committee [or the sub-committee] at any time.
- d If the chairman of a committee or a sub-committee does not call an extraordinary meeting within 7 days of having been requested to do so by 2 members of the committee or the sub-committee, any 2 members of the committee or the sub-committee may convene an extraordinary meeting of the committee or a sub-committee.

7. PREVIOUS RESOLUTIONS

- a A resolution shall not be reversed within six months except either by a special

motion, which requires written notice by at least 5 councillors to be given to the Proper Officer in accordance with standing order 9, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.

- b When a motion moved pursuant to standing order 7(a) has been disposed of, no similar motion may be moved for a further six months.

8. APPOINTMENTS

- a Canvassing of members of the Council, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Clerk shall make known the purport of this subparagraph of this Standing Order to every candidate.
- b A member of the Council shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion; but, nevertheless, any such member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
- c Where more than two persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exercisable by the chairman of the meeting.

9. MOTIONS FOR A MEETING THAT REQUIRE WRITTEN NOTICE TO BE GIVEN TO THE PROPER OFFICER

- a A motion shall relate to the responsibilities of the meeting for which it is tabled and in any event shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.
- b No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least 14 clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- c The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9(b), correct obvious grammatical or typographical errors in the wording of the motion.
- d If the Proper Officer considers the wording of a motion received in accordance with standing order 9(b) is not clear in meaning, the motion shall be rejected

until the mover of the motion resubmits it, so that it can be understood, in writing, to the Proper Officer at least 10 clear days before the meeting.

- e If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the chairman of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
- f The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- g Motions received shall be recorded and numbered in the order that they are received.
- h Motions rejected shall be recorded with an explanation by the Proper Officer of the reason for rejection.

10. MOTIONS AT A MEETING THAT DO NOT REQUIRE WRITTEN NOTICE

- a The following motions may be moved at a meeting without written notice to the Proper Officer:
 - i. to correct an inaccuracy in the draft minutes of a meeting;
 - ii. to move to a vote;
 - iii. to defer consideration of a motion;
 - iv. to refer a motion to a particular committee or sub-committee;
 - v. to appoint a person to preside at a meeting;
 - vi. to change the order of business on the agenda;
 - vii. to proceed to the next business on the agenda;
 - viii. to require a written report;
 - ix. to appoint a committee or sub-committee and their members;
 - x. to extend the time limits for speaking;
 - xi. to exclude the press and public from a meeting in respect of confidential or other information which is prejudicial to the public interest;
 - xii. to not hear further from a councillor or a member of the public;
 - xiii. to exclude a councillor or member of the public for disorderly conduct;
 - xiv. to temporarily suspend the meeting;
 - xv. to suspend a particular standing order (unless it reflects mandatory

statutory or legal requirements);

xvi. to adjourn the meeting; or

xvii. to close the meeting.

11. MANAGEMENT OF INFORMATION

See also standing order 20.

- a **The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.**
- b **The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (e.g. the Limitation Act 1980).**
- c **The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.**
- d Councillors shall not disclose to any person not a member or employee of the Council any business declared to be confidential by the Council, or information given in confidence or which they believe, or ought to be aware is of a confidential.
- e If at a meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or conditions of service, of any person employed by the Council, it shall not be considered until the Council or committee (as the case may be) has decided whether or not the public shall be excluded. (See Standing Order No. 10a) xi).

12. DRAFT MINUTES

- a If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- b There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 10(a)(i).

- c The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d If the chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:

“The chairman of this meeting does not believe that the minutes of the meeting of the () held on [date] in respect of minute () were a correct record but his view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.”
- e Subject to the publication of draft minutes in accordance with standing order 21(a) and following a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

13. CODE OF CONDUCT AND DISPENSATIONS

See also standing order 3(v).

- a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.
- b Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.
- c Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has another interest if so required by the Council's code of conduct. He may return to the meeting after it has considered the matter in which he had the interest.
- d **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- e A decision as to whether to grant a dispensation shall be made by the Proper Officer.
- f A dispensation request shall confirm:
 - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
 - ii. whether the dispensation is required to participate at a meeting in a

- discussion only or a discussion and a vote;
 - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
 - iv. an explanation as to why the dispensation is sought.
- g Subject to standing orders 13(d) and (f), a dispensation request shall be considered by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required
- h A dispensation may be granted in accordance with standing order 13(e) if having regard to all relevant circumstances any of the following apply:**
- i. without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business;**
 - ii. granting the dispensation is in the interests of persons living in the Council's area; or**
 - iii. it is otherwise appropriate to grant a dispensation.**

14. CODE OF CONDUCT COMPLAINTS

- a Upon notification by the District or Unitary Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Proper Officer shall, subject to standing order 11, report this to the Council.
- b The Council may:
- i. provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement;
 - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
- c Upon notification by the District or Unitary Council that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.**

15. PROPER OFFICER

- a The Proper Officer shall be either (i) the clerk or (ii) other staff member(s) nominated by the Council to undertake the work of the Proper Officer when the

Proper Officer is absent.

b The Proper Officer shall:

- i. **at least three clear days before a meeting of the council, a committee or a sub-committee,**
 - **serve on councillors by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (provided the councillor has consented to service by email), and**
 - **Provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**

See standing order 3(b) for the meaning of clear days for a meeting of a full council and standing order 3(c) for the meaning of clear days for a meeting of a committee;

- ii. subject to standing order 9, include on the agenda all motions in the order received unless a councillor has given written notice at least 8 days before the meeting confirming his withdrawal of it;
- iii. **convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;**
- iv. **facilitate inspection of the minute book by local government electors;**
- v. **receive and retain copies of byelaws made by other local authorities;**
- vi. hold acceptance of office forms from councillors;
- vii. hold a copy of every councillor's register of interests;
- viii. assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
- ix. liaise, as appropriate, with the Council's Data Protection Officer (if there is one);
- x. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- xi. assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980);

- xii. arrange for legal deeds to be executed;
(see also *standing order 24*);
 - xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
 - xiv. record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;
 - xv. manage access to information about the Council via the publication scheme; and
 - xvi. retain custody of the seal of the Council (if there is one) which shall not be used without a resolution to that effect. (*See also standing order 24*).
- c No Member shall have the right to ask or demand that the Proper Officer or Clerk carry out any act or deed which is not in fulfilment of a Resolution of the Council, in fulfilment of his obligations as the Responsible Officer of the Council or in pursuance of the legitimate aims or best interests of the Council.
 - d Where any additional work or duties are required of the Proper Officer or Clerk, Members must agree such work with the Chairman or Vice Chairman of the Council prior to it being carried out and the Chairman or Vice Chairman will instruct the Proper Officer or Clerk accordingly

16. DELEGATED POWERS

The Council delegates full executive powers, as follows:

- a In the case of matters requiring an immediate or speedy decision in the interests of the efficient and effective discharge of any of the Council's functions, the Clerk shall be authorised, in consultation with the Chairman and/or Vice Chairman, to exercise that function.
- b In the case of a planning matter, where the deadline for Council's comments falls before the next scheduled Council meeting and an extension cannot be obtained from the planning authority, the Clerk shall obtain the comments of the Chairman or Vice Chairman plus any two councillors and their comments will form the basis of the Town Council's comments to the planning authority. The submitted comments should be reported to the next scheduled council meeting for confirmation. Where there are sufficient planning applications to warrant calling a planning applications only meeting then the Clerk may call a meeting. In the case of an application which the Clerk considers is likely to be contentious or create considerable local interest, then he shall call a meeting.
- c A report of the action carried out under 16(a) or (b) shall be made to the next meeting of the Council for formal endorsement and recording in the minutes. The Council will indemnify the Clerk, when acting *bona fides* in the exercise of

delegated powers, in any proceedings brought in respect of any acts done in the discharge of a delegated function.

17. RESPONSIBLE FINANCIAL OFFICER

- a The Council may appoint appropriate staff member(s) to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.
- b The Council delegates financial authority to the Responsible Financial Officer as laid out in the Council's Financial Regulations.

18. ACCOUNTS AND ACCOUNTING STATEMENTS

- a "Proper practices" in standing orders refer to the most recent version of "Governance and Accountability for Local Councils – a Practitioners' Guide".
- b All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial regulations.
- c As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide to the Council the accounting statements for the year in the form of Section 2 of the annual governance and accountability return, as required by proper practices, for consideration and approval.
- d The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council (receipts and payments, or income and expenditure) for the year to 31 March. A completed draft annual governance and accountability return shall be presented to all councillors at least 5 days prior to anticipated approval by the Council. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30 June.

19. FINANCIAL CONTROLS AND PROCUREMENT

- a. The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
 - i. the keeping of accounting records and systems of internal controls;
 - ii. the assessment and management of financial risks faced by the Council;
 - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor,

which shall be required at least annually;

- iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments; and
 - v. whether contracts with an estimated value below **£25,000** due to special circumstances are exempt from a tendering process or procurement exercise.
- b. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £30,000 but less than the relevant thresholds referred to in standing order 19(f) is subject to the "light touch" arrangements under Regulations 109-114 of the Public Contracts Regulations 2015 unless it proposes to use an existing list of approved suppliers (framework agreement).**
- d. Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
- i. a specification for the goods, materials, services or the execution of works shall be drawn up;
 - ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
 - iii. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
 - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
 - v. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
 - vi. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.
- e. Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- f. **Where the value of a contract is likely to exceed the threshold specified by the Office of Government Commerce from time to time, the Council must consider whether the Public Contracts Regulations 2015 or the**

Utilities Contracts Regulations 2016 apply to the contract and, if either of those Regulations apply, the Council must comply with procurement rules. NALC's procurement guidance contains further details (LTN87).

20. HANDLING STAFF MATTERS

- a A matter personal to a member of staff that is being considered by a meeting of the Council, its committees or sub-committees is subject to standing order 11.
- b Subject to the Council's policy regarding absences from work, the Council's most senior member of staff shall notify the chairman of the Council or, if he is not available the vice-chairman of the Council of absence occasioned by illness or other reason and that person shall report such absence to the Council at its next meeting.
- c The chairman of the Review & Staffing Committee or in his absence, the vice-chairman shall upon a resolution conduct a review of the performance and annual appraisal of the work of staff. The reviews and appraisal shall be reported in writing and are subject to approval by resolution by Council.
- d Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior member of staff (or other members of staff) shall contact the chairman of the Review & Staffing Committee or in his absence, the vice-chairman of the Review & Staffing Committee in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Review & Staffing Committee.
- e Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by any member of staff relates to the chairman or vice-chairman of the Review & Staffing Committee, this shall be communicated to another member of the Review & Staffing Committee which shall be reported back and progressed by resolution of the Review & Staffing Committee.
- f Any persons responsible for all or part of the management of staff shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters.
- g In accordance with standing order 11(a), persons with line management responsibilities shall have access to staff records referred to in standing order 20(f).

21. RESPONSIBILITIES TO PROVIDE INFORMATION

See also standing order 22.

- a **In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and**

respond to requests for information held by the Council.

- b The Council shall publish information in accordance with any applicable regulations in respect of transparency.

22. RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION

(Below is not an exclusive list).

See also standing order 11.

- a The Council may appoint a Data Protection Officer.
- b **The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his personal data.**
- c **The Council shall have a written policy in place for responding to and managing a personal data breach.**
- d **The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.**
- e **The Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.**
- f **The Council shall maintain a written record of its processing activities.**

23. RELATIONS WITH THE PRESS/MEDIA

- a Requests from the press or other media for an oral or written comment or statement from the Council, its councillors or staff shall be handled in accordance with the Council's policy in respect of dealing with the press and/or other media.

24. EXECUTION AND SEALING OF LEGAL DEEDS

See also standing orders 15(b)(xii) and (xvii).

- a A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.
- b **Subject to standing order 24(a), any two councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.**

25. COMMUNICATING WITH DISTRICT AND COUNTY OR UNITARY COUNCILLORS

- a An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the ward councillor(s) of the Unitary Council representing the area of the Council.

26. RESTRICTIONS ON COUNCILLOR ACTIVITIES

- a Unless duly authorised no councillor shall:
 - i. inspect any land and/or premises which the Council has a right or duty to inspect; or
 - ii. issue orders, instructions or directions.
 - iii. Incur any expenditure.

27. STANDING ORDERS GENERALLY

- a All or part of a standing order, except one that incorporates mandatory statutory or legal requirements (ie. those in bold type) may, for that meeting only, be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b A motion to permanently add to vary or revoke one or more of the Council's standing orders, except one that incorporates mandatory statutory or legal requirements, shall
 - i. stand adjourned without discussion to the next ordinary meeting of the Council, and
 - ii. not be carried unless two-thirds of the councillors at a meeting of the Council vote in favour of the same
- c The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible.
- d The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final.



Newby & Scalby Town Council

PRIVACY STATEMENT

DRAFT – (from R&S 15/3/23) for adoption by Full Council 12/4/23

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When you contact **Newby & Scalby Town Council**, hereafter called “**The Council**”

The information you provide (personal information such as name, address, email address, phone number) will be processed and stored so that it is possible to contact you and respond to your correspondence, advise, provide information, send invoices and receipts relating to service provision.

Your personal information will not be shared with any third party without your prior consent.

The Council - Right to Process Information

GDPR Article 6 (1) (a) (b) and (c)

Processing is with consent of the data subject

or

Processing is necessary for compliance with a legal obligation

or

Processing is necessary for the performance of a contract with the data subject or to take steps to enter into a contract

Information Security

The Council has a duty of care to ensure the security of personal data. We make sure that your information is protected from unauthorised access, loss, manipulation, falsification, destruction or unauthorised disclosure. This is done through appropriate technical measures and relevant policies.

We will only keep your data for the purpose it was collected for and only for as long as is necessary, after which it will be deleted or shredded.

Your Rights

Access to Information

You have the right to request access to the information we have on you. You can do this by contacting us by email or post. You will be required to provide proof of identity.

Information Correction

If you believe that the information we have about you is incorrect, you may contact us so that we can update it and keep your data accurate.

Information Deletion

If you require the **Council** to delete the information about you, please contact us.

Right to Object

If you believe that your data is not being processed for the purpose it has been collected for, you may object, please contact us.

Rights Related to Automated Decision Making and Profiling

The Council does not use automated decision making or profiling of personal data.

To Sum Up

In accordance with the law, we only collect a limited amount of information about you that is necessary for correspondence, information and service provision. We do not use profiling, we do not sell or pass your data to third parties. We do not use your data for purposes other than those specified. We make sure your data is stored securely. We delete all information deemed to be no longer necessary. From time to time we review our Privacy Policy to keep it up to date in protecting your data.

Document History		
Status	Date	Version
Draft for adoption consideration Council of 12/4/23		



Newby & Scalby Town Council

TRAINING POLICY

DRAFT – (from R&S 15/3/23) for adoption by Full Council 12/4/23

(Note for Jools, adoption to go on April agenda BEFORE the PLEDGE item).

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NEWBY & SCALBY TOWN COUNCIL TRAINING POLICY

Newby and Scalby Town Council (N&STC) is committed to offering and encouraging continuous training for all its staff and members. It recognises that to be well trained and informed promotes good practice in its organisation and increases and encourages the activities for community work.

N&STC values the time given by its members to their community and this policy is aimed at maximising the rewards from that time by ensuring that its members understand and enjoy the role they undertake in the community.

N&STC will identify training needs in the light of the overall objectives of the Council and the requirements of the individual. Decisions regarding training needs of individual councillors or members of staff are made by the Chairman of the Review and Staffing Committee and the Town Clerk.

N&STC will encourage its members to attend training meetings relevant to their specific roles and needs of the Council.

N&STC will ensure that the training offered to its members will be no less than the minimum requirement of Continuous Professional Development required by the Institute of the Society of Local Council Clerks.

N&STC will ensure that all new members are offered appropriate training at the earliest opportunity and will be presented with an Induction Guide for Councillors containing relevant information about becoming a Councillor on N&STC. For all councillors in-house training to meet specific needs may be arranged to enable all councillors to attend. If this is not possible and N&STC deems that training is necessary then all approved training costs will be met by N&STC. The Yorkshire Local Councils Association provide N&STC with details of training available and this information is forwarded to councillors on a regular basis – Councillors are expected to look at these training bulletins and indicate which courses they wish to undertake

N&STC will ensure that training for members and staff is adequately covered as a training item in the annual budget..

N&STC will maintain a selection of current publications offering advice concerning all aspects of Local Government.

N&STC is committed to networking with other Councils as an effective means of information gathering where possible to link in with training events held by other Councils.

Contracts of employment and job descriptions will include details of the Council's commitment to training.

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