

held in the Community Hub, 445b Scalby Road,
on Wednesday 12th July 2023 at 7pm.

PRESENT:

Councillor R Towse (Chairman), Cllrs. S Barnes, J Fennell, S Foote, R Holliday, B Marley,
D Sutton, R Thompson, D Wiles.

ALSO IN ATTENDANCE

PC636 Flinton (7.13pm – 7.23pm), NYC Cllr. Sharma (7.30pm – 8.14pm),
Mrs J Marley (Clerk to Council)

ABSENT: Cllrs. D Bastiman and J Smith.

108/23 **APOLOGIES FOR ABSENCE** Received and accepted from Cllrs. D Bastiman and J Smith (personal commitment).

109/23 **DECLARATIONS OF INTEREST:** None.

110/23 **MINUTES**
Having been previously circulated, the minutes of the Ordinary Council Meeting held on 7th June 2023 were **approved** as a correct record and **authorised** for signature by Cllr. Towse.

111/23 **PUBLIC OPEN FORUM** None present.

112/23 **MATTERS RAISED IN PUBLIC OPEN FORUM** None.

113/23 **VACANCIES (Newby Ward)**

113/23.1 Applications for co-option to the Ordinary Vacancy created at the election by reason of insufficient nominations – none to receive.

113/23.2 Applications for co-option to the Casual Vacancy created by the resignation of D. Langmead - none to receive.

114/23 **UPDATES ON VARIOUS MATTERS & COUNCILLOR'S REPORTS**

PC636 Flinton arrived during the next item.

114/23.1 **Received & noted** written report by Helen King (tabled at meeting).

114/23.2 Update by Chairman and Clerk on matters dealt with under delegated powers:– None.

114/23.4 Update on Scalby Toilets -Cllr. Towse reported the toilet trust had emailed to say they were handing the lease to the Town Council on 30/9/23. There had been no warning of this and as the lease was now held by North Yorkshire Council it may be that arrangements for the Town Council to take on the lease would be different to that of a year ago. No invoice had yet been received for water although it was understood it would only relate to consumption from 1/4/23.

115/23 **EXTERNAL REPORTS**

115/23.1 **Police:-** Report for June incidents in Scalby had been circulated with the agenda, the report for June incidents in Newby was tabled at the meeting. Additional information given by PC636 Flinton on Newby items – speed checks continue in the vicinity of Moor Lane, Red Scar Drive, Hackness Road and welcomed by residents.

At this point (7.23pm) PC636 Flinton left the meeting

116/23 **UPDATES ON VARIOUS MATTERS & COUNCILLOR'S REPORTS continued** *NY Cllr. Sharma arrived during the next item*

116/23.1 Reports from Councillors of any highway & footpath or general matters requiring attention – 1] Cllr. Thompson reported overgrown embankment and broken concrete post adjacent Church Beck, large pothole junction Cross Lane and Newlands Park Drive, tall weeds junction Scalby Road and High Street, verge erosion Station Road near bridge and Field Lane near caravan site. Cllr. Fennell reported very uneven pavement near Newby Service Station

117/23 **EXTERNAL REPORTS continued**

117/23.2 **North Yorkshire Unitary Council:-** Cllr. Sharma reported 1] negotiations continued regarding improving the state of the pavement on Throxenby Lane/Dunwell Avenue

corner; 2] work to reduce flooding on Cleveland Avenue/Burniston Road corner was ongoing. He also gave details of the work of North Yorkshire Council's Transport, Economy, Environment and Enterprise Overview and Scrutiny Committee of which he was a member.

118/23 CORRESPONDENCE

118/23.1 **Received & noted** – exchange of emails *[redacted and circulated with agenda]* between parishioner, NY Cllr. Bastiman and NY Council Highways re. 1] adoption of road at High Mill (no formal adoption date available as developer needs to bring road up to an adoptable standard) and 2] Field Lane bridge (no plans to widen as no particular injury collision history at the location).

118/23.2 Correspondence received after preparation of the agenda which the Chairman of the meeting deemed it necessary to consider as a matter of urgency:– 1] report from Sue Tipple, Newby and Scalby Friends *[tabled at meeting]* was **received & noted**. A £750 grant from NY Cllr. Bastiman's Locality fund had been promised – as the Friends did not have a bank account, the funds would be held and administered by the Town Council on behalf of the Friends; 2] a letter from a resident of Hackness Drive complaining about noise from neighbours – the Chairman had spoken with the complainant (who had not spoken with the neighbour) and the Police – there was no antisocial behaviour so Police unable to act, **agreed** matter was for environmental health to deal with not Town Council.

119/23 FINANCE, REGULATORY & GENERAL MATTERS

119/23.1 **Resolved** the Schedule of Accounts Payable for July 2023 (Sch 4, £8,033.50) be **approved**. Cllrs. Thompson and Towse to do the online authorisations within 24 hours, Cllrs. Sutton and Thompson signed the cheque.

119/23.2 Phone & broadband contract *[Minute 100/23.2 refers]* – **received & noted** update by Clerk re. what would happen if the local company ceased trading. **Agreed** contract to be awarded to local company, Clerk to contact Deepdale Computer Services.

NY Cllr. Sharma left the meeting at this point.

120/23 PLANNING APPLICATIONS & APPEALS NOTIFIED

- Comments on the following applications received *[circulated with agenda]* were **agreed**:-
1. 23/005374/LB Internal and external alterations, TV aerial and rainwater pipes, solar panels to rear, rooflight to front and erect fence and shed at 96 Throxenby Lane, Newby. **No objections.**
 2. 23/00538/HS Rooflight to front, solar panels to rear, erect shed and fence at 96 Throxenby Lane, Newby. **No objections.**
 3. ZF23/00629/FL Install replacement windows in uPVC at St Lawrence's Church rooms, Church Hill, Scalby. **No objections.**
 4. ZF23/00819/HS Single storey extension and garden room at 7 North Street, Scalby. **No objections.**

121/23 PLANNING DECISIONS - The following were **noted:-**

1. 23/00162/HS Erect two storey side extension and single storey rear extension, 9 Lady Edith's Avenue, Newby. **Granted with conditions.**
2. 23/00347/HS Demolish existing conservatory, erect single storey rear extension, 2 Orchard Heights, Newby. **Granted with conditions.**
3. 23/00400/HS Erect two storey side extension, 9 Vernon Grove, Newby. **Granted with conditions.**
4. 23/00403/HS Single storey rear extension, veranda and front extension, 50A Scalby Avenue, Newby. **Refused.**

122/23 PLANNING MATTERS RECEIVED AFTER 31/5/23

- Comments on the following application received *[previously notified to councillors]* were **agreed**:-
1. ZF23/01047/HS Erect single storey rear extension, 9 Castle Mount Avenue, Scalby. **No objections.**

123/23 REPORTS FROM OUTSIDE BODIES

Cllr. Towse reported CAP group meetings would re-start on 27th July, 7pm at the Hub.

124/23 **EXCLUSION OF PRESS AND PUBLIC** Not required as no confidential items to consider.

125/23 **CONFIDENTIAL ITEMS** None to consider.

There being no further business, the Chairman declared the meeting closed at 8.17pm.

R. Towse, Chairman
Dated: 13th September 2023

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Report for Newby and Scalby Town Council Meeting. Wednesday 13 September 2023

Update of what has happened at the Hub since our last meeting.

Our Wednesday Social Groups continue to grow in numbers and the activities have become more varied to include flower arranging, pop up shops, bingo, quizzes, and guest speakers.

27 July I took a coach of 49 to the Scarborough Fair Museum at Lebberston and what a success this was. I couldn't believe the number of our group who went on the fully working Carousel. Such memories were retrieved. The coach was filled with members from all our support groups, slimming world, U3A, Wednesday Support Group and some from Age UK. The Afternoon Tea was delicious, and we were lucky enough to be there when the European Ballroom Dance Champions were there so we were entertained by the dancers and the Wurlitzer Organ whilst having our Tea. Highly recommended if you have never been.

31 July. We were involved in the Keep Scarborough Tidy litter picking. It was a fabulous turn out with 15 adults and 5 children – including a family on holiday from Canada.

12 August. We gave the use of The Hub to a local lady who lost her 32 year old daughter to breast cancer on the 25 August last year. She wanted to celebrate Andreas life by holding a charity afternoon tea for friends and family in aid of Breast Cancer Awareness and she managed to raise over £1800. She was so grateful to the council for enabling her to do this.

I was then on Annual Leave until the end of August.

5 September saw the start of Group 5 Menopause Meet and Group 6 on 12 September. Both groups are fully booked.

6 September – was the 2nd Birthday of The Hub. We held a small party in the courtyard with our social group as it was a beautiful day and instead of cake, they all had ice creams. A lovely afternoon.

11 September – I went to York to do a live radio interview about the Menopause Meet Groups as I have reached the finals for a BBC Radio York award in the category “Bringing People Together”. The award ceremony is to take place at York Racecourse on Friday 15 September and it would be great to bring a recognition to the work that is going on here at Newby and Scalby Town Council Hub. Fingers crossed.

This is the summary since the last meeting. Please don't hesitate to contact me if you would like any further information on any of the points mentioned.

Helen King – Head of Support Services

The Hub, Newby and Scalby Town Council. 07849 690327 helenking@newbyandscalby-tc.gov.uk

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

Monday afternoon –	Scalby Women’s Institute Craft Club 2nd Monday each month
Tuesday Morning	Coffee Morning 2 nd Tuesday of each month
Tuesday Afternoon	Dementia Forward Café 1-3pm every week
Tuesday Evening	Menopause Meet Groups
Wednesday Morning	Individual Support Sessions/Bereavement Support
Wednesday Afternoon	Social Afternoon 2-4pm anyone welcome
Thursday Morning	
Thursday Afternoon	U3A Hobbies at The Hub 2-4pm
Friday	HUB CLOSED

Helen King. Head of Support Services, Newby & Scalby Town Council Hub. Tel. 07849690327

REPORT

FROM: Jools Marley, Responsible Financial Officer

TO: All Councillors

DATE: 20 July 2023

SUBJECT: Allotment plot rental and deposit charges, October 2023 onwards

The allotment land at Hackness Road is rented from the Duchy of Lancaster. Over recent years more plots have been divided resulting in there currently being 43 full size plots and 70 half size (or less) plots. Calculations for the rental charge are done on the basis of there being 78 full size plots (in order to keep a regular baseline).

A 3 yearly rent review by the Duchy took place in September 2022 and the rent was increased by £42 to £1,050pa.

Over the last three financial years, expenditure (excluding staff time) on the allotments has increased by £500 – this has not been helped by the fact that water usage on the allotments has doubled.

In 2020/21, the break even rent for a plot (with Clerk's time added at a minimal level of 15 minutes a week) was £36/plot but Council set the rent at £35/full plot.

Taking staffing costs into account, for the period covered by financial years 2018/19 to 2022/23, the allotments have broken even.

Based on the 2022/23 expenditure, the break even rent for 2023/24 (with Clerk's time added at a minimal level of 15 minutes a week) should be £42-35 for a full plot.

If so minded. Council could increase the rent per plot at the 1st October 2023 renewal. Any increase should be for the three year period 1/10/2023 to 31/9/2026. I consider it prudent to increase the rent to £40/full plot.

Additionally problems are being experienced with people handing in their tenancy and leaving the plot in a weedy and untidy state – this results in unnecessary costs. It is therefore suggested that with effect from 1/10/2023 any new tenancies will also have a £50 deposit levied (to be returned at the end of tenancy if the plot is in a tidy state when handed in).

RECOMMENDATIONS

1. Council resolves to increase the rent to £40/full plot and £20/half plot for the period 1st October 2023 to 31st September 2026.
2. Council resolves to accept the principal of a deposit being charged for each new tenancy and authorises the Clerk/RFO to bring this into effect in consultation with the committee of FONSA.

Jools Marley CiLCA
Responsible Financial Officer



Newby & Scalby Town Council

FINAL DRAFT CO-OPTION POLICY

Adopted by Full Council (TBC)

DATE (TBC)

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1. PURPOSE

This Policy sets out the procedure to be followed in the co-option of members to Newby & Scalby Town Council (N&STC).

2. CO-OPTION DEFINITIONS

The co-option of a Town Councillor occurs when:-

- Insufficient candidates stand for election at a normal election (an Ordinary Vacancy);
OR
- A vacancy has arisen on the Council and no election has been called (a Casual Vacancy).

A casual vacancy occurs when:-

- A councillor fails to make his declaration of acceptance of office at the proper time;
- A councillor resigns;
- A councillor dies;
- A councillor becomes disqualified; or
- A councillor fails for six (6) months to attend meetings of a council committee or sub-committee or to attend as a representative of the Council a meeting of an outside body.

N&STC must notify the principal authority (North Yorkshire Unitary Council) of a casual vacancy, then advertise the vacancy and give electors the opportunity to request a bye-election. A bye-election occurs when ten electors write to the Unitary Council asking for one.

3. CONFIRMATION OF CO-OPTION

Assuming there is no call for a bye-election, on receipt of written confirmation from the principal authority's Electoral Services Office that the casual vacancy can be filled by means of co-option, the Town Clerk will:

- Advertise the vacancy for four weeks on the Council notice boards and website
- Advise N&STC that the Co-option Policy has been instigated.

N&STC is not obliged to fill any vacancy. Even if the Council invites applications for co-option, it is not obliged to select anyone from the candidates who apply. Councillors elected by co-option are full members of N&STC.

4. ELIGIBILITY OF CANDIDATES

N&STC is able to consider any person for co-option to a vacancy provided that they:

- Are a British subject, or a citizen of the Commonwealth or the EU **AND**
- Are aged 18 years or over; **AND**
- Are an elector for the Town Council area (Parish); **OR**
- Have resided in the parish for the past twelve months or rented/tenanted land or other premises in the parish; **OR**
- Have their principal place of work in the parish; **OR**
- Live within three miles (direct) of the parish.

There are certain disqualifications for election, (see Part V. Sections 80-81A of the Local Government Act 1972), of which the main are:

- Holding a paid office with the Town Council;
- Bankruptcy;
- During the five years preceding the election, having been sentenced to a term of imprisonment (whether suspended or not) of not less than three months;
- Being disqualified under any enactment relating to corrupt or illegal practices.
- Being disqualified under any enactment relating to/within the Sexual Offences Act 2003.

Candidates found to be offering inducements of any kind will be disqualified.

5. APPLICATIONS

Members may point out the vacancies and the process to any qualifying candidate(s). Candidates will be requested to:

- Submit information about themselves, by way of completing a short application form (Appendix A)
- Confirm their eligibility for the position of Councillor within the statutory rules (Appendix B)

Candidates will be informed it is a requirement of being a Town Councillor that a means of contact by an email address on the town council's domain will be public information and that being a Town Councillor entails having their contact details and Register of Interests in the public domain.

Following receipt of applications, the next suitable council meeting will have an agenda item 'To receive written applications for the office of Town Councillor and to consider co-option to the vacancy(s).

Copies of the candidates' applications will be circulated to all Councillors by the Town Clerk at least 3 clear days prior to the meeting of the Full Council at which the co-option will be considered. All such documents will be treated by the Town Clerk and all Councillors as Strictly Private & Confidential.

Candidates will be sent a full agenda of the meeting at which they are to be considered for appointment. Candidates will also be informed that they will be invited to speak about their application at the meeting.

6. AT THE CO-OPTION MEETING

At the co-option meeting, the Chairman of the meeting will invite each candidate to introduce themselves to Members, give information on their background and experience and explain why they wish to become a Member of N&STC. (A maximum of three minutes per candidate will be allowed). Applicants who do not attend will not be considered.

As soon as all candidates have finished giving their submissions, should the Council wish to discuss the merits of candidates and inevitably their personal attributes, this could be prejudicial, and the Council will resolve to exclude the members of the press and public.

Once the press and public exclusion has ended, the Council will proceed to a vote on the acceptability of each candidate utilising the 'person specification' criteria set out in Appendix C and any personal statements provided by candidates. Each candidate will require a proposer and a seconder from the town councillors present that "XX's application for co-option to the vacancy be considered". Each proposal must be carried by a majority vote.

The Town Clerk will place the names of those validly proposed and seconded into alphabetical order and a vote by show of hands or a signed ballot will be held.

For a candidate to be elected to N&STC, it will be necessary for them to obtain an absolute majority of votes cast (50% +1 of the votes available at the meeting). If there are more than two candidates and there is no candidate with an overall majority in the first round of voting the candidate with the least number of votes will drop out of the process. Further rounds of voting will then take place with the process repeated until a candidate has an absolute majority. In the case of an equality of votes, the Chair of the meeting has a second or casting vote.

The ballot(s) will be counted by the Town Clerk. After the vote has been concluded, the Chair will declare the successful candidate duly elected and after signing their Declaration of Acceptance of Office, may take their seat immediately. The Town Clerk will notify Electoral Services of the new Councillor appointment. The successful candidate(s) must complete the 'Register of Interests' within 28 days of being elected. The form should be handed to the Town Clerk. If insufficient candidates come forward for co-option, or if no candidate receives an affirmative majority of 50% +1, the process should continue, whereby the vacancies are again advertised.

NEWBY & SCALBY TOWN COUNCIL**CO-OPTION APPLICATION FORM**

NAME	
ADDRESS	
TELEPHONE NUMBER	
EMAIL ADDRESS	
Please tell us something about what experience you can bring to Newby & Scalby Town Council, for example; previous local government experience, work in the voluntary or charitable sector, business or trade union experience <i>(Please continue on an additional page if required).</i>	
Please tell us something about skills you can bring to the Council, for example; professional qualifications, financial or project management expertise (Please continue on an additional page if required)	

NEWBY & SCALBY TOWN COUNCIL

Please explain why you are interested in becoming a Town councillor
(Please continue on an additional page if required)

Please include any other information you would like to add in support of your application?
(Please continue on an additional page if required)

Are there any questions you would like to ask the Town Council?

Signed: **Print:**

Date:

Please return this completed form, with your completed Co-option Eligibility Form to:

Newby & Scalby Town Council

445b Scalby Road

SCARBOROUGH

YO12 6UA

clerk@newbyandscalby-tc.gov.uk

The information provided on this application form will remain private and confidential and not be disclosed to third parties. Please note it is a requirement of being a Town Councillor that a means of contact by an email address on the town council's domain will be public information and that being a Town Councillor entails having your contact details and Register of Interests in the public domain.

LEGAL DECLARATION OF QUALIFICATION TO HOLD PUBLIC OFFICE AS A LOCAL COUNCILLOR

NAME: _____

Where a local council is undertaking the process of co-option of a councillor to the authority, it is duty bound to ensure that the person(s) appointed are eligible to hold office as a local councillor. The qualifications and disqualifications are contained in the Local Government Act 1972, Sections 79 to 81A.

Please complete the following declaration form by ticking the relevant box and return the form to the Clerk to Council, Mrs J Marley, 445b Scalby Road, SCARBOROUGH, YO12 6UA by *(insert date)*.

Qualifications

Please indicate which qualifications are applicable to you:

You are a British subject, or a citizen of the Commonwealth or the European Union (s.79 LGA 1972)

☐

You are 18 years of age or over

☐**And (tick all which apply)**

At the date of application to the town council you are a local government elector for the parish of Newby & Scalby

☐

or

At the date of application to the town council you have, during the whole of the twelve months preceding that day, occupied as owner or tenant of any land or other premises in the parish:

☐

or

At the date of application to the town council you have, during the whole of the twelve months preceding that day, had your principal or only place or work in the parish:

☐

or

At the date of application to the town council you have, during the whole the twelve months preceding that day, resided in the parish or within three miles of it:

☐

(Please note that you do not have to meet all of these qualifications. To be eligible you must be 18 or over and must also meet one of the other provisions. However, it would be helpful if you could indicate all of those which apply).

Disqualifications

You hold any paid office with the town council

Yes ☐No ☐

You are the subject of a Bankruptcy Restrictions Order or Interim Order, or a Debt Relief Restrictions Order or an Interim Debt Relief Restrictions order under Schedule 4ZB of the Insolvency Act 1986.

Yes ☐No ☐

NEWBY & SCALBY TOWN COUNCIL

You have within five years prior to the day of your prospective appointment to the council been convicted in the United kingdom, the Channel Isles or the Isle of Man, of any offence *and* have had passed on you a sentence of imprisonment (whether suspended or not) for a period of not less than three months without the option of a fine.

Yes ☐ No ☐

You are disqualified from being elected or from being a member of Newby & Scalby Town Council under Part III of the Representation of the People Act 1983 or under the Audit Commission Act 1998.

Yes ☐ No ☐

You are subject to the notification requirements of Part 2 of the Sexual Offences Act 2003 (this applies to persons subject to relevant notification requirements or an order made on or after 28 June 2022).

Yes ☐ No ☐

(If you are subject to any of these disqualifications you will not be able to hold public office as a town councillor until the disqualification is no longer effective).

Newby & Scalby Town Council confirms that it is duty bound to treat this information as strictly confidential.

Signature of candidate

Printed name of candidate

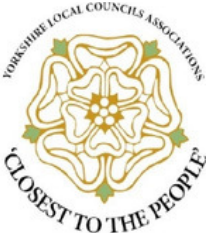
Date

NEWBY & SCALBY TOWN COUNCIL

Co-opted Councillor Person Specification		
Competency	Essential	Desirable
Personal Attributes	• Sound knowledge and understanding of local affairs and the local community. • Forward thinking.	Can bring a new skill, expertise or key local knowledge to the Council.
Experience, Skills, Knowledge and Ability	• Ability to listen constructively. • A good team player. • Ability to pick up and run with a variety of projects. • Solid interest in local matters. • Ability and willingness to represent the Council and their community. • Good interpersonal skills and able to contribute opinions at meetings whilst willing to see others views and accept majority decisions. • Ability to communicate succinctly and clearly. • Ability and willingness to work closely with other members and to maintain good working relationships with all members and staff. • Ability and willingness to work with the Council's partners (e.g. voluntary groups, other parish Councils, principal authority, charities) • Ability and willingness to undertake induction training and other relevant training. • Can do email and internet	• Experience of working or being a member in a local authority or other public body • Experience of working with voluntary and or local community / interest groups • Basic knowledge of legal issues relating to town and parish Councils or local authorities • Experience of delivering presentations
Circumstances	Ability and willingness to attend meetings of the Council (or meetings of other local authorities and local bodies) at any time and events in the evening and at weekends. Should be prepared to use Council email address for Council work and have Register of Interests in the public domain.	

NOTE: The above specification is purely a guide to indicate some form of suitability.

Document History		
Status	Date	Version
Original with appendices- approved by Council.	TBC	



WHOLE COUNCIL TRAINING



We are offering dates for councils to express an interest in having a YLCA Officer provide Whole Council Training at a venue of their choice. The council will be charged for the number of filled seats on the council, whether all councillors attend or not, although as this is training for all the members of a council, the idea is that everyone comes along to hear the information and guidance, to build better understanding and cohesion within the authority. The dates are provided in the programme below.

The three-hour session can be held during the day or the evening. To request this training please contact admin@yorkshirelca.gov.uk to request a booking form. Bookings will be taken on a first-come, first-served basis. Once the booking form is received it is a contract between the Council and YLCA. The cost for the training is £37.00 per person (councillors or officers, ie clerk) if YLCA has to book a venue, or £32.00 per person if the council provides and pays for a venue.

The training session will include:

- Duties, roles and responsibilities of the Council, Chair, Clerk and RFO
- Legislative powers and duties
- Meetings and their management
- Council business including lawful agendas and minutes
- Delegation to officers and committees
- The audit regime
- Transparency Code
- The council as an employer
- Data Protection and the UK GDPR overview
- Any aspect of local council administration that the council needs us to focus on.

Dates available 2023:

Tuesday, 21 November (daytime or evening)
Wednesday, 29 November (daytime or evening)
Wednesday, 6 December (Remote via zoom)
Thursday, 7 December (Remote via zoom)
Tuesday, 12 December (Remote via zoom)

Dates available 2024:

Tuesday, 16 January (daytime only)
Thursday, 18 January (daytime only)
Wednesday, 24 January (daytime only)
Saturday, 17 February (10am to 1pm only)
Monday, 26 February (daytime or evening)
Thursday, 29 February (daytime or evening)
Wednesday, 13 March (daytime or evening)
Thursday, 14 March (daytime or evening)
Tuesday, 26 March (daytime or evening)

Once you have made your booking, if you need to cancel it please refer to the YLCA Cancellation Policy provided with the booking form.

YLCA Training Bulletin is produced by:

Yorkshire Local Councils Associations, Suite 8, York House, Station Road, Tadcaster, LS24 9JF.

Tel: 01937 228602. E-mail: admin@yorkshirelca.gov.uk

Website: www.yorkshirelca.gov.uk