

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

held in the Community Hub, 445b Scalby Road,
on Monday, 8th January 2024 at 7.00pm.

PRESENT:

Councillors R Thompson (Chairman), D Bastiman and J Smith.

Notes of the meeting were taken by Cllr. J Smith.

ABSENT: Cllrs. R Holliday and D Wiles.

RS1/24 **APOLOGIES FOR ABSENCE**

Received & accepted from Cllr. R Holliday (personal commitment). **Noted** that Cllr D Wiles who had been appointed to this committee on 20th December 2023 had resigned from Council on Sunday 7th January 2024.

RS2/24 **DECLARATIONS OF INTEREST**

None.

RS3/24 **EXCLUSION OF PUBLIC & PRESS**

Resolved that, under the provisions of the Public Bodies (Admission to Meetings) Act 1960 §1(2), the press and public be excluded from the meeting during consideration of the next items due to the confidential nature of the business to be transacted.

CONFIDENTIAL ITEMS

RS4/24 **Succession planning for the Proper Officer's post**

The confidential report circulated with the agenda was **received and noted**. **Resolved** that as the Proper Officer was due to leave on 14th February 2024 (and in order to facilitate the smooth running of Council business during the period of recruiting/training a replacement), Cllr. Thompson to speak directly to the Proper Officer on 9th January asking that she withdrew her resignation. This had the full unequivocal support of the Committee and was within its delegated authority. Full council would be informed of this at its meeting on Wednesday 10th January 2024.

RS5/24 **Staff Management**

Agreed it was essential the correct line management arrangements (as advised by the YLCA in its December 2023 Law and Governance Bulletin which had been forwarded to all councillors on 22/12/23) were implemented for Council employees. In that respect the following were **recommended** to Council in respect of changes needed:-

1. In respect of any staff whose Principal Statement of Terms and Conditions shows their line manager to be "Parish Council Chairman" – this should be amended as soon as possible to show the line manager as the Clerk, since that was the correct reporting line for all Council employees.
2. Cllr. Jackie Smith be appointed as the Review & Staffing Committee's Key Contact – in effect she would be the Clerk's day to day liaison point for matters such as sick/annual leave, work priorities, work load and problems. The key contact would also be the Clerk's first point of contact for discussion of sensitive matters such as grievances and disciplinary matters. The key contact would report back to the Review & Staffing Committee which would deal with matters in accordance with its Terms of Reference.

3. To consider reviewing/amending the Terms of Reference of the Review & Staffing Committee so it is responsible for the review of performance management (including staff appraisals) and staff training programmes.
4. Council takes up (as soon as possible) the Retained Personnel Support Service provided by Personnel Advice and Solutions Ltd on a 12 month contract at a monthly cost of £100+VAT.

There being no further business on the agenda, the Chairman declared the meeting closed at 8.20pm.

R. THOMPSON, Chairman
14th February 2024

held in the Community Hub, 445b Scalby Road,
on Wednesday 10th January 2024 at 7pm.

PRESENT:

Councillors R Thompson (Chairman), D Bastiman, J Fennell, S Foote, B Marley (from 7.30pm), J Smith.

ALSO IN ATTENDANCE

NYC Cllr. Sharma (7pm – 7.51pm), 20 members of public (left at various times), Mrs J Marley (Clerk to Council).

ABSENT: Cllrs. S Barnes, R Holliday.

1/24 NON-ATTENDANCE OF COUNCILLORS

1/24.1 **Received** from Cllr. Holliday.

1/24.2 Reasons for absence **accepted** from Cllr. Holliday (personal commitment).

2/24 DECLARATIONS OF INTEREST: **Received** from 1] Cllr. Bastiman (agenda items 11-13 inclusive) as Executive Member covering planning at North Yorkshire Council; 2] Cllr. Smith, agenda item 8.1 as she was a trustee of Scalby Toilet Trust, 3] Cllr. Marley, agenda item 11.4 as he was a member of the North York Moors National Park Authority.

3/24 MINUTES

Having been previously circulated, the minutes of the Extraordinary Meeting of Council held on 20th December 2023 were **approved** as a correct record and **authorised** for signature by Cllr. Thompson.

4/24 PUBLIC OPEN FORUM (7.07-7.22pm) There were some very strong opinions expressed and heated exchanges - all in respect of what was happening in the future with events at the hub and the groups run by the Town Council. The main theme was that clarity on the hub and its future was needed so the public was aware of planned events. The lack of a Christmas tree and lights at the shops on Newlands was also raised with a request for some to be provided for Christmas 2024.

5/24 MATTERS RAISED IN PUBLIC OPEN FORUM Cllr. Thompson summed up Council's actions:- 1] as had been explained at the meeting on 20th December 2023 a lot of the issues being referred to during the Public Open Forum were confidential since they related to staffing matters and as such could not be discussed; 2] the Hub continued to be available for hire; 3] following Cllr. Barnes' statement of resignation and departure part-way through the meeting of 20/12/23, a letter of resignation had not been received and therefore Cllr. Barnes remained a councillor; 4] the provision of Christmas tree and lights at Newlands would be considered at a future meeting.

6/24 VACANCIES

6/24.1 To receive any applications for co-option to the Ordinary Vacancy (Newby Ward) created at the election by reason of insufficient nominations & agree action as appropriate - none.

6/24.2 A member of public present had submitted a written expression of interest in being co-opted to the Casual Vacancy in Scalby Ward. Proposed Cllr. Smith, seconded Cllr. Bastiman and **resolved** Bob Marley be co-opted to the vacancy and his Declaration of Acceptance of Office completed and accepted

7.30pm - at this point Cllr. Marley took his place at the council table.

7/24 EXTERNAL REPORTS

7/24.1 **Police** – the Scalby report for December incidents [circulated with agenda] was **received and noted**.

7/24.2 **NY Unitary Council** - NY Cllr. Sharma reported 1] work on setting the budget was almost complete; 2] he encouraged people to join the Town Council.

7.40pm - at this point 11 members of public left the meeting.

8/24 UPDATES ON VARIOUS MATTERS & COUNCILLOR'S REPORTS

8/24.1 Scalby Toilets [Minute 189/23.3 refers]– **noted** report from Clerk that some legal technicalities had been encountered and it was hoped to have these sorted within the next seven days.

8/24.2 Matters dealt with under delegated powers – 1] a problem with parking on the highway verge on Lady Edith's Park/Sandhurst Gardens had been referred to Highways for action.

8/24.3

The following reports of any highway matters were received from councillors:- 1] Cllr. Bastiman – blocked gully Stony Lane corner causing flooding over pavement and sea cut weir coping stone off and damage to the spillway under the gas pipe; 2] Cllr. Fennell – large pothole on Hackness Gardens). Items to be referred to Highways or Environment Agency as applicable.

9/24

9/24.1

CORRESPONDENCE

Correspondence received after preparation of the agenda which the Chairman of the meeting deemed it necessary to consider as a matter of urgency - an email dated 7/1/24 from D Wiles resigning as a Town Councillor was **received**. **Resolved** the Clerk to inform NYC, post the relevant notices and remove Cllr. Wiles from the bank mandate.

7.51pm - at this point Cllr. Sharma and the remaining members of public left the meeting.

10/24

10/24.1

FINANCE, REGULATORY & GENERAL MATTERS

Resolved the Schedule of Accounts Payable for January 2024 (Sch 10, £3,666-28) [tabled at meeting] be **approved** along with an additional late invoice from Castle Employment in the sum of £609-00. **Resolved** Cllrs. Smith and Thompson to do the online authorisations within 24 hours, cheque to be signed by Cllrs. Bastiman and Smith.

10/24.2

2024/25 Precept – **received** RFO's report [circulated with agenda] & **resolved** Council set a precept of £137,513 for the financial year 2024/25 with the small shortfall being funded from Council's general reserves.

10/24.3

Resolved to 1] extend the suspension of Financial Regulation 3.5 to 9/1/25 and 2] for the same period to extend the variation of Financial Regulation 19.2 **FROM** "19.2 With the agreement of the Chairman or Vice Chairman of Council, urgent expenditure exceeding £500 which is specifically for the purpose of ensuring Council meets its legal or contractual obligations" **TO** "19.2 With the agreement of the Chairman or Vice Chairman of Council, expenditure exceeding £500". (The extensions are to facilitate smooth running of Council's finances such as paying bills in the event of a meeting not being held. The original suspensions are at Minute 111/21.5).

11/24

11/24.1

PLANNING APPLICATIONS & APPEALS NOTIFIED

Resolved comments on the following applications be submitted to the planning authority:-

1. ZF23/01945/HS Erect single and two storey extension to rear, erect detached garage and alteration to stables, 53 Coldyhill Lane, Newby. **No objections.**
2. ZF23/01954/FL Demolish existing building, erect 2no. bungalows and 1no. house, 143-245 Burniston Road, Newby. **No objections.**
3. ZF23/01992/HS Erect single storey side and rear extensions to form garage, utility and home office, 5 West Avenue, Scalby. **No objections.**
4. NYM/2023/0856 Erect covered manure storage building, Beacon Farm, Beacon Brow Road, Scalby. **No objections.**
5. **Noted** an appeal has been submitted against the refusal of ZF23/01568/AD Erect agricultural storage unit, Ian's Field Farm, Burniston Road, Scalby

12/24**PLANNING DECISIONS** – **Resolved** the following be **noted**:-

1. ZF23/01140/HS Erect two storey side extension with single storey element to rear, 32 Newlands Park Crescent, Newby. **Granted with conditions.**

13/24**PLANNING MATTERS RECEIVED AFTER 13/12/23**

1. ZF23/01970/FL Construct 1no. 4 bed dwelling with detached double garage (amended design to approved application 19/02219/FL), 309 Scalby Road, Newby. **Resolved** comments of **No objections** be submitted to the planning authority.

14/24**REPORTS FROM OUTSIDE BODIES** – none to receive.15/24**EXCLUSION OF PRESS AND PUBLIC**

It was **resolved** that in accordance with section 1 of the Public Bodies (Admission to Meetings) Act 1960 the press and public be excluded from the meeting for the next item of business on the grounds it related to personnel/staffing, financial or legal matters.

16/24

16/24.1

CONFIDENTIAL BUSINESS

445 Scalby Road – **noted** the property would be coming vacant. **Resolved** the Clerk be delegated to enter into negotiations with the letting agents with regards to the re-letting of

the property.

16/24.2

Received & noted a confidential report from the Review and Staffing Committee. 1] Succession planning for Proper Officer's post – the Committee's resolution to ask the Proper Officer to withdraw their resignation (in order to facilitate the smooth running of Council business during the period of recruiting/training a replacement) was **noted**. Council **resolved** to accept the Proper Officer's confirmation to the meeting that the resignation was withdrawn with immediate effect. **Resolved** the Committee's recommendations in respect of Staff Management all be accepted.

There being no further business, the Chairman declared the meeting closed at 8.39pm.

Cllr. Richard Thompson, Chairman
Dated: 14th February 2024

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MINUTES OF EXTRAORDINARY MEETING OF NEWBY AND SCALBY TOWN COUNCIL 636

held in the Community Hub, 445b Scalby Road,
on Friday 26th January 2024 at 2pm

PRESENT:

Councillors R Thompson (Chairman), D Bastiman, J Fennell, B Kendall (from 9.06am), B Marley, J Shepherd (from 9.05am), J Smith.

ALSO IN ATTENDANCE

2 members of public (co-opted to council at various times), Mrs J Marley (Clerk to Council).

ABSENT: Cllrs. S Barnes, S Foote, R Holliday.

17/24 **NON-ATTENDANCE OF COUNCILLORS**

17/24.1 **Received** from Cllrs. Foote and Holliday.

17/24.2 Reasons for absence **accepted** from Cllrs. Foote and Holliday (personal commitments).

18/24 **DECLARATIONS OF INTEREST:** None to receive.

19/24 **VACANCIES**

19/24.1 **Received** application from J Shepherd for co-option to the Ordinary Vacancy (Newby Ward) created at the election by reason of insufficient nominations & **resolved** J Shepherd be co-opted to the vacancy and her Declaration of Acceptance of Office completed, countersigned by the Proper Officer and accepted.

At this point (9.05am) Janet Shepherd took her place at the council table.

19/24.2 **Received** expression of interest from a member of the public present and application from D Pickersgill for co-option to the Casual Vacancies in Newby Ward (4) & **resolved** B Kendall and D Pickersgill be co-opted to two of the vacancies. Declaration of Acceptance of Office by B Kendall was completed, countersigned by the Proper Officer and accepted. Council **resolved** D Pickersgill's Acceptance of Office to be completed and countersigned by midnight on 14th February 2024.

At this point (9.06am) Bob Kendall took his place at the council table.

20/24 **HUB EVENTS** Council **confirmed** that the Hub remained open for bookings and the meeting space and facilities were available for hire (bookings via Council's website or direct to Council).

21/24 **SCALBY TOILETS** [Minute 8/24.1 refers]– **Noted** report by Clerk that 1] some legal technicalities had been encountered which were delaying the lease and 2] the Toilet Trust had officially handed the toilets back to North Yorkshire Council. **Resolved** Council wished to keep the toilets open and to that end it authorised the Clerk to negotiate an interim agreement or Tenancy At Will with North Yorkshire Council. It was further **resolved** to take on the existing ways of working/contractors for the moment.

22/24 **FINANCE MATTERS**

22/24.1 Sirius Small Capital and Training Grant – Clerk reported there was an element of this grant which had not been used. Council **resolved** to refund the balance (£1,559-06), Cllrs. Smith and Thompson were to authorise the bank payment.

23/24 **EXCLUSION OF PRESS AND PUBLIC**

It was **resolved** that in accordance with section 1 of the Public Bodies (Admission to Meetings) Act 1960 the press and public be excluded from the meeting for the next item of business on the grounds it related to personnel/staffing, financial or legal matters.

24/24 **CONFIDENTIAL BUSINESS**

24/24.1 **Resolved** that the Chairman's confidential report be **noted**. **Resolved** that following a meeting with the Chief Executive of The Woodsmith Foundation, an external investigation was necessary to get an independent view of what had taken place as well as to protect the reputation and integrity of both the RFO/Proper Officer and the Council. **Resolved** that Maoni Consulting (Ian Morris) be appointed to carry out an investigation at a cost of £1,000 plus any additional costs agreed by N&STC. **Resolved** that it be delegated to the Clerk to enter into and sign a contract with Maoni Consulting. **Resolved** that the Clerk write to the Woodsmith Foundation confirming an external investigation had been commissioned and giving brief details of the scope thereof. As part of the correspondence the Clerk would place on record with the Foundation that in the period 1st June 2023 to 31st

December 2023 it had not given any staff or councillors authority to hold meetings with Woodsmith or make offers on behalf of the Town Council. It was **noted** a further meeting would be held in February with the Foundation.

- 24/24.2 Staffing – Cllr. Smith reported from a meeting with Council's HR consultants in respect of the urgent need to amend the line management arrangements (from Chairman to Proper Officer) of a staffing post. Due to ongoing issues concerning a grant to the council, the consultant had recommended that Council considered making a staffing post redundant. The Council discussed the situation at length and in depth. **Resolved** that the recommendation of the Council's external HR consultant be adopted and a redundancy consultation letter be sent to the postholder.
- 24/24.3 Allegation (by a member of the public) of inaccuracy in a previous minute. The Clerk had obtained advice from the YLCA who confirmed it was possible to change the wording of an approved minute if it was found the approved minute was incorrect and did not reflect the proceedings of the meeting. **Resolved** that the Council did not wish to change the wording of the approved minute and Clerk to inform parishioner accordingly.
- 24/24.4 The Council considered a proposal for a solicitor's letter to be sent to another councillor arising as the result of an outburst by a councillor at the meeting of 20/12/23. It had not been possible to action anything over the Christmas and New Year period. A firm of solicitors had now confirmed they were able to write a warning letter for the sum of £400. Council carefully deliberated the proposal. **Resolved** that it be reluctantly agreed that as the person was technically still a councillor (having not submitted their resignation in writing despite verbally resigning) a warning letter was not an appropriate course of action. The Clerk was instructed to inform solicitors of decision.

There being no further business, the Chairman declared the meeting closed at 10.30am.

Cllr. Richard Thompson, Chairman
Dated: 14th February 2024

MINUTES OF EXTRAORDINARY MEETING OF NEWBY AND SCALBY TOWN COUNCIL

held in the Community Hub, 445b Scalby Road,
on Friday 2nd February 2024 at 2pm.

638

PRESENT:

Councillors R Thompson (Chairman), J Fennell, R Holliday, B Kendall, B Marley, J Shepherd, J Smith.

ALSO IN ATTENDANCE

Mrs J Marley (Clerk to Council).

ABSENT: Cllrs. S Barnes, D Bastiman, S Foote.

25/24 **NON-ATTENDANCE OF COUNCILLORS**

25/24.1 **Received** from Cllrs. Bastiman and Foote.

25/24.2 Reasons for absence **accepted** from Cllrs. Bastiman (prior commitment) and Foote (personal commitment).

26/24 **DECLARATIONS OF INTEREST:** None to receive.

27/24 **EXCLUSION OF PRESS AND PUBLIC**

It was **resolved** that in accordance with section 1 of the Public Bodies (Admission to Meetings) Act 1960 the press and public be excluded from the meeting for the next item of business on the grounds it related to personnel/staffing, financial or legal matters.

28/24 **CONFIDENTIAL BUSINESS**

28/24.1 **Supporting People 65+ grant from The Woodsmith Foundation.** Minute 24/24.1 refers. The confidential report from Maoni Consulting plus a confidential report by the Town Clerk were **received**. **Resolved** the consultant's report be accepted. Further **resolved** all the recommendations in the Town Clerk's report be **carried**. The Clerk was instructed to carry out those recommendations and write accordingly to the Chief Executive of The Woodsmith Foundation. **Resolved** the online transaction for repayment of the grant was to be authorised by Cllrs. Smith and Thompson.

28/24.2 Staffing – a letter dated 26/1/24 from a solicitor and Council's reply of 29/1/24 were **noted**. The deadline for a response by 2pm today (2/2/24) had passed without a reply. **Resolved** no decision to be made on the content of the letter of 26/1/24, the matter would be re-considered in the future if necessary.

28/24.3 Emails had been sent to the Chairman and copied to most councillors by a member of public who at the Council meeting of 10/1/24 had taken issue with Minute 197/23 of the Extraordinary meeting of 22/12/23. The Clerk had acknowledged those emails as instructed by Council on 26/1/24 [Minute P24/24.3 refers]. The member of public had today submitted a Data Subject Access Request. Council **resolved** not to respond to the demands within the emails sent by the member of public regarding the background details to minute 197/23 and Chairman to inform member of public accordingly. Council further **resolved** to process the Subject Access Request in accordance with legislation.

There being no further business, the Chairman declared the meeting closed at 3.06pm.

Cllr. Richard Thompson, Chairman

Dated: 14th February 2024

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Scalby and Hackness group Parish Council Report

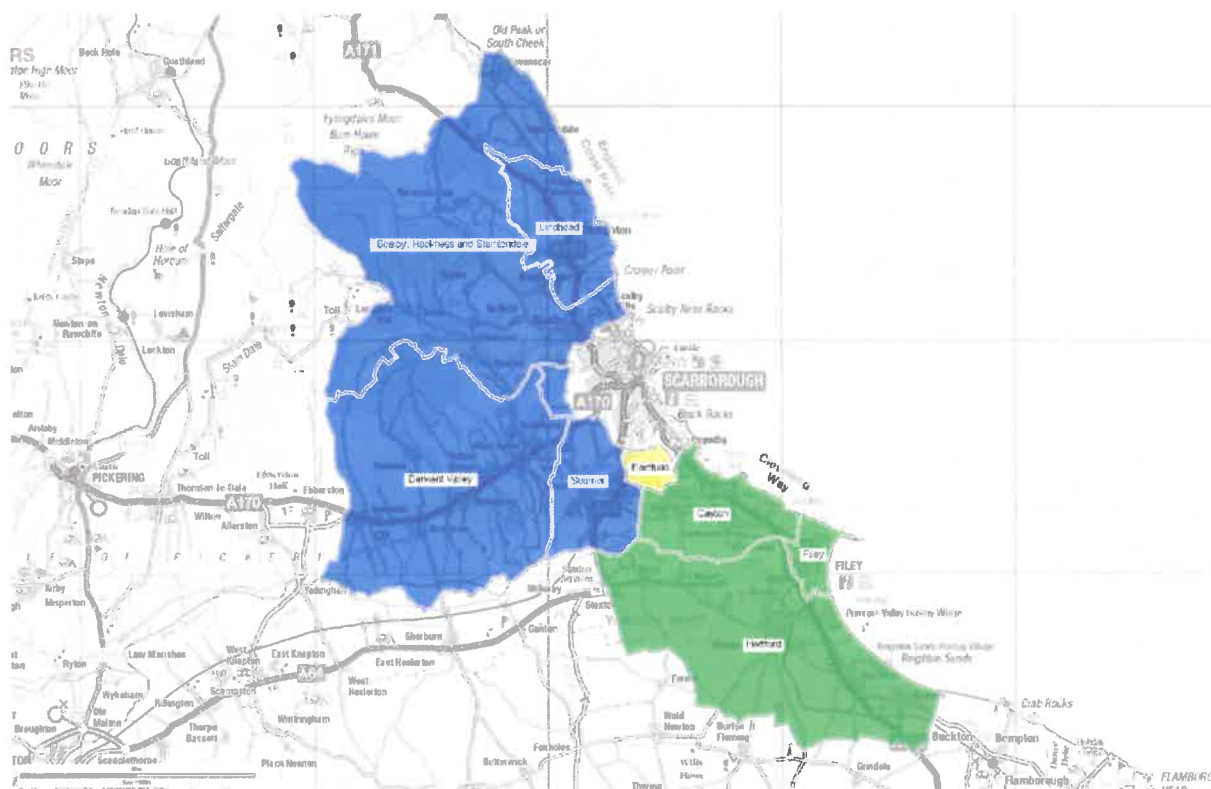
February 2024 meetings

Crime figures for 01/04/23 – 31/01/24 – compared to the same period for the previous two years.

Crime Type	2021-22	2022-23	2023-24	Diff 24 - 23
Arson & Criminal Damage	12	10	13	3
Burglary	7	5	8	3
Drug Offences	3	2	2	0
Fraud	11	10	5	-5
Misc Crimes against Society	1	2	1	-1
Possession of weapons	1	0	3	3
Public Order Offences	17	11	9	-2
Robbery	0	0	1	1
Sexual Offences	0	8	3	-5
Theft	14	9	6	-3
Vehicle Offences	0	6	9	3
Violence against the Person	69	38	44	6
Total	135	101	104	3

Which areas are covered from Filey and Eastfield Police Stations?

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



There were 59 incidents reported in your area during January. Incidents of note are as follows: -

02/01/2024 10:49 – Between 0800hrs and 1000hrs, a vehicle parked on West Park Road in Scalby had a window smashed and three sleeves of cigarettes stolen from within. Please report any information and quote 12240000738.

07/01/2024 15:35 – A single vehicle RTC occurred in Burniston near to the junction of High Street and Mill Lane. One vehicle struck a stone wall. The driver was taken to hospital with minor injuries. An investigation is taking place into how the collision occurred.

19/01/2024 14:34 – A single vehicle RTC was reported near the junction of Bramble Way and Butterburn Lane in Scalby. There were no injuries reported.

20/01/2024 15:31 – Officers on patrol stopped a car being driven on Newlands Lane in Cloughton. Enquiries revealed the car had no valid tax so it was seized and the driver reported to the DVLA.

21/01/2024 02:51 – Two males were witnessed breaking into a car on Foxglove Way in Scalby. Several Officers attended the area immediately and apprehended two suspects. The property from the vehicle was stolen and both males were later charged each with two counts of theft from a motor vehicle – a further vehicle had been broken into on Mill Way. One male who is very well known to local Police was remanded into custody and is still in prison at the time of writing.

23/01/2024 08:57 – A theft of various items from a building site to the rear of High Street in Burniston was reported to have occurred overnight. Items stolen included a Stihl saw, fuel and joiners tools. This is the second time the same location has been targeted, enquiries are ongoing. Please report any information and quote 12240013610.

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
01/04/2023 – 31/01/2024	8491 – Average 849 per month
01/04/2022– 31/01/2023	8442 – Average 844 per month
01/04/2021 – 31/01/2022	8420 – Average 842 per month
01/04/2020 – 31/01/2021	8869 – Average 887 per month
01/04/2019 – 31/01/2020	8743 – Average 874 per month

Community Speedwatch

Two Police volunteers are now trained in Community Speedwatch and have been attending specified locations in our Policing area with a speed gun. The volunteers are directed to these areas which have been assessed as meeting the requirements for this targeted activity. Locations attended in January and the results from these are as follows: -

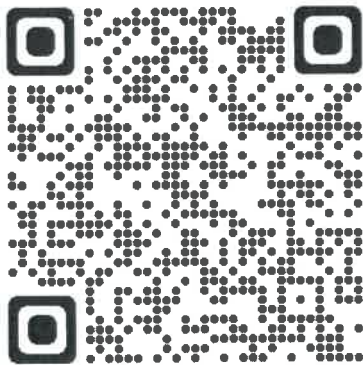
Location	Number of vehicles	Number of offences
Seamer 24/01/24	60	1
East Ayton 24/01/24	65	1
Crossgates 24/01/24	80	0

When and how to call us

Contact NYP Information

Please scan this QR code to access information about how and when to contact North Yorkshire Police. When to phone 999 or 101 etc...

Or click this link - [Contact us | North Yorkshire Police](#)



How to contact your local team

PC 595 Graham Bilton – 07741173139 - graham.bilton@northyorkshire.police.uk

PCSO 5208 Ria Lockey – 07741174576 - ria.lockey@northyorkshire.police.uk

PCSO 6780 Anna Wilkinson – 07741174524 - anna.wilkinson@northyorkshire.police.uk

Useful Contact Numbers

North Yorkshire Council Services can be reported online at www.northyorks.gov.uk

NYC Highways	0300 131 2 131
NYC Dog Warden	0300 131 2 131
NYC Noise Complaint	0300 131 2 131
NYC Food Safety Report	0300 131 2 131
NYC Community Safety	0300 131 2 131
NHS	111
Action Fraud	0300 123 2040

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>

Would you like a member of Police staff or 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.

Subject: Request for dispensation

From: cllr.bob.marley@newbyandscalby-tc.gov.uk

Date: 06/02/2024, 11:12

To: "Jools Marley, Clerk to Council" <clerk@newbyandscalby-tc.gov.uk>

In my Register of Member's Interests I state that my spouse is an employee of the Town Council. As such I have a Disclosable Pecuniary Interest in respect of payments to J Marley.

Please may I request a dispensation so as to allow me to remain in the council chamber when the Schedule of Payments is approved? I will not take part in any discussion or vote on payments to my spouse.

Please note this dispensation request does not apply to any discussions or voting on pay/performance/duties or other matters connected with my spouse's employment with the Council.

Cllr. Bob Marley

Subject: Request for dispensation

From: cllr.bob.marley@newbyandscalby-tc.gov.uk

Date: 06/02/2024, 11:12

To: "Jools Marley, Clerk to Council" <clerk@newbyandscalby-tc.gov.uk>

In my Register of Member's Interests I state that my spouse is an employee of the Town Council. As such I have a Disclosable Pecuniary Interest in respect of payments to J Marley.

Please may I request a dispensation so as to allow me to remain in the council chamber when the Schedule of Payments is approved? I will not take part in any discussion or vote on payments to my spouse.

Please note this dispensation request does not apply to any discussions or voting on pay/performance/duties or other matters connected with my spouse's employment with the Council.

Cllr. Bob Marley



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 £39.00 per person (councillors or officers, ie clerk) if YLCA has to book a venue, or £34.00 per person if the council provides and pays for a venue plus mileage at 45p per mile.

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.

morning = 0930 - 1230
Afternoon = 1300 - 1600
Evening = 1800 - 2100

Dates available:

Saturday, 11 May (MORNING ONLY)
Tuesday, 21 May
Tuesday, 4 June
Saturday, 22 June (MORNING ONLY)
Wednesday, 3 July
Thursday, 11 July
Saturday, 13 July (MORNING ONLY)
Tuesday, 16 July
Monday, 22 July
Monday, 29 July
Monday, 5 August

Dates available:

Wednesday, 7 August
Tuesday, 12 August
Thursday, 15 August
Saturday, 17 August (MORNING ONLY)
Tuesday, 27 August
Monday, 9 September
Tuesday, 17 September
Wednesday, 18 September
Tuesday, 24 September
Wednesday, 25 September
Tuesday, 30 September

If you need to cancel your booking 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

INTERNAL AUDIT REPORT

2023/24 FINANCIAL YEAR

October-December CASH BOOK & BANK STATEMENT FOR SCHEDULES 7-9 AND October to December ACCOUNTS, SCHEDULES 7-9

AUDIT CARRIED OUT ON 15th January 2024

1 PETTY CASH (Schedules 8-10 of 2023/24 financial year, physical count as on day of audit).

- ☒ Petty Cash was accurately recorded.
- ☐ Petty Cash was inaccurate. See section 7 overleaf.

2 CASH BOOK & BANK STATEMENTS

- ☒ I am satisfied that the records are complete and accurate.
- ☐ I am not satisfied that the records are complete and accurate. See section 7 overleaf.
- ☒ The records are balanced and reconciled.
- ☐ The records are not balanced and reconciled. See section 6 overleaf.

3 INCOME RECORD ON P.C.

- ☒ The record is accurate and reconciled.
- ☐ The record is not accurate and reconciled. See section 7 overleaf.

4 EXPENDITURE ON P.C.

- ☒ The record is accurate and reconciled.
- ☐ The record is not accurate and reconciled. See section 7 overleaf.

5 VAT RECORD ON PC AND I & E FILES

- ☒ The record is accurate and refund claims have been made on a timely basis.
- ☐ The record is not accurate and/or refund claims have not been made on a timely basis. See section 7 overleaf.

6 PAYE RECORDS

- ☒ The Inland Revenue electronic record has been completed correctly and the figures accord with the schedule of payments.
- ☐ The Inland Revenue electronic record has not been completed correctly and the figures do not accord with the schedule of payments. See Comments Section 7.

7 COMMENTS/EXPLANATIONS:

Signed R. J. Greig
Internal Auditor

Date: 15/1/24

FROM: Jools Marley, Clerk to the Parish Council & Responsible Financial Officer.

TO: All Councillors

DATE: 6th February 2024

SUBJECT: Clerk's workload

Councillors may not be aware that one of the many roles which is given to the Proper Officer within her job description is that of Data Protection Officer.

As a result any Freedom of Information requests, Data Subject Access requests and matters pertaining to General Data Protection Regulations fall to the Proper Officer to deal with.

In the general scheme of things, such work is easily accommodated within the Proper Officer's normal working hours. However it should be pointed out that as a general rule Data Subject Access requests must be completed within a month of receipt – this has the potential to create a very heavy workload in an organisation which effectively only has one member of staff carrying out multiple roles and involve Council in considerable expenditure of parishioner's money.

Since the start of 2024 parishioners have been exercising their legal rights more than has been the custom. This has resulted in the following being received in the space of four weeks.

- One Freedom of Information request being dealt with in January following an exchange of emails earlier that month
- A Data Subject Access Request being received during January – early indications are that fulfilment of this request will result in the Council's Data Protection Officer having to work a considerable amount of overtime since there is 3 years of data and nearly 4,000 emails to search through as well as computer files.
- A Data subject Access Request being received in early February - again early indications are that fulfilment of this request will result in the Council's Data Protection Officer having to work a considerable amount of overtime as there is 6 months of data and around 500 emails to search through as well as computer files.

As a result of the above (and with Cllr. Smith's knowledge) companies who deal with data protection and subject access requests have been contacted to see if they are able to assist with the work involved and the redaction of documents. I hope to have information on the cost of this work to hand for the Council meeting so Council can decide whether or not it can get me some help.



Jools Marley (CiLCA)
Clerk to the Parish Council

FROM: Jools Marley, Clerk to the Parish Council & Responsible Financial Officer.

TO: All Councillors

DATE: 1st February 2024

SUBJECT: The Biodiversity duty from 1st January 2024

Councillors may recall that the November 2023 Law and Governance Bulletin issued by the YLCA and emailed to councillors on 12/12/23 explained the forthcoming duty in respect of Biodiversity. A copy of the relevant information is below.

The Biodiversity Duty from 1 January 2024

Public authorities who operate in England must consider what they can do to conserve and enhance biodiversity in England. This is the strengthened 'biodiversity duty' that the Environment Act 2021 introduces. The definition of a public authority for this duty does include a parish sector council.

This means that, as a public authority, a parish sector council must:

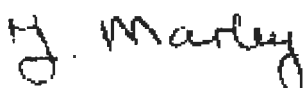
1. Consider what it can do to conserve and enhance biodiversity.
2. Agree policies and specific objectives based on its consideration.
3. Act to deliver its policies and achieve its objectives.

A council must complete its first consideration of what action to take for biodiversity by 1 January 2024. The council must agree its policies and objectives as soon as possible after this. Additionally, it must reconsider the actions it can take within five years of completing its previous consideration. A council can also decide to review its policies and actions more frequently if it wishes to do so.

Gov.uk has produced a very helpful guide to compliance with this duty, please go to: [Complying with the biodiversity duty](https://www.gov.uk/guidance/complying-with-the-biodiversity-duty) - GOV.UK (www.gov.uk)

The YLCA has created a simple template biodiversity policy for member councils with information taken from the .gov.uk site. This is attached.

Council is asked to consider this report and the draft policy and agree the action to be taken.



Jools Marley (CiLCA)
Clerk to the Parish Council

Enc – draft policy

BIODIVERSITY POLICY

NEWBY & SCALBY TOWN COUNCIL

Newby & Scalby Town Council formally adopted this policy on [DATE] in response to the strengthened 'biodiversity duty' placed on local authorities introduced by the Environment Act 2021. Newby & Scalby Town Council will take biodiversity into account in all its decisions and actions.

Background

All local authorities including parish sector councils must complete their first consideration of what action to take for biodiversity by 1 January 2024. Policies and objectives must be agreed as soon as possible after this. Councils can and should reconsider their actions on a quarterly, annual or regular basis and must reconsider the actions they can take within five years of when they completed their previous reconsideration.

According to the Act, public authorities need to check if a number of strategies affect how they comply with their biodiversity duty including:

- Local nature recovery strategies
- Species conservation strategies
- Protected site strategies.

They need to understand how or if they are relevant to their organisation, be aware of how these strategies affect land that is owned and managed by them, or actions they could take to conserve or enhance biodiversity and consider how they can contribute to the strategy where appropriate.

Biodiversity is the collective term for the variety and abundance of forms of life found in an area, including animals, plants, fungi and microorganisms like bacteria. Each of these species and organisms work together in ecosystems to maintain, balance and support life. Biodiversity supports everything in nature that we need to survive including, food, oxygen, clean air and clean water.

Commitment

Newby & Scalby Town Council will:

1. Consider the impact on biodiversity in the decisions it makes in council, committee, sub-committee and task and finish group meetings. It will seek to minimise adverse impacts on biodiversity as a result of the council's activities and will identify opportunities to increase biodiversity when practicable.
2. Encourage practices and projects beneficial to biodiversity through grants it makes to local groups.
3. Communicate information and raise awareness of biodiversity through its website and newsletters.
4. The Council will work in partnership with other organisations to protect, promote and enhance biodiversity within areas of the parish.
5. The Council will, wherever possible, raise public awareness of biodiversity issues as part of its leadership role within the local community.
6. The Council, when commenting on planning applications, will support site and building design that benefits biodiversity through the conservation and integration of existing

habitats or provision of new habitats. It will support protection of sensitive habitats from development and will consider whether the development would mean the loss of important habitats for wildlife in respect of all applications.

- 7. Monitor its internal policies and processes to enhance biodiversity.

As a landowner, Newby & Scalby Town Council will consider how land it manages could improve biodiversity. It will:

- 1. Proactively remove invasive species as required under appropriate legislation in order to prevent harm to native species.
- 2. Avoid the use of herbicides except in exceptional circumstances.
- 3. Properly scale and time grounds maintenance work or vegetation removal such that the impact on biodiversity is minimised. Maintenance practices that are beneficial to biodiversity will be taken into consideration when contracts are placed.
- 4. Create dedicated spaces to attract and enhance wildlife
- 5. Improve the buildings it manages and land around them to enhance biodiversity

Newby & Scalby Town Council, will not produce a biodiversity report and there is no legislative requirement to do so.

Adopted by Newby & Scalby Town Council on:

Date of review: