MINUTES OF EXTRAORDINARY MEETING OF NEWBY AND SCALBY TOWN COUNCIL

held in the Community Hub, 445b Scalby Road,
on Friday 18th July 2025 at 11.45am.

PRESENT:

Councillors J Smith (Chairman), H Bore, G Kendall, B Marley, N Murphy (from 11.52am), J Shepherd, R. Thompson, R Towse.

ALSO IN ATTENDANCE

1 member of public (left 12.14pm), Mrs J Marley (Clerk to Council).

67/25 **NON-ATTENDANCE OF COUNCILLORS**

67/25.1 Apologies **received & noted** from Cllrs. D Bastiman, J Buckley, S Foote, R Holliday, C Thistleton.

67/25.2 Acceptance of reasons for absence:-

1. Cllrs. Bore, Kendall, Marley, Shepherd, Smith, Thompson in favour, Cllr. Towse against and **resolved** the reason for absence given by Cllrs. Bastiman (medical) be approved.
2. **Resolved** the reason for absence given by Cllr. Buckley (prior engagement) be approved and the second paragraph of his apologies "As I am not a serving member of the armed forces at a time of war with a specific dispensation from the Secretary of State I do not consider my reason for absence justifies formal acceptance by Council. I request that you draw this to the attention of the Council" be stated in the minutes and **noted**. Cllr. Murphy arrived during consideration of this apology and was therefore present and voting.
3. **Resolved** the reasons for absence given by Cllrs Foote (prior commitment), Cllr. Holliday (work) and Cllr. Thistleton (work) be approved.

During the next item, the Chairman adjourned the meeting between 12.10 and 12.13pm

68/25 **DECLARATIONS OF INTEREST:** Received from Cllrs. Smith and Towse (other interest, agenda item 4.1 as witness at tribunal).

69/25 **EXCLUSION OF PRESS AND PUBLIC**

At 12.14pm 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 items of business on the grounds they related to personnel/staffing, financial or legal matters.

70/25 **CONFIDENTIAL BUSINESS**

A confidential report in respect of matters associated with the recent Employment Tribunal was handed to councillors present for consideration.

70/25.1 Following a recorded vote (For, Cllrs. Bore, Kendall, Marley, Shepherd, Thompson, Against Cllr. Murphy, Not voting in accordance with Declaration of Interest Cllrs. Smith and Towse) it was **resolved** the two recommendations of the confidential report be carried.

70/25.2 In respect of recommendation 2 of the confidential report it was further **resolved** that any of the Chairman, Vice Chairman and Clerk be authorised to sign any paperwork and the online authorisations of any payments could be done by any two councillors who were bank signatories.

The confidential report was then handed back to the Clerk by councillors.

There being no further business to be transacted, the Chairman declared the meeting closed at 12.34pm.

Cllr. Jackie Smith, Chairman
Dated:

MINUTES OF EXTRAORDINARY MEETING OF NEWBY AND SCALBY TOWN COUNCIL
held in the Community Hub, 445b Scalby Road,
on Wednesday 20th August 2025 at 9.30am.

DRAFT MINUTES

PRESENT:

Councillors J Smith (Chairman), D Bastiman, J Buckley, R Holliday, G Kendall, B Marley, J Shepherd, R. Thompson, R Towse.

ALSO IN ATTENDANCE

11 members of public, Mrs J Marley (Clerk to Council).

71/25 **NON-ATTENDANCE OF COUNCILLORS**

71/25.1 Apologies **received & noted** from Cllrs. H Bore, S Foote, N Murphy, C Thistleton.

71/25.2 Acceptance of reasons for absence:-

1. (Recorded vote – for:- Cllrs. Holliday, Kendall, Marley, Shepherd, Smith, Thompson, against:- Cllrs. Buckley & Towse, abstain:- Cllr. Bastiman abstain **resolved** the reason for absence given by Cllrs. Bore, Foote and Murphy (prior commitment) and Cllr. Thistleton (work) be approved.
2. **Resolved** it be minuted that Cllr. Thistleton should attend meetings wherever possible and work commitments may not always be an acceptable reason for absence, especially if meetings were held during an evening.

72/25 **DECLARATIONS OF INTEREST:** **Resolved** declarations be **received** from Cllrs. Bastiman (non-registrable, agenda item 4.1 as member of North Yorkshire Council) and Buckley (non-registrable, agenda item 4.1 as member of Frack Free Coastal Communities Steering Group).

73/25 **F&GP COMMITTEE**

73/25.1 The Clerk advised the meeting that the Review & Staffing Committee had not recommended a Finance & General Purposes Committee be set up and as such Cllr. Buckley's motion was incorrect. **Resolved** a motion tabled at the meeting, proposed by Cllr. Buckley and seconded by Cllr Towse "that Newby & Scalby Town Council rejects the proposal by the Review and Staffing Committee that the Council should set up a Finance and General Purposes Committee" was **not carried** (Recorded vote – for Cllrs. Buckley and Towse, against Cllrs. Bastiman, Holliday, Kendall, Marley, Shepherd, Smith, Thompson).

Resolved the agenda motion "to consider setting up a Finance and General Purposes Committee comprising no more than 5 members including Chairman and Vice Chairman *ex officio*" proposed by Cllr. Smith and seconded by Cllr. Kendall be **carried** (Recorded vote for Cllrs. Bastiman, Holliday, Kendall, Marley, Shepherd, Smith and Thompson, against Cllrs. Buckley and Towse).

73/25.2 **Resolved** the agenda motion "to accept the terms of reference recommended by the Review & Staffing Committee *[sent to councillors on 18/8/25]*" as proposed by Cllr. Kendall and seconded by Cllr. Thompson be **carried**. (Recorded vote for Cllrs. Bastiman, Holliday, Kendall, Marley, Shepherd, Smith and Thompson, against Cllrs. Buckley and Towse).

73/25.3 Voting on committee membership took place as follows:-

- Cllr. Holliday was proposed by Cllr. Bastiman and seconded by Cllr. Smith. Recorded vote – for:- Cllrs. Bastiman Holliday, Kendall, Marley, Shepherd, Smith and Thompson, abstain:- Cllrs. Buckley and Towse. **Resolved** Cllr. Holliday be elected to committee
- Cllr. Towse was proposed by Cllr. Buckley and seconded by Cllr. Towse. Recorded vote – for:- Cllrs. Buckley, Kendall, Shepherd, Towse, against:- Cllrs. Holliday, Marley, Smith, Thompson, abstain:- Cllr. Bastiman. Chairman's casting vote – against. **Resolved** Cllr. Towse not be elected to committee.
- Cllr. Kendall was proposed by Cllr. Smith and seconded by Cllr. Thompson. Recorded vote – for:- Cllrs. Holliday, Kendall, Marley, Shepherd, Smith, Thompson, abstain:- Cllrs. Bastiman, Buckley and Towse. **Resolved** Cllr. Kendall be elected to committee
- Cllr. Buckley was proposed by Cllr. Towse and seconded by Cllr. Buckley. Recorded vote – for:- Cllrs. Buckley, Kendall, Shepherd, Towse, against:- Cllrs. Holliday, Marley, Smith, Thompson, abstain:- Cllr. Bastiman. Chairman's casting vote – for. **Resolved** Cllr. Buckley be elected to committee.

Membership of the Finance and General Purposes Committee therefore comprised Cllrs. Smith and Bore (Chairman and Vice Chairman *ex officio*), Buckley, Holliday and Kendall.

74/25 **EUROPA OIL & GAS Ltd**

74/25.1 Application by Europa Oil & Gas Ltd, EPR/YP3623LC/A001 to Environment Agency for an Environment Permit in respect of Cloughton 2 wellsite, Coastal Road, Burniston. **Resolved** the

report and recommendations of the Planning Committee held on 14th August 2025 be **received & noted**. **Resolved** Recommendation 1 that "as a matter of urgency a request be made of the Environment Agency to extend the consultation deadline on EPR/YP3623LC/A001 for at least another four weeks on the grounds there is a lot of information, much of which is very technical" be **carried**. Proposed Cllr. Kendall, seconded Cllr. Smith that the Council did not accept Recommendation 2 of the report as written and amended it to read "in conjunction with the Joint Fracking Working Group, Cllr. Bore to bring proposed comments to the Environment Agency on the permit application to the full Council meeting scheduled for 17th September 2025 for consideration".
Resolved the amended proposal be **carried**. (In accordance with his declaration of interest Cllr. Bastiman did not vote on this item).

<u>75/25</u> **<u>EXTERNAL AUDIT OF ACCOUNTS</u>**

75/25.1 **23/24 accounts:-**

75/25.1.1 **Resolved** it be **noted** that PKF Littlejohn had confirmed that up to 1/8/25 the cost to Council was £3,958-25 (11.15 hours at £355/hour); further costs were anticipated and an invoice was not yet to hand.

75/25.1.2 *[Minute 46/25 refers]* **Resolved** it be **noted** that PKF Littlejohn had not upheld any of the objections submitted by Persons A and B.

75/25.2 **24/25 accounts:-**

75/25.2.1 **Resolved** it be **noted** the Public Inspection period had ended and two persons had submitted objections.

There being no further business to be transacted, the Chairman declared the meeting closed at 10.32am.

Cllr. Jackie Smith, Chairman
Dated: 17th September 2025

MINUTES OF A MEETING OF REVIEW & STAFFING COMMITTEE,
NEWBY AND SCALBY TOWN COUNCIL
held in the Community Hub, 445b Scalby Road,
on Monday, 18th August 2025 at 11am.

PRESENT:
Councillors G Kendall, J Shepherd, J Smith. And R Thompson

ALSO IN ATTENDANCE
Mrs J Marley (Clerk).

ABSENT: Councillor H Bore.

In her capacity as Chairman of the Town Council, Cllr. Smith called the meeting to order.

RS8/25 ELECTION OF COMMITTEE CHAIRMAN

RS8/25.1 Proposed Cllr. Smith, seconded Cllr. Thompson and **resolved** Cllr. Kendall be Chairman of the Review & Staffing Committee until the first Committee meeting after the Annual Council Meeting in May 2026. Cllr. Kendall then took over from Cllr. Smith as Chairman of the meeting.

RS9/25 APOLOGIES FOR ABSENCE

RS9/25.1 Apologies received & noted from Cllr. Bore.

RS9/25.2 **Resolved** the reason for Cllr. Bore's absence (prior commitment) be approved.

RS10/25 ELECTION OF COMMITTEE VICE CHAIRMAN

RS10/25.1 Proposed Cllr. Kendall, seconded Cllr. Shepherd and **resolved** Cllr. Smith be Vice Chairman of the Review & Staffing Committee until the first Committee meeting after the Annual Council Meeting in May 2026.

RS11/25 DECLARATIONS OF INTEREST None.

RS12/25 TERMS OF REFERENCE FOR A FINANCE & GENERAL PURPOSES COMMITTEE

RS12/25.1 The following informative note from the Clerk was **received & noted**:- "*the decision as to whether or not there is to be a Finance & General Purposes Committee will be made at an extraordinary Council meeting to be held on 20/8/25. Should Council so agree then the Terms of Reference can be adopted at the same meeting.*"

Resolved

1. the draft Terms of Reference *(circulated with agenda)* be approved.
2. Committee recommends to the Extraordinary Meeting of Council scheduled for 20th August 2025 that, should Council resolve to create a Finance and General Purposes Committee, Council also resolves to adopt the approved Terms of Reference for the Finance & General Purposes Committee with immediate effect.

RS13/25 2025/26 PAY AWARD **Resolved** it be noted details of the 25/26 pay award (backdated to 1/4/25) had been received and applied to staff salaries.

RS14/25 STAFF APPRAISALS **Resolved** appraisal be carried out by Chairman and Vice Chairman of Review and Staffing Committee on 20th August 2025.

RS15/25 PAYROLL Committee considered whether an external payroll contractor should be engaged to process staff wages. **Resolved** Clerk to investigate, obtain details/prices and report to next meeting.

RS16/25 TRIBUNAL MATTERS

RS16/25.1 **Resolved** it be noted the Employment Tribunal had now concluded and the award had been paid by Council's insurers.

RS16/25.2 **Resolved** it be noted that the Cost Application had now been concluded.

RS17/25 DATE OF NEXT MEETING

RS17/25.1 **Noted** business to be transacted would include considering a draft Scheme of Delegation, updating of Standing Orders and Financial Regulations and submitting recommendations on all to meeting of Council to be held in September.

RS17/25.2 **Resolved** next meeting to be held 10th September 2025 at 9.30am.

RS18/25 EXCLUSION OF PUBLIC & PRESS

At 11.35am **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

RS19/25 ANNUAL LEAVE

RS19/25.1 **Resolved** the Clerk's request for clawback of annual leave due to work undertaken during a period of annual leave be noted and 30 hours clawback be granted.

RS20/25 WORKING GROUP REPORT

Confidential notes of a working group meeting were considered along with a verbal update by Cllr. Smith on work done since that last meeting and information from the YLCA in respect of evaluations for the splitting the roles of Clerk and RFO. **Resolved** Clerk and Cllr. Smith to draw further information together and present to next meeting of Committee.

There being no further business on the agenda, the Chairman declared the meeting closed at 12.18pm.

Cllr. Gill Kendall, Chairman
Date 10th September 2025

MINUTES OF A MEETING OF PLANNING COMMITTEE, NEWBY AND SCALBY TOWN COUNCIL

held in the Community Hub, 445b Scalby Road,
on Thursday, 14th August 2025 at 9.30am.

PRESENT:
Councillors R Thompson (Chairman), R. Holliday, B Marley, J Smith

ALSO IN ATTENDANCE
2 members of public. Mrs J Marley (Clerk).

ABSENT: Cllr. H Bore.

P7/25 **APOLOGIES FOR ABSENCE**

P7/25.1 Apologies received & noted from Cllr. Bore.

P7/25.2 **Resolved** the reason for Cllr. Bore's absence (prior commitment) be approved.

P8/25 **DECLARATIONS OF INTEREST** Cllr. Smith (non-registrable, ZF25/00630/HS).

P9/25 **PLANNING APPLICATIONS & APPEALS NOTIFIED**

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

1. ZF25/00630/FL Change of use of former Army Reserve Centre (sui generis) to Business Centre (Use Class E), Army Reserve Centre, Coldyhill Lane, Newby – **no objections**, fully support.

The two members of public left the meeting at this point.

2. ZF25/00652/HS Two storey extension, single storey extension, replace flat roof with pitched roof, replacement windows, 50 High St, Scalby – **no objections in principle** but sashes must be white, unclear from plans if proposed exterior is only brick or stone, so would object if exterior was cladding or render since that would be out of keeping with other property in the area.
3. ZF25/00739/FL Demolish existing building, erect 5no. flats with allocated garages, garden office and gardens to rear, 143-145 Burniston Road, Newby – **object**, not visually attractive, development out of keeping with area, overbearing impact on 147 Burniston Road, minimal windows to side elevations had negative impact on massing, moving highway access closer to junction with Scalby Mills Road created additional accident potential.
4. ZF25/00816/HAS Vary condition 1 (approved plans) of ZF25/00039/HS, 1 Red Scar Lane, Newby – **no objections in principle** but concerns whether the width of the extension on the side elevation of the proposed plan of ZF25/00816 was the same as that on the approved plans for ZA/25/00039 - the proposed plan appeared to have a wider extension than that originally granted.
5. ZF/25/0870/HS Erect garage extension, replacement porch and window alterations, 9 Hall Park Grove, Scalby – **no objections**.

P10/25 **PLANNING DECISIONS/APPEALS/WITHDRAWALS**

Resolved the following be **noted**:-

1. NYM/2025/0379 Vary conditions 2 and 9 of NYM/2022/0476 to allow installation of uPVC windows and doors, Beacon Farm, Scalby. **Refused**.
2. NYM/2025/0390 Construct single storey rear extension, changes to windows, enlarge two existing dormers, construct 3 new dormers, remove two chimney stacks and install two flues together with alterations to garage and erection of fence with gate, Stoneacres, Scalby. **Withdrawn**.
3. ZF25/00415/HS Extend existing dropped kerb by 3200mm to allow vehicle access, 5 Throxenby Grove, Newby. **Granted with conditions**.

P11/25 **PLANNING MATTERS RECEIVED AFTER 7/8/25** - none to consider.

P12/25 **CORRESPONDENCE**

P12/25.1 Application by Europa Oil & Gas Ltd, EPR/YP3623LC/A001 to Environment Agency for an Environment Permit in respect of Cloughton 2 wellsite, Coastal Road, Burniston:-

a) **Resolved** it be noted the consultation period opened 16/7/25 and closes 19/9/25;
b) **Resolved** to recommend to full Council that as a matter of urgency a request be made of the EA to extend the consultation deadline for at least another four weeks on the grounds there is a lot of information, much of which is very technical.

There being no further business, the Chairman declared the meeting closed at 11.03am.

Cllr. Richard Thompson, Chairman
11th September 2025

MINUTES OF A MEETING OF PLANNING COMMITTEE, NEWBY AND SCALBY TOWN COUNCIL

held in the Community Hub, 445b Scalby Road,
on Thursday, 17th July 2025 at 9.30am.

PRESENT:
Councillors R. Holliday, B Marley, J Smith, R Thompson

ALSO IN ATTENDANCE
Mrs J Marley (Clerk).

ABSENT: Cllr. H Bore.

In her capacity as Chairman of the Town Council, Cllr. Smith called the meeting to order.

P1/25 ELECTION OF COMMITTEE CHAIRMAN

P1/25.1 Proposed Cllr. Smith, seconded Cllr. Marley and **resolved** Cllr. Thompson be Chairman of the Planning Committee until the first Committee meeting after the Annual Council Meeting in May 2026. Cllr. Thompson then took over from Cllr. Smith as Chairman of the meeting.

P2/25 APOLOGIES FOR ABSENCE

P2/25.1 Apologies received & noted from Cllr. Bore.

P2/25.2 **Resolved** the reason for Cllr. Bore's absence (health) be approved.

P3/25 ELECTION OF COMMITTEE VICE CHAIRMAN

P3/25.1 Proposed Cllr. Thompson, seconded Cllr. Smith and **resolved** Cllr. Marley be Vice Chairman of the Planning Committee until the first Committee meeting after the Annual Council Meeting in May 2026.

P4/25 DECLARATIONS OF INTEREST None.

P5/25 PLANNING APPLICATIONS & APPEALS NOTIFIED

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

1. NYM/2025/0379 Vary conditions 2 and 9 of NYM/2022/0476 to allow installation of uPVC windows and doors, Beacon Farm, Scalby – **no objections**.
2. NYM/2025/0390 Construct single storey rear extension, changes to windows, enlarge two existing dormers, construct 3 new dormers, remove two chimney stacks and install two flues together with alterations to garage and erection of fence with gate, Stoneacres, Scalby Nabs - **object**. No solar panels, replacing chimney stacks with flues out of keeping, flat dormer roofs out of keeping, overlarge extension with ultra-modern appearance, not in accord with Local Plan Policy CO17.
3. NYM/2025/0408 Construct single storey side extension (revised scheme to NYM/2020/0549/FL) at Beckdale House, Hackness Road, Scalby – **no objections**.
4. ZF25/00415/HS Extend existing dropped kerb by 3200mm to allow vehicle access, 5 Throxenby Grove, Newby – **no objections**.
5. ZF25/00659/HS Retrospective application for construction of single storey rear extension, internal reconfiguration and external landscaping at 5 Queensway, Newby – **no objections**.
6. NYM/2025/0409 Construct driveway and turning area (retrospective), land adjacent 111 Hackness Road, Scalby – **no objections** to principle but gate would be better set in from road to allow vehicles to be completely off the road.

P6/25 **PLANNING DECISIONS/APPEALS/WITHDRAWALS**

Resolved the following be **noted**:-

1. ZF23/01059/FL Demolish existing care home and bungalow, construct replacement care home, Briar Dene Retirement Home, 73 Burniston Road, Newby. **Granted with conditions**.
2. ZF24/00625/FL Install replacement windows in uPVC window frames with double glazed units, St. Laurence's Church Hall, Church Hill, Scalby. **Granted with conditions**.
3. ZF24/01059/RM Reserved matters application for erection of 135no. dwellings considering appearance, landscaping, layout and scale (outline permission 19/00444/OL), former Scarborough Technical College, Lady Edith's Drive. **Withdrawn**.
4. ZF24/01622/OL Outline application for a residential development with all matters reserved, land to the rear of 459a Scalby Road, Scalby. **Withdrawn**.
5. ZF24/01623/FL Erect 5no. dwellings, 459a Scalby Road, Scalby. **Withdrawn**.
6. ZF25/00132/HS Demolish rear lean to, front and side porch and erect Juliet balcony, new side entrance porch and render property, 14 Westfield Avenue, Newby. **Granted with conditions**.
7. ZF25/00221/HS Erect single storey rear extension and porch to front, 41 Moor Lane, Newby. **Granted with conditions**.
8. ZF25/00266/HS Erect single storey rear extension to include re-roof and flue, 324 Scalby Road, Newby. **Granted with conditions**.
9. ZF25/00280/HS Erect single storey rear extension, 8 Lancaster Close, Scalby. **Granted with conditions**.
10. ZF25/00358/HS Retrospective application for double garage, 18 East Park Road, Scalby. **Granted with conditions**.
11. ZF25/00379/FL Demolish existing lean to rear extension and first floor access stair, replacement of rear first floor door with window, erect single storey rear extension with extraction flue, replace 1no. uPVC window to front in timber, Yew Tree Café, 30-32 High St, Scalby. **Granted with conditions**.
12. ZF25/00385/HS Erect 2 storey side extension, 31 The Parkway, Newby. **Granted with conditions**.

There being no further business, the Chairman declared the meeting closed at 10.53am.

Cllr. Richard Thompson, Chairman
14th August 2025

Scalby Town Council, Hackness Group PC and Staintondale PC Report (August incidents)

September 2025 meetings

All crime figures below are for the same period from each year. This gives a comparison as to the same point in this year, when compared to the previous 2 years.

Total crime figures for Scalby & Hackness for 2025 and the previous two years.

Scalby etc…	2023	2024	2025	Grand Total
Arson & Criminal Damage	6	10	9	25
Burglary	7	4	8	19
Drug Offences	2	4	1	7
Fraud	9	6	2	17
Misc Crimes Against Society	1	1	2	4
Possession Of Weapons	0	0	4	4
Public Order Offences	8	13	7	28
Robbery	1	1	0	2
Sexual Offences	5	4	5	14
Theft	4	10	7	21
Vehicle Offences	5	8	1	14
Violence Against The Person	41	49	52	142
Grand Total	**89**	**110**	**98**	**297**

Total crime figures for 2025 for the whole area covered by Filey NPT (Filey & Eastfield Police Stations) for 2025 and the previous two years

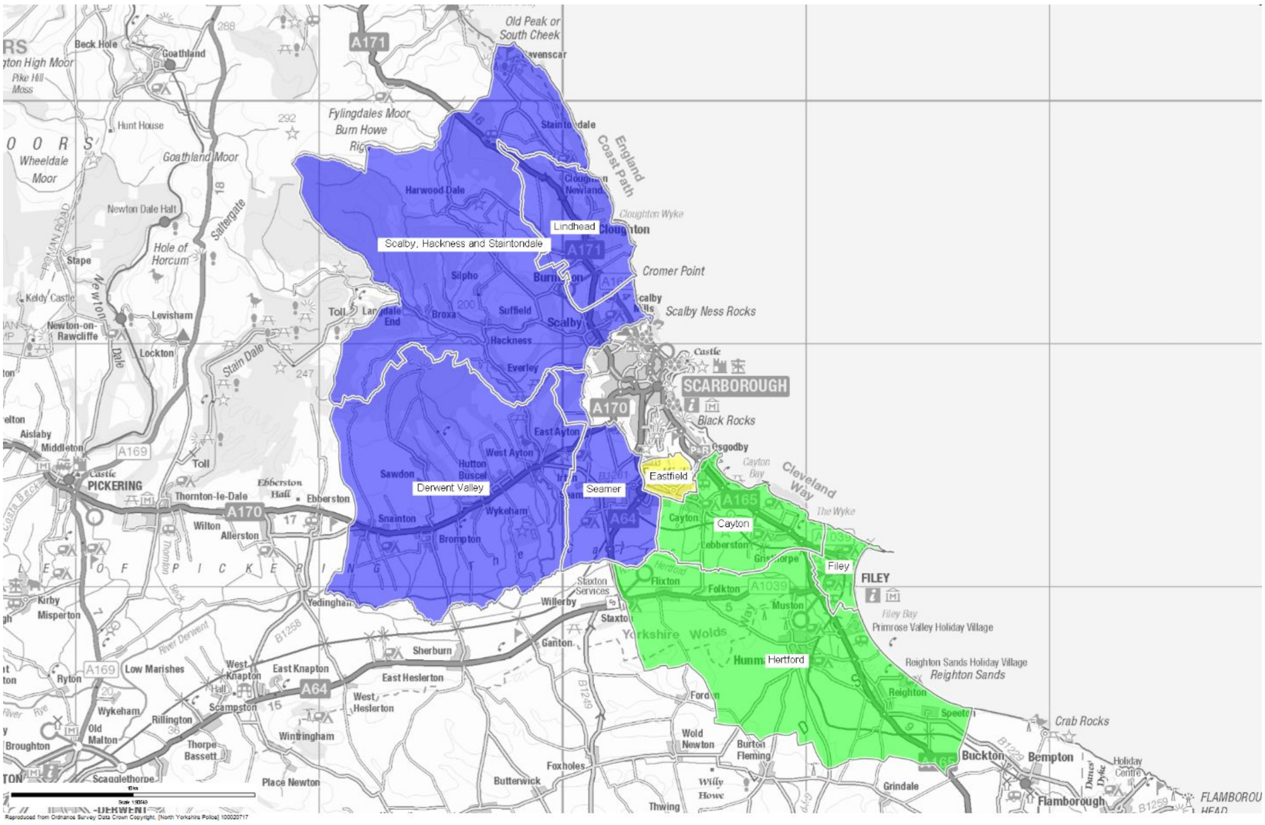
	2023	2024	2025	Grand Total
Arson & Criminal Damage	195	167	158	520
Burglary	32	38	41	111
Drug Offences	35	42	44	121
Fraud	86	71	22	179
Misc Crimes Against Society	30	36	37	103
Possession Of Weapons	8	16	20	44
Public Order Offences	119	107	93	319
Robbery	2	2	6	10
Sexual Offences	84	88	65	237
Theft	162	173	143	478
Vehicle Offences	29	53	34	116
Violence Against The Person	689	729	653	2071
Grand Total	**1471**	**1522**	**1316**	**4309**

If you wish to look at further details relating to the crime figures, please visit

and search for your relevant area.

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 83 incidents reported in your area during August. Incidents of note are as follows: -

Please accept my apologies, there will be no incidents of note mentioned this month. The October report will be back to normal.

OP TRAILBLAZE: An Initiative to Tackle Off-Road Vehicle Disruption in Forestry Areas

Introduction to Operation Trailblaze

Operation Trailblaze is a dedicated initiative aimed at addressing the increasing issue of anti-social and illegal use of off-road 4x4 vehicles and motorbikes. These activities have caused significant disruption to local forestry and wildlife habitats, threatening the balance of delicate ecosystems and impacting the safety and enjoyment of these areas for local communities and visitors alike.

The operation brings together law enforcement, forestry management teams, environmental agencies, and community stakeholders to tackle the problem head-on. By combining enforcement, education, and prevention strategies, Operation Trailblaze seeks to restore order to affected areas, protect wildlife, and ensure that these natural spaces are preserved for future generations.

Through targeted patrols, public awareness campaigns, and collaboration with residents, the operation aims to reduce the damage caused by irresponsible off-road activities, emphasizing the importance of respectful and lawful use of shared natural resources.

What can you do to help?

We are asking for your help to tackle the ongoing issue of anti-social driving in our local forestry and wildlife areas. If you see any 4x4 vehicles or off-road motorbikes being used irresponsibly, please report it to us.

Your information is vital in helping us identify and address this behaviour, which is causing significant harm to the environment, wildlife, and the safety of others.

To report sightings, please provide as much detail as possible, including:

- The location of the incident
- The time and date
- A description of the vehicles or individuals involved

You can report anonymously if you prefer. Together, we can protect our natural spaces and ensure they remain safe and enjoyable for everyone.

Call 101 for non-emergency enquiries.

If you have a hearing or speech impairment, use our textphone service on 18001 101.

Call 999 in emergency situations like these:

- there is an immediate danger to life.
- someone is using violence or is threatening to be violent.
- a road traffic collision where life is at risk, or the road is blocked.
- a crime is happening right now, like a house burglary or a theft.

If you accidentally dial 999, please stay on the line and tell the operator you're safe and that no crime has occurred.

Hearing or speech impairments

- If you have a hearing or speech impairment and you've pre-registered with the emergencySMS service, you can use our textphone service 18000 or text us on 999.
- If you're a British Sign Language (BSL) user, you can call 999 BSL to use a remote BSL interpreter.

Silent 999 calls

- If you're in danger but you can't talk on the phone, you should still call 999, then follow these instructions.

Community messenger

We are committed to keeping the public informed about the progress of Operation Trailblaze. To do this, we will be using Community Messenger to share regular updates on our activities, including enforcement actions, patrols, and successes in tackling anti-social driving.

These updates will help ensure transparency, build community confidence, and highlight the important role you play in protecting our local forestry and wildlife habitats. Stay tuned to Community Messenger for the latest news and ways you can continue to support this initiative. Together, we can make a positive difference.

Sign up for updates here - Home Page - North Yorkshire Community Messaging

Property marking DNA kits for farms and rural locations.

Farms across North Yorkshire and York are being protected by advanced forensic marking technology | North Yorkshire Police

The rural team are now trained in the property marking DNA kits and will be visiting farms to assist with these. If you wish to have property marked, please contact Jamie.Manson@northyorkshire.police.uk

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 672 Manson
Jamie.Manson@northyorkshire.police.uk
07741175623

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.northyorkshirecommunitymessagi

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.

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Scalby Town Council, Hackness Group PC and Staintondale PC Report (July incidents)

August 2025 meetings

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Total crime figures for Scalby & Hackness for 2025 and the previous two years.

Scalby etc…	2023	2024	2025	Grand Total
Arson & Criminal Damage	6	7	7	20
Burglary	7	3	6	16
Drug Offences	2	3	1	6
Fraud	9	5	2	16
Misc Crimes Against Society	1	1	2	4
Possession Of Weapons	0	0	4	4
Public Order Offences	5	13	6	24
Robbery	1	1	0	2
Sexual Offences	5	4	5	14
Theft	3	7	6	16
Vehicle Offences	4	8	1	13
Violence Against The Person	31	46	43	120
Grand Total	**74**	**98**	**83**	**255**

Total crime figures for 2025 for the whole area covered by Filey NPT (Filey & Eastfield Police Stations) for 2025 and the previous two years

	2023	2024	2025	Grand Total
Arson & Criminal Damage	171	145	136	452
Burglary	27	34	34	95
Drug Offences	32	38	39	109
Fraud	79	58	19	156
Misc Crimes Against Society	24	33	34	91
Possession Of Weapons	7	12	19	38
Public Order Offences	105	92	80	277
Robbery	2	2	6	10
Sexual Offences	73	72	59	204
Theft	137	152	127	416
Vehicle Offences	25	49	31	105
Violence Against The Person	589	634	570	1793
Grand Total	**1271**	**1321**	**1154**	**3746**

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Which areas are covered from Filey and Eastfield Police Stations?

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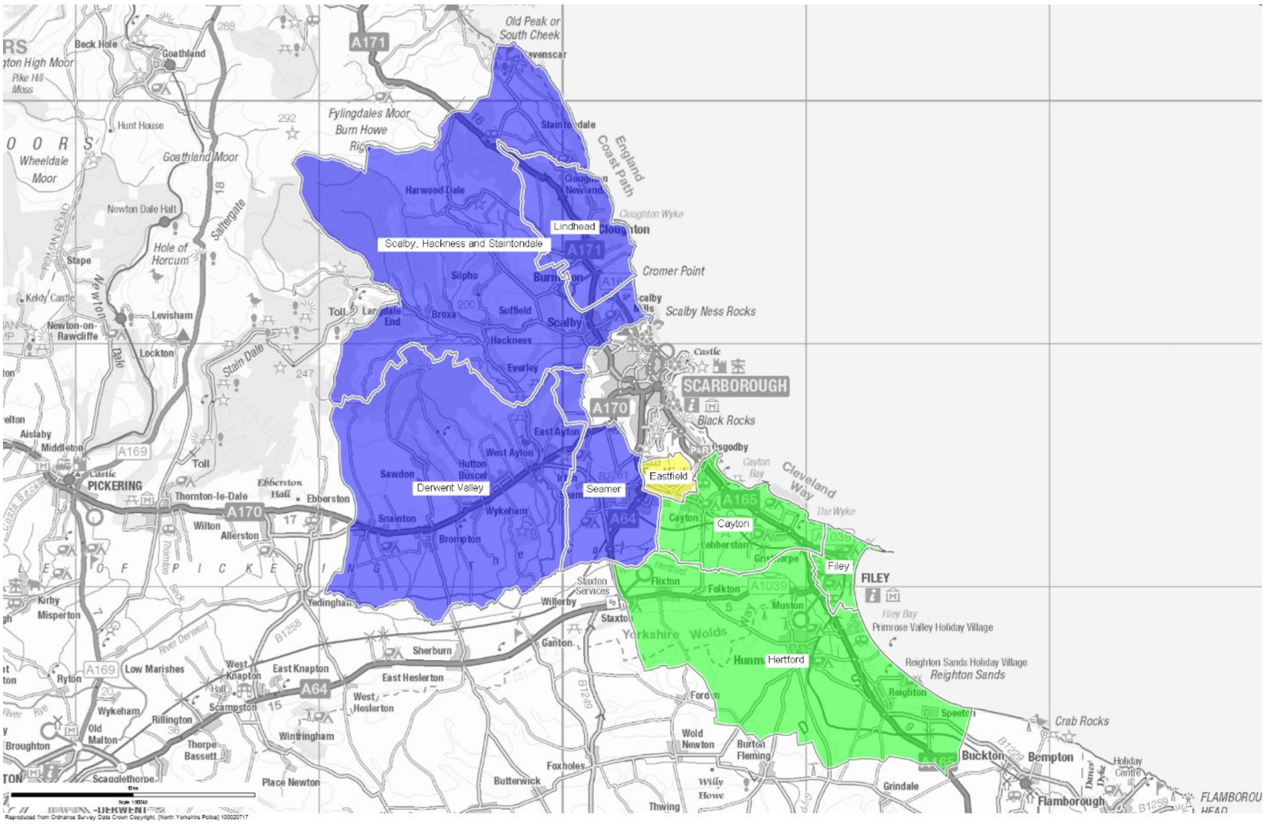

There were 76 incidents reported in your area during July. Incidents of note are as follows: -

05/07/2025 09:00 – An Op Trailblaze day of patrol in the rural area was carried out by Officers from the rural team. No major issues were reported, only two vehicles were stopped and spoken to all day.

15/07/2025 00:31 – A vehicle was stopped by Officers on patrol on High Street in Burniston. Enquiries reveal there was no insurance in place and the driver had no driving license so the car was seized and driver reported for these offences.

15/07/2025 17:02 – Damage was reported to the tennis courts at the rear of Burniston and Cloughton Village Hall. The incident will be dealt with in the most appropriate way once all the children involved have been identified.

20/07/2025 16:39 – A disturbance between two groups known to one another was reported from The Plough Inn at Scalby. Please report any information and quote 12250134180.

OP TRAILBLAZE: An Initiative to Tackle Off-Road Vehicle Disruption in Forestry Areas

Introduction to Operation Trailblaze

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Through targeted patrols, public awareness campaigns, and collaboration with residents, the operation aims to reduce the damage caused by irresponsible off-road activities, emphasizing the importance of respectful and lawful use of shared natural resources.

What can you do to help?

We are asking for your help to tackle the ongoing issue of anti-social driving in our local forestry and wildlife areas. If you see any 4x4 vehicles or off-road motorbikes being used irresponsibly, please report it to us.

Your information is vital in helping us identify and address this behaviour, which is causing significant harm to the environment, wildlife, and the safety of others.

To report sightings, please provide as much detail as possible, including:

- The location of the incident
- The time and date
- A description of the vehicles or individuals involved

You can report anonymously if you prefer. Together, we can protect our natural spaces and ensure they remain safe and enjoyable for everyone.

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Or click this link - Contact us | North Yorkshire Police

How to contact your local team

PC 672 Manson
Jamie.Manson@northyorkshire.police.uk
07741175623

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

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

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ng.co.uk/#signup-section	

Scalby Town Council, Hackness Group PC and Staintondale PC Report (June incidents)

July 2025 meetings

All crime figures below are for the same period from each year. This gives a comparison as to the same point in this year, when compared to the previous 2 years. For example, the figures below on this month's report are from 1st January to 30th June for the years 2023 through to 2025.

Total crime figures for Scalby & Hackness for 2025 and the previous two years.

Scalby etc...	2023	2024	2025	Grand Total
Arson & Criminal Damage	5	6	5	16
Burglary	4	3	4	11
Drug Offences	2	3	1	6
Fraud	8	5	2	15
Misc Crimes Against Society	1	0	2	3
Possession Of Weapons	0	0	3	3
Public Order Offences	3	8	6	17
Robbery	1	1	0	2
Sexual Offences	5	1	5	11
Theft	3	5	4	12
Vehicle Offences	3	7	1	11
Violence Against The Person	30	37	37	104
Grand Total	**65**	**76**	**70**	**211**

Total crime figures for 2025 for the whole area covered by Filey NPT (Filey & Eastfield Police Stations) for 2025 and the previous two years

	2023	2024	2025	Grand Total
Arson & Criminal Damage	151	131	113	395
Burglary	23	27	27	77
Drug Offences	28	33	32	93
Fraud	61	50	16	127
Misc Crimes Against Society	22	27	32	81
Possession Of Weapons	7	9	14	30
Public Order Offences	89	67	71	227
Robbery	2	2	4	8
Sexual Offences	63	58	52	173
Theft	113	121	106	340
Vehicle Offences	22	36	29	87
Violence Against The Person	492	528	477	1497
Grand Total	**1073**	**1089**	**973**	**3135**

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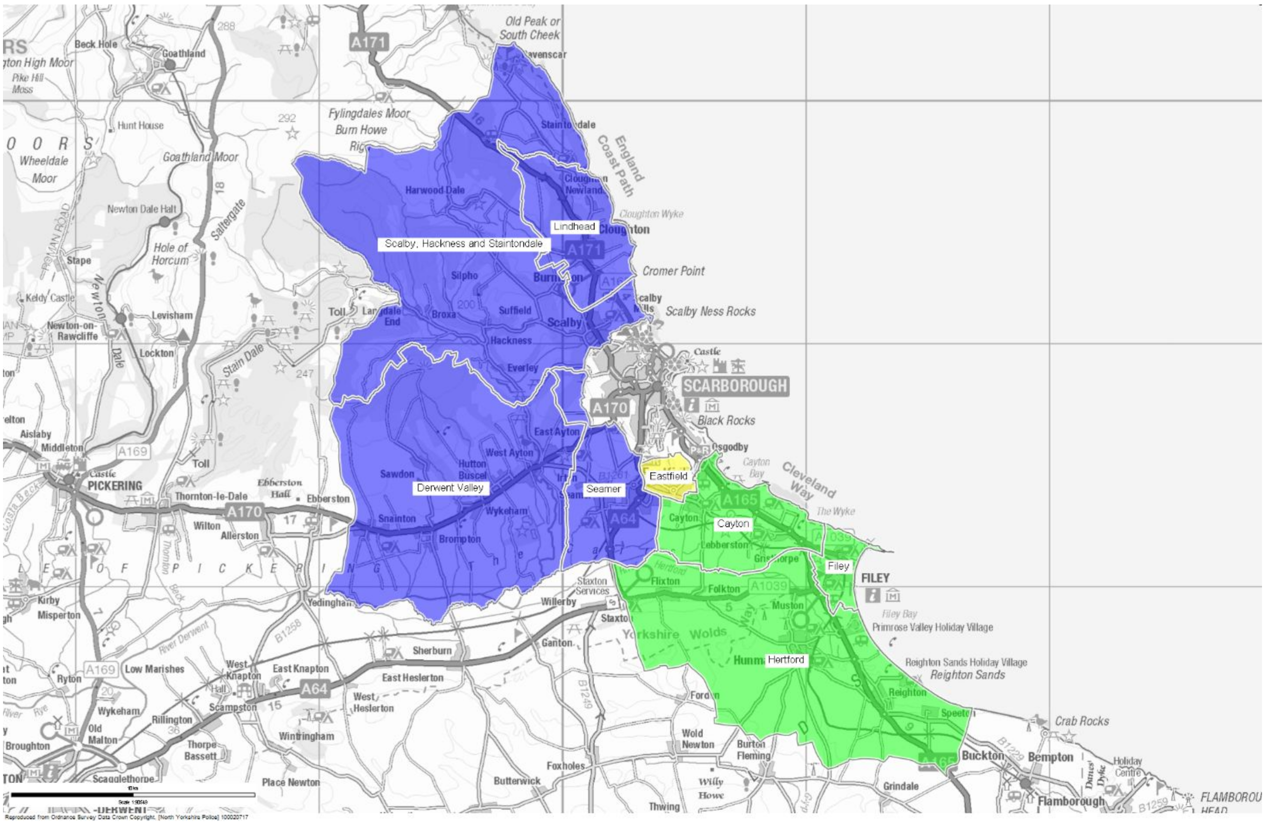

There were 76 incidents reported in your area during June. Incidents of note are as follows: -

11/06/2025 16:01 – A two vehicle minor-injury RTC occurred on A171 High Street in Cloughton at the junction with Newlands Road. Two people were taken to hospital to be checked over.

18/06/2025 08:54 – A burglary was reported from Scalby Road in Scalby whereby joinery and electrical tools worth several thousand pounds were alleged to have been stolen from a house under renovation. Please report any information and quote incident 12250110082.

22/06/2025 13:35 – A motorbike and car RTC occurred at the junction with Field Lane and Coastal Road. The bike rider suffered serious injuries but non-life-threatening injuries.

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Jamie.Manson@northyorkshire.police.uk
07741175623

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

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Europa Oil & Gas Ltd – Planning application NY/2025/0030/ENV

Newby and Scalby Town Council last considered this matter at its meeting on the 22nd April 2025. The planning application has not been considered by North Yorkshire Council yet and we understand that it is likely to be considered at their meeting in October.

In the meantime, Europa Oil and Gas limited have submitted an application to the Environment Agency for the permit that Europa would require if they were granted planning permission. The application is highly detailed and technical and many of the required documents have not been available to the public for consultation until recently. As a result, the Environment Agency have had to extend the consultation period until the 7th October 2025. They also held a drop-in session at Burniston on the 3rd of September, which was publicised by Newby and Scalby Town Council.

The parish councils joint working group have done a great deal of work in investigating the Environment Agency application documents. Unfortunately, poor health over the Summer has prevented me from contributing and I am unable, therefore, to present a report of my own to the Town Council. I am extremely grateful to Cloughton Parish Council, therefore, for allowing me sight of the report due to go to their next meeting and for permission to place it on Newby and Scalby's September agenda. Cllr. Karen Fanthorpe, of Cloughton, has very kindly agreed to attend our meeting to answer any questions from councillors.

Helen Bore
11th September 2025

Report to: **Cloughton Parish Council**

Report from: **Cllr Karen Fanthorpe**

Subject: **Environment Agency Consultation re Europa Proposal**

Date: **15th September, 2025**

Section 1: Purpose of Report

Parish Councillors received a verbal report at the meeting on 1st September relating to the Environment Agency's consultation on the application from Europa Oil & Gas for a drilling facility to be established in Burniston.

Councillors were advised of the intention for Cloughton Parish Council to make a submission to the EA along with neighbouring councils from Burniston and Newby & Scalby. This submission would be the opportunity to ask a number of questions which are in accordance with the concerns raised previously from local residents. The questions arise from the many documents submitted by Europa to the EA about the technical aspects of their proposal.

Following discussion, Councillors agreed that an Extraordinary Meeting should be held in order to review, debate and agree the content of the proposed submission prior to it being sent.

Section 2: Introduction

Europa Oil & Gas (EOG) have to apply for environmental permits relating to different aspects of their proposal.

As part of the process of reviewing the permit applications, the EA has launched a consultation process to seek public comments on the proposal. The consultation was launched on 16th July, 2025 with a closing date of 13th August. This was subsequently extended to 19th September.

Much of the detail contained in the various documents is very specialist. The approach being taken, therefore, is to highlight issues of concern to the EA as they are the organisation which has access to the relevant expertise/technical knowledge to be able to determine whether the application is reasonable in terms of its impact on the local communities.

The EA is very strict about its remit and what it has authority to consider. It is also clear that, in the event that all legal requirements are met, the Agency is obliged to issue permits to the company.

The EA has confirmed that it will respond to the questions raised. We hope, therefore, that this will give us the opportunity at a later date to share information with our local residents about the issues we know are of concern to them.

Our questions relate, in the main, to the EA's authority in terms of the criteria "the shape and use of the land around the site in terms of its potential impact, whether that impact is acceptable and what pollution control or abatement may be required".

We have, however, also identified some information which we think the EA may not be aware of via the application.

The EA held a public open meeting for residents to attend on 3rd September. There was a good attendance from local councillors and residents and the EA fielded national experts as part of their team. It was acknowledged that there is a high level of public interest in this proposal and the EA billed this as an opportunity to ask questions and raise issues directly with their representatives.

One of the key outcomes from the open event was that the EA has issued a Schedule 5 document to EOG which requires them to provide considerable extra information on a range of issues. This document has been attached to this report so that councillors can see the range and depth of information that is required.

The EA has set a response date of 15th September for this information. As the consultation period closes on 19th September, it will be virtually impossible for the additional information to be shared and reviewed in time for it to be included in any responses. For this reason (and because the open event highlighted the absence of some key documents that were not on the EA website), the three councils have requested an extension to the consultation. The outcome of this request is awaited.

The following section of the document, which is shown in italics, is the proposed wording for the submission from Cloughton Parish Council.

Section 3: Proposed Submission

Cloughton Parish Council is submitting this document as part of the Environment Agency's consultation on the application EPR/YP3623LC/A001.

Members of the Council are not experts in the scientific specialties of geology, chemistry and engineering and are, therefore, looking to the EA as the organisation which has access to the relevant knowledge and expertise to consider the technical aspects of this proposal.

We are, however, knowledgeable about the concerns raised by our local residents and we are very aware of the local environmental concerns which arise from this proposal.

Much of the mitigation provided as part of the planning application process has relied upon the temporary & reversible nature of the risks involved in this project. Councillors refute this vehemently. The potential for the project to last up to 3 years (and up to 2 decades if they move to full operation) is not a temporary situation for our residents. Damage done to our environment may not be reversible. We have a duty to protect the area in which we live.

We hope our questions and contribution will assist the EA in undertaking a rigorous assessment of the permit application. We understand that, in the event that all legal requirements are met, that you are obliged to issue permits. If this is the case, it will be very helpful to receive the answers to our questions so that we can communicate this information to the residents we serve.

Our questions have been organised into three sections – local environmental concerns, risk of seismic damage and the mining waste facility. In preparing our response, Councillors are mindful of the types of concerns which you are able take account of (and those that you are not). We consider that the concerns we are raising are relevant to your assessment in terms of your criteria "The shape and use of the land around the site in terms of its potential impact, whether that impact is acceptable and what pollution controls/abatement may be required".

It is worth reiterating that we do not consider Burniston to be a suitable location for this proposal because of its rurality, the importance of protecting its beauty & tranquillity and its close proximity to a residential area. All these features were strongly reflected in our submission to the planning application process still to be considered by North Yorkshire Council.

Our submission also brings to your attention information which you have not been made aware of in the application. In particular, we are raising the absence of any detail about the risks of seismic damage in Europa's application and highlighing a list of receptors which are vulnerable to impact.

We are grateful for the opportunity to bring these questions to your attention and hope that our contribution is helpful.

Issue 1: Local Environmental Issues of Concern

Context 1: The EA submitted an objection to North Yorkshire County Council in respect of the construction of this well site (14th May, 2025). The recommendation to refuse the planning application was based on "an unacceptable risk to groundwater". The EA considered that there was an "unacceptable risk of causing a detrimental impact to groundwater quality because there is the potential for vertical migration of pollutants to ground water in the overlying aquifer".

Councillors understand that this objection has subsequently been withdrawn in response to additional information from EOG, presumably linked to the requirement to provide a detailed construction method statement.

Context 2: the Surface Water Management Plan has been reviewed but it contains little detail on whether the perimeter ditch and the secondary containment system have sufficient storage capacity. If not, overspill and contamination of groundwater is presumably a risk?

Context 3: One of the documents submitted by EOG is their Environmental Impact Assessment. This lists 3 risks which are described as having a high impact (defined as a major environmental incident). ***One of these risks ("Indirect input to groundwater from well") is also listed a risk which has a high probability of occurring ("emissions to groundwater").***

The very real possibility of a major environmental incident occurring in relation to our groundwater is of major concern to residents.

Context 4: the location of this site, with its range of risks, must be considered in terms of the population which could be affected.

Burniston Parish Council has provided the following details about the sensitive receptors which would be affected – this confirms a much greater number of people living locally than previous documents have detailed.

- *37 homes within 500m – the nearest one being on the perimeter of the site*
- *920 people living inside 1km*
- *2785 people within 2km*
- *9784 people within 3km*

As a result, we consider that the site should be covered by some sort of designation that would bring with it the need for Major Incident Planning and exercising to address the significant risks associated with the operation of this site.

Context 5: the incineration of natural gas will include venting straight into the atmosphere via the shrouded flare stack. Out understanding is that natural gas contains an array of toxic hydrocarbon gasses and organic sulphurs which will be highly inflammable, odorous and reactive. The consequences of human error, equipment failure or accidents resulting in an explosion or fire is of major concern. It should be noted that this community has very recent experience of the consequences of uncontrolled fires nearby on the moors. This is something we must seek to avoid whilst also being prepared to respond.

EOG has stated in its Environmental Risk Assessment that a fire risk is "not significant". Given the location of this site alongside a residential area, open fields and woodland we are asking the EA to address this risk in more detail.

Context 6: in the Odour Management Plan, EOG state that "due to the nature of the fluids and the fluids having been exposed to the conditions of the wellbore and formation, there is the potential for odours to be present within the fluids when stored at surface withing the stock tanks" There is a suggestion that odours will only be investigated if there is a complaint from the public.

Context 7: EOG has stated in its application that no baseline monitoring of air quality has taken place. It also states that only two ambient air quality monitoring locations will be used. This suggest that the EA is being expected to issue permits based on a small amount of data that is very localised to the proposed site.

Question 1 – is the EA satisfied that the risk of causing contamination to the groundwater has been fully addressed? If so, on what basis has this revised position been reached?

Question 2 – will the EA set a realistic cut off point (ie maxium volume) for the flaring of gas on a daily basis and how would this be monitored and reported?

Question 3 – will the EA address the potential risk of fire/explosion on the site from the flaring operation by requiring EOG to be much more specific in terms of mitigation to reduce the potential of occurrence and severity of risk? An emergency response plan which involves local residents and emergency services would seem to be essential.

Question 4: will the EA require EOG to be much more precise in their assessment of the process leading to odours being produced and will it be a condition of any permit that they are required to report to an external agency when routine monitoring of odours exceeds a permissible level?

Question 5: will the EA consider setting a condition that regular but random monitoring data be collected over a wider area and for a period of months prior to the construction starting and that this monitoring is undertaken by an agency that is independent of the EOG company?

Issue 2: Risk of seismic damage

Context 1: The submissions from EOG do not include a detailed deep structure analysis. Despite repeated requests, Europa continues to maintain that consideration of geological matters is not part of the local planning approval process but, instead, occurs later and through other authorities.

This seems to be in direct contravention of the published local plan in which an understanding of the geological context is clearly required. We would expect there to be a legal (or at least civic) obligation to know and present detailed subsurface information as part of the proposal.

It seems inconceivable that Europa has not carried out a survey of the deep geological structures in order to decide the site from which to drill and the direction(s) in which to pursue extraction.

We are pleased to see that in your "Notice of Request for More Information" (Schedule 5) that you have asked for more detailed information about the geological sub structure.

Context 2: The Waste Management Plan document submitted by Europa to the EA describes the Proppant Squeeze process as 4 treatments of 300 – 500 cubic meter pretreatment at 9000psi, resulting in the total volume of proppant squeeze and diluent of </= 2000l of contaminated fluid".

At the Cuadrilla site at Preston New Road, Lancashire, there was induced seismic activity using one treatment of almost half the amount EOG are proposing.

Context 3: the proposal that there will be 4 treatments at this site is, we believe, new information which was not specified in the planning application to NYC. It will, surely, quadruple the risk of seismic damage occurring in our community?

Context 4: EA Research – the EA has produced a research report that specifically investigates various types of methods used in the Oil & Gas industry. The report "Potential Environmental Impacts from Techniques to Enhance Rock Permeability" considers different volumes of fracking and the use of Carbon Dioxide (which EOG has put forward as an alternative method for the Burniston site). The conclusion of the research is that there is insufficient data although it is known that using Co2 produced larger fractures with more secondary fractures than is achieved with high volume fracking.

Question 6: what is the EA's expert opinion on the complexity of geological structures which exist beneath the ground being considered and what is the EA's assessment of the potential for seismic damage as a result of the Europa proposal?

Question 7: is the EA fully satisfied that EOG can prove the safety of using a Proppant Squeeze technique (or CO2) if the EA as a body has published research which concludes there is insufficient data to prove either way?

Issue 3: Mining Waste Facility

*Context 1: The EA documents refer to an underground waste facility off Barmoor Lane, Scalby, **hitherto unknown**. This development would be of a significant size and scale. This facility will hold 50- 70% of the proppant squeeze and thus </=1400litres contaminated fluid" 'within the rock formation for an indefinite period. This brings this aspect into the "after closure" phase and is part of the entire life cycle of the drilling proposal.*

It has been stated that there will be a gradual deterioration of the fluid over time.

This facility was NOT included in the original application being considered by North Yorkshire Council and this fact is being brought to the attention of the EA.

*Barmoor Lane is a long way from the drill head site and, under the EA's criteria relating to "the shape and use of the land **around the site"**, we would suggest that this facility cannot be considered simply as part of the bid to the EA for permits. We would it is argue that it is an entirely separate site which should be subject to a separate planning application. A full planning application process would give the proper opportunity for scrutiny from local residents and the relevant authorities.*

Context 2: In their application, EOG has firmly argued that this facility should not be classed as a Category A Mineral & Waste Facility which may well be the case. It is also doubtful that it would meet the criteria for a COMAH site. Nevertheless, councillors believe there is a compelling argument that this whole proposal (ie the wellhead and the mining facility) should be covered by a designated status that brings with it responsibilities for off site safety.

Question 8: Has the EA considered the requirement for off site safety requiring a mult-agency planning and response and, if so, what recommendation will it put forward?

Question 9: should the development of an underground waste facility be subject to a full planning application so that the impact of this proposal can be properly considered by the relevant authorities with input from local residents?

Question 10: what is the EA's assessment of proppant squeeze fluid being left underground indefinitely? Is there knowledge about any damage to the rock formation which may occur as the fluid deteriorates?

<u>Summary</u>

The Parish Councillors who have reviewed all the supporting documents are not experts in the scientific specialties of geology, chemistry and engineering. Nevertheless, we have spent considerable time and effort in producing questions which we believe reflect the local environmental factors of concern to our residents.

Section 4: Recommendations for Councillors

1. Councillors are asked to review and debate the content of the proposed submission and offer suggested amendments as a result.

2. Councillors are asked to consider giving permission in principle to submit the document by the required deadline on the understanding that any amendments will be incorporated.

Cllr Karen Fanthorpe

10th September, 2025

North York Moors
National Park
Authority

Tom Hind
Chief Executive

Your ref:

Our Ref: JMS

Date: 8 September 2025

Dear Parish Clerk

Parish Member Appointments to the National Park Authority

I am writing to notify you of a vacancy mid-term that has occurred for a Parish Member in the Coastal Area. The arrangements for the appointment to this vacancy are explained below. The term will be to the next elections in May 2027.

The Environment Act 1995 provides for Parish Members to be selected from the Parish Councils and Parish Meetings within the area of the National Park.

The process will be by nomination and ballot within the electoral areas of all parishes in the Coastal Area:

As in previous years, the Executive Support Team at the National Park Authority will handle the process. The count will be supervised by the Authority's Monitoring Officer and witnessed by the Authority's Independent Person. The candidates will also be invited to attend the count. The Secretary of State for the Environment, Food and Rural Affairs will make the final appointments.

Nominations

The Nomination form is **enclosed.** Each Parish Council or Parish Meeting may nominate a Parish Councillor or a Parish Meeting Chair. Nominations will only be accepted on the official Nomination form. There are statutory provisions that apply to Parish Members of a National Park Authority which will be set out in the Nomination form. A candidate must be eligible for appointment and not disqualified under these provisions. A candidate will be able to submit with their Nomination Form an election statement limited to 150 words.

The closing date for the return of completed Nomination Forms to the Executive Support Team will be **Thursday, 16 October 2025 (by noon).**

Continued...

The Old Vicarage, Bondgate, Helmsley, York YO62 5BP
01439 772700 general@northyorkmoors.org.uk
planning@northyorkmoors.org.uk **northyorkmoors.org.uk**

Voting

One Ballot Paper and the candidates' election statements will be issued by the Executive Support Team by post to each Parish Council and Parish Meeting on **Friday, 24 October 2025.**

The closing date for the return of completed Ballot Papers to the Executive Support Team will be **Tuesday, 25 November 2025 (by noon).**

The advice of Defra is that the nomination and voting procedures should be as transparent and democratically accountable as possible. Where possible formal meetings of the Parish Council or Parish Meeting should handle these.

You will appreciate that the timetable must be adhered to and all closing dates must be met. There is no provision for the late receipt of Nomination Forms or Ballot Papers. It is important therefore that you bear these closing dates in mind when planning the dates for your meetings and if necessary, give delegated authority to your Clerk to respond following consultation with parish councillors. You should also allow sufficient time for postal delays but please note that as a third-party contractor is no longer involved in the process nomination forms and ballot papers may be handed in at the reception at The Old Vicarage in Helmsley up to the published deadlines.

The count will take place in the Committee Room at The Old Vicarage, Helmsley at **4pm** on **Tuesday, 25 November 2025**, once completed the National Park Authority will contact the successful candidate. The name will then be forwarded to the Department of the Environment, Food and Rural Affairs for the formal appointment letters to be issued.

Authority Members are expected to regularly attend meetings of the Authority, any Committees that they have been appointed to, as well as training and briefing sessions. Members are expected to attend as least 75% of meetings. Most of these are usually held in the morning on Mondays and Thursdays at the National Park Office in Helmsley. There is obviously a considerable time commitment involved in being a Member of the Authority which in some cases could be two or three meetings a month. Authority Members are also expected to use their own IT device to access e-agendas at meetings. However, if an Authority Member is unable to afford such a device or has a disability, then the Authority will make appropriate arrangements. Candidates should take all these elements into account when seeking a nomination.

If you have any queries on this matter, or need any further information or guidance, please do not hesitate to contact me.

Yours sincerely

Judith Seaton
Executive Support Team Leader

Subject: Public Rights of Way Route prioritisation - Parish input
From: [redacted]
Date: 12/08/2025, 16:44
To: [redacted]

Please respond to this email by 30/11/2025 if you would like to

Dear Parish Council Clerk

As presented at the Parish Forums through April and May of this year, the National Park Authority are in the process of Prioritising the entire Public Rights of Way (PROW) Network. The rationale for prioritisation was to promote health and wellbeing of residents and visitors, demonstrating the special qualities of the National Park whilst ensuring the most effective use of our available resources. Over the past 15 years the North York Moors has had an effective 40% cut in real terms in the amount of its National Park Grant which means we can no longer maintain and enhance the complete network of over 2200km of public rights of way as we once did.

Initial decisions have been taken by the National Park regarding which routes should be designated as high priority. These include routes that have been identified as:

- National Trails.
- North York Moors National Park Promoted Routes.
- Routes from and around popular destinations such as car parks and visitor centres.
- Locally important routes such as in and around popular visitor locations and links into the National Park..

We invite Parish Councils to identify routes within their boundaries that they consider to be the public rights of way which are the highest priority for regular support and maintenance. Parishes are asked to nominate two prospective rights of way which are not covered by the categories above to be considered for a higher priority designation, based on one or more of the following criteria:

- Popular and regularly used.
- Useful links between communities and amenities.
- Are in good, accessible condition.
- Showcases the special qualities of your part of the National Park.
- Should be wholly within your Parish boundary.

Information Required
Please send the following details as set out below to General@northyorkmoors.org.uk:
Name of Parish:
Parish Contact details:
NYM Path Number for Candidate 1:
NYM Path Number for Candidate 2:
Further details and instructions on how to do this are in the attached document.

Date for final submission – **30 November 2025.**

Kind Regards,

[redacted]

[redacted]

North York Moors
National Park

— Attachments:

Prioritisation PC Update.docx 869 kB

North York Moors National Park

Public Rights of Way Prioritisation

As part of ongoing improvements to how the North York Moors National Park Authority manages its public rights of way; we are in the process of prioritising our network of footpaths, bridleway, restricted byways and byways open to all traffic. This will enable us to bring greater focus to the management of routes that are most widely enjoyed, and most valuable in offering opportunities for people to access the best of the National Park. Over the past 15 years the North York Moors has had an effective 40% cut in real terms in the amount of its National Park Grant, which means we can no longer maintain and enhance the complete network of over 2200km of public rights of way as we once did.

Benefits of prioritisation

- **Focussed resources**
  - It is essential to prioritise the rights of way network to help us to focus limited resources, define levels of service and manage expectations.

- **Improvement of Health and Wellbeing outcomes.**
  - Greater focus on the routes that are most heavily used and accessible to our visitors and local communities.
  - Greater focus on enhancement of routes to make these routes more accessible to underserved communities.

- **Accessing the best of the North York Moors**
  - The Rights of Way network is one of the most popular ways for people to experience and enjoy the special qualities of the North York Moors. We will prioritise routes that best align with where & how most people wish to engage with their National Park.

Figure 1 - Prioritisation Criteria.

The typical characteristics of rights of way categorised as high, medium or low priority

Route Type	Example	Priority
National Trail	Cleveland Way, C2C, England Coast Path	High
Promoted Route – Walking, Riding and Cycling	Tabular Hills, Rail Trail, Moor to Sea	High
PRoW Links from NYMNP Assets	Visitor Centres, Car Parks (Saltergate, Hutton le Hole, Thornton, Newton under Roseberry), Cawthorn Camp, Levisham	High
High Priority Local Routes	Routes with high accessibility potential.	High
Key links into the National Park	Raincliffe Wood, Guisborough	High
Cul-de-sac and duplicate routes	Definitive map anomalies.	Low
All other routes		Medium

Figure 1 above shows the criteria that has been used initially to identify route prioritisation based on location, level of promotion, and Ranger knowledge.

We are now inviting Parish Councils to nominate public rights of way within their boundaries that they consider to be the routes which are the highest priority for regular support and maintenance. The four types of recorded public rights of way are public footpaths, public bridleways, restricted byways and byways open to all traffic. Parishes are asked to identify **two** prospective rights of way which are not covered by the categories above to be considered for a higher priority designation, based on one or more of the following criteria:

- Popular and regularly used.
- Useful links between communities and amenities.
- Are in good, accessible condition.
- Showcases the special qualities of your part of the National Park.
- Should be wholly within your Parish boundary.
- Must be within the National Park boundary

Figure 2 below gives an indication of the service levels that the public should expect when reporting access issues on high, medium and low priority rights of way.

Figure 2 - Service Levels and Expectations by route priority

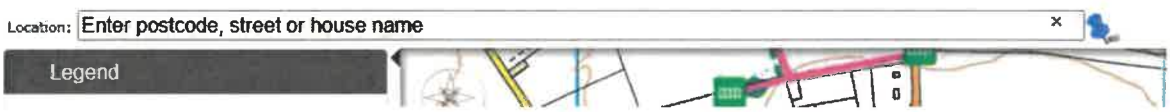
High Priority Routes	Medium Priority Routes	Low Priority
• The focus for resources. • Most essential work will be undertaken directly by the Ranger Service. • Improvement work undertaken as required in line with available budgets.	• Health and Safety issues addressed on a priority basis. • Most work to gates and stiles undertaken by landowners as specified under Section 146 of the Highways Act 1980. • Improvement work considered on a priority basis.	• Health and Safety issues will still be investigated. • All issues on low priority routes still recorded on ROWMANS but no completion date provided

Guidance for identifying the route number

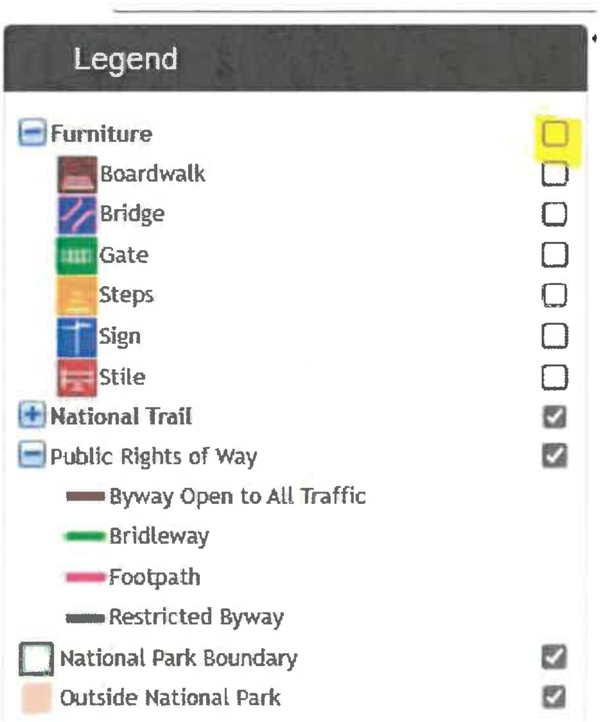
Once you have identified the **two** public rights of way that you would like to nominate for consideration as a high priority route; follow the method below to identify the path number.

1. Follow this link to open the NYMNP online Rights of Way Map - *https://www.northyorkmoors.org.uk/plan-your-visit/rights-of-way/rights-of-way-map*

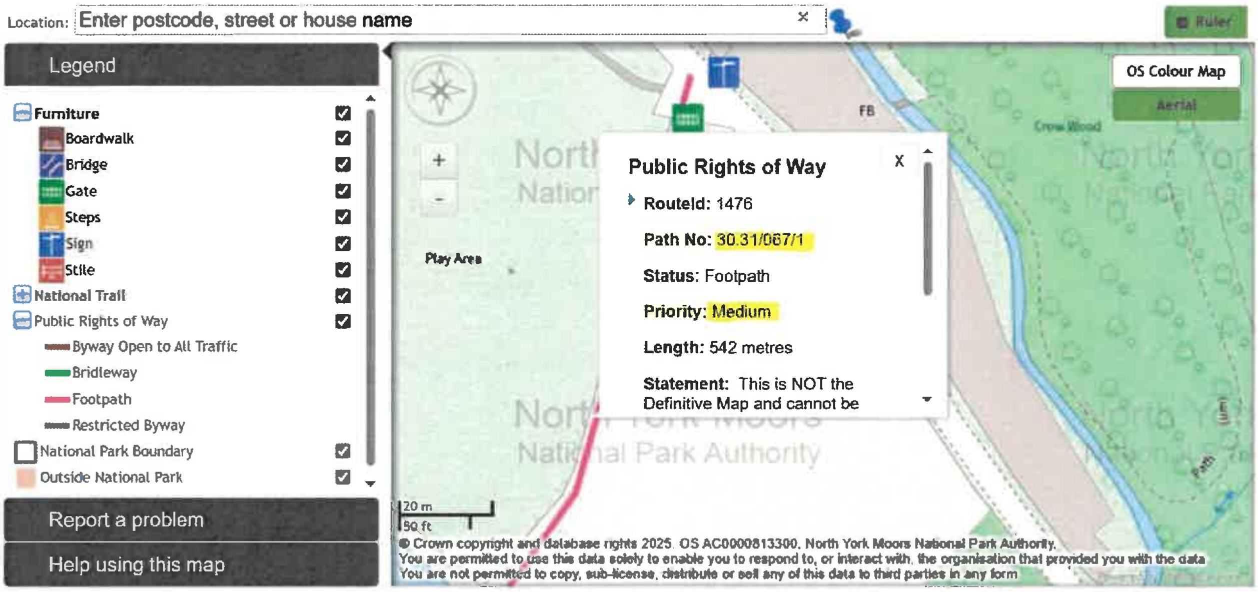
2. You can search for a location by either zooming out and scrolling the map with the left mouse button held down, or inputting a nearby location in the text box at the top of the map.



3. If you find the map view too cluttered, then you can unselect the furniture layer on the legend as below.



4. Once you find the route that you wish to nominate. Click on it and the information box will appear that shows the relevant path number and route priority. If the route priority is already shown as 'High' then you do not need to nominate that path and can select an alternative route if required.



Information Required

Please send the following details as set out below to General@northyorkmoors.org.uk:

Name of Parish:	
Parish Contact details:	
NYM Path Number for Candidate path 1:	
NYM Path Number for Candidate path 2:	

8-3

ALLOTMENTS RESULTS 2025

<u>BEST KEPT ALLOTMENT WINNER (PLOT 6 West)</u>

A TADMAN – SHIELD AND £25 Cheque

<u>MOST IMPROVED ALLOTMENT WINNER (PLOTS 71 and 74 North)</u>

A TUCKER - £25 Cheque

[redacted]

Sent by email: [redacted]

DDI:
+44 (0)20 7516 2200
Email:
sba@pkf-l.com
Date:
14 August 2025
Ref:
AS/47131/SAAA/NY0408

NEWBY AND SCALBY TOWN COUNCIL: Objections to the AGAR for the year ended 31 March 2024

Dear [redacted]

Thank you for your email and attached letter of objection dated 5 August 2024 in connection with Newby and Scalby Town Council (the Council). You have raised matters in respect of the 2023/24 Annual Governance and Accountability Return (AGAR).

We wrote to you on 6 March 2025 to inform you that three of your eligible objections had been accepted for further consideration. We have written to the Council and received its formal response and all of the additional information that we requested, including legal advice received by the Council, which is subject to Legal Professional Privilege. All documents material to our decisions on the accepted objections are in the public domain or have previously been shared with you, except the legal advice received by the Council.

You have asked us to consider reporting on these matters in a public interest report and to consider the lawfulness of the items of account in 2023/24. We have considered whether each accepted objection should be included in a public interest report and whether we should apply for a declaration under section 28(3) of the Local Audit and Accountability Act 2014 (the 2014 Act) in respect of Objection 1.

Our decisions following consideration of the accepted objections under Step 3 of the National Audit Office's Auditor Guidance Note 04 are set out below:

> **Objection 1:** You object to the expenditure during the year on legal and professional fees of £5,665.70 and repayment of grants totalling £27,532.51 which led to a member of staff being made redundant.
>
> **Findings:** This objection relates to items of account in Box 6 of the Accounting Statements.
>
> We note that the objection has been accepted insofar as it relates to the lawfulness of the payments referred to.

PKF Littlejohn LLP
15 Westferry Circus,
Canary Wharf, London
E14 4HD

T: +44 (0)20 7516 2200
pkf-l.com

The Council has provided a list of nine items that make up its expenditure during 2023/24 on legal and professional fees together with dates of payment approval and the relevant minute number for the Council's approval.

The Council has the powers to take and pay for legal advice. This right is a necessary incident to its functions as a public authority (s111, Local Government Act 1972), as well as a logical consequence of its power to take legal proceedings (s222, Local Government Act 1972).

We note that the Council commissioned Maoni Consulting to support an internal review of the grant application to the Woodsmith Foundation and governance and project delivery arrangements in January 2024. The resulting report is known as the 'Maoni Report' and following a decision by the Information Commissioner's Office, this report is now publicly available on the Council's website, with some redactions.

As the report is publicly available, we have not reproduced any substantial elements in this decision letter. However, we note that the most pertinent points to considering this objection are set out in Recommendation 1:

> *It is recommended that the purchase of the TV/stand and TV licence were in line with the project application and as such the funding for this expenditure of £1,192.72 should be retained by the Council.*
>
> *Of the remaining balance of £20,807.28 from the grant payment, it is recommended that the Council consider negotiating a reasonable sum to include an element of staffing and venue costs for the Hub for the period January to December 2023 when some level of social activity for over-65s was being delivered, albeit not within the requirements of the grant award.*

The Council has noted that the Council authorised repayment of £1,559.06, being the remaining balance of the Sirius Small Capital and Training Grant to the Woodsmith Foundation in January 2024. The Council notes that a further repayment of £16,557.28 relating to the Supporting People 65+ grant was authorised at its meeting on 2 February 2024. (Minute 28/24.1). Both repayments were reported at the Council meeting held on 14 February 2024 (Minutes 31/24.1 and 31/24.2 refer).

The Council further notes that a total of £9,376.17 - comprising the unused balances of six separate grants from different funders, each restricted according to the funder's criteria - was repaid to the respective organisations on 28 March 2024. These funds were returned as they were unlikely to be used, given that the Council no longer employed staff working in the areas covered by the terms and conditions of the grants. These repayments were authorised at the meeting on 20 March 2024.

We note that, in our view, much of the objector's commentary regards the Council's actions with respect to the legal and professional services expenditure; commissioning a report to review the administration of a particular grant; and the return of various grants to different funders as being unreasonable. In terms of assessing whether the Council has taken a rational approach in deciding to spend funds on legal and professional fees and returning grants to the relevant funders, we considered whether the Council has acted reasonably[1].

[1] In assessing whether the actions of an authority have been unreasonable, the term 'unreasonable' has a special meaning in law. An authority acts 'unreasonably' or 'irrationally' when its actions are so unreasonable that no reasonable person could have made that decision. This is known as the 'Wednesbury unreasonableness principle' (*Associated Provincial Picture Houses Ltd. v Wednesbury Corporation* [1948]). In that case, the court held that it could not intervene to overturn the decision of the defendant simply because the court disagreed with it. Where Parliament has given local authorities a discretion as to their decisions/actions, that discretion

We note that the Council has taken legal advice of various types throughout 2023/24. We further note that the Council has followed the recommendation of the Maoni Report when repaying the largest grant funding amount that it had received. We also consider that the Council's decision to extend this recommendation to refunding other grants received, for similar reasons, was reasonable.

We therefore consider that the expenditure related to the legal and professional services and the repayment of grants to relevant funders to be policy decisions by the Council.

Conclusion: We do not uphold this objection.

Objection 3: You object to the Council's response given in Assertion 8 of the Annual Governance Statement, in relation to the Council's failure to consider potential legal costs and damages relating to various ongoing legal actions that the Council is involved in.

Findings: This objection relates to the response given in Assertion 8 of the Annual Governance Statement.

The Practitioners' Guide includes the following mandatory requirement for a positive response to Assertion 8:

> *1.41 Significant events — The authority needs to have considered if any events that occurred during the financial year (or after the year-end), have consequences, or potential consequences, on the authority's finances. If any such events are identified, the authority then needs to determine whether the financial consequences need to be reflected in the statement of accounts.*

We note that the PG provides the following non-mandatory guidance:

> *5.107. The authority needs to have considered if any events that occurred during the financial year (or after the year-end), have consequences, or potential consequences, on the authority's finances. If any such events are identified, the authority then needs to determine whether the financial consequences need to be reflected in the statement of accounts.*
>
> *5.109. For authorities accounting on an income and expenditure basis, the review of significant events should also cover events that occurred after the financial year-end but before the accounting statements are approved by the authority.*

The Council comments that the 2023/24 accounts and the AGAR were both approved at a meeting on 8 May 2024 and that the formal ET1 claim form concerning the employment tribunal was received on 21 May 2024, after approval of the AGAR. The Council acknowledges that it considered the possibility of an employment tribunal and made appropriate disclosures in line with the information available at the time.

The Council further comments that it reasonably considered its disclosure obligations under Assertion 8 and concluded that the level of information available did not warrant any additional accounting recognition beyond the contingent liability that the Council noted when it was preparing the accounts.

We note that:

---

may be exercised in different ways according to honestly and reasonably held opinion. It is not the court's job to substitute its own opinion for that of the local authority. This principle applies equally to auditors who are fulfilling their public audit responsibilities.

- it is not possible to respond ‘No’ to Assertion 8 if the Council has given consideration to relevant events; and
- there is no way of reflecting unquantifiable potential financial consequences in the Council’s AGAR, since the Accounting Statements have no Box in which contingent liabilities or provisions can be included.

As a result, in our view, a ‘Yes’ response to Assertion 8 by the Council is appropriate.

Conclusion: We do not uphold this objection.

Objection 4: You object to the Council’s response given in Assertion 3 of the Annual Governance Statement, in relation to the Council’s failure to comply with the legislation regarding the use of the General Power of Competence in pursuing legal action against a former Chair, appointing a consultant and accusing a county councillor of assault in its minutes.

Findings: This objection relates to the response given in Assertion 3 of the Annual Governance Statement.

We note that section 1 of the Localism Act 2011 includes the following:

1 Local authority's general power of competence

(1) A local authority has power to do anything that individuals generally may do.

(2) Subsection (1) applies to things that an individual may do even though they are in nature, extent or otherwise—

(a) unlike anything the authority may do apart from subsection (1), or

(b) unlike anything that other public bodies may do.

(3) In this section “individual” means an individual with full capacity.

(4) Where subsection (1) confers power on the authority to do something, it confers power (subject to sections 2 to 4) to do it in any way whatever, including—

(a) power to do it anywhere in the United Kingdom or elsewhere,

(b) power to do it for a commercial purpose or otherwise for a charge, or without charge, and

(c) power to do it for, or otherwise than for, the benefit of the authority, its area or persons resident or present in its area.

The Practitioners’ Guide also includes the following mandatory requirement for a positive response to Assertion 3:

1.22 Acting within its powers — All authorities’ actions are controlled by statute. Therefore, appropriate decision-making processes need to be in place to ensure that all activities undertaken fall within an authority’s powers to act. Authorities need to have robust procedures in place to prevent any decisions or payments being made that are ultra vires, i.e. that the authority does not have the lawful power to make. The exercise of legal powers needs always to be carried out reasonably. For that reason, authorities making decisions need always to understand the power(s) they are exercising in the context of their decision making.

> *1.25 Actions during the year — An authority needs to have satisfied itself that it has not taken any decision during the year, or authorised any action, that exceeds its powers or contravenes any laws, regulations, or proper practices.*

We note that we have already considered the following:

- the Council's powers regarding taking legal advice/legal proceedings and other professional services (Objection 1); and
- the meaning of reasonableness in Council decision making (Objection 1);

In relation to the final point, the Council notes that the original minute (58/24.7) from the Council's meeting on 8 March 2024 stated that a complaint should be submitted to the Monitoring Officer concerning several matters, including an allegation of assault.

The Council further notes that following the original wording of Minute 58/24.7, the county councillor's solicitors issued a letter on 28 May 2024 indicating a potential defamation claim. The Council notes that, acting on advice from the Yorkshire Local Councils Association, it formally amended the relevant minute at its meeting on 12 July 2024 (Minute 114/24.1) to read:

> *"58/24. 7 Resolved Clerk to send a complaint to the Monitoring Officer from the full Council in respect of North Yorkshire Councillor Sharma breaching the Code of Conduct by virtue of his conduct."*

The Council also notes that no further communication has been received from Councillor Sharma's solicitors.

We therefore conclude that it was appropriate for the Council to answer 'Yes' to Assertion 3.

Conclusion: We do not uphold this objection.

Having considered whether each accepted objection should be included in a public interest report and whether we should apply for a declaration under section 28(3) of the 2014 Act in respect of Objection 1, we have decided not to take either course of action.

Please note that there is no right of appeal against a decision not to issue a public interest report in respect of any of the objections. With regard to Objection 1, you have a right to appeal our decision not to apply for a declaration under section 28(3) of the 2014 Act. Should you wish to do so, you must appeal to the High Court within the period of 21 days beginning with the day after you receive this statement of written reasons.

At this stage, we would like to remind both you and the Council of the need to ensure compliance with relevant data protection legislation (including GDPR). This could include, for example, redacting personal information (such as the objector's name, address or other identifying information) from any subsequent publication or sharing of the objections and related correspondence.

Yours sincerely

PKF Littlejohn LLP

PKF Littlejohn LLP

cc Newby and Scalby Town Council c/o Town Clerk

[redacted]

DDI:
+44 (0)20 7516 2200
Email:
sba@pkf-l.com
Date:
14 August 2025
Ref:
AS/47131/SAAA/NY0408

Sent by email: [redacted]

NEWBY AND SCALBY TOWN COUNCIL: Objections to the AGAR for the year ended 31 March 2024

Dear [redacted]

Thank you for your email and attached letter of objection dated 8 August 2024 in connection with Newby and Scalby Town Council (the Council). You have raised matters in respect of the 2023/24 Annual Governance and Accountability Return (AGAR).

We wrote to you on 6 March 2025 to inform you that three of your eligible objections had been accepted for further consideration. We have written to the Council and received its formal response and all of the additional information that we requested, including legal advice received by the Council, which is subject to Legal Professional Privilege. All documents material to our decisions on the accepted objections are in the public domain or have previously been shared with you, except the legal advice received by the Council.

You have not asked us to consider reporting on these matters in a public interest report or to consider the lawfulness of the items of account in 2023/24; however, we have considered whether each accepted objection should be included in a public interest report and whether we should apply for a declaration under section 28(3) of the Local Audit and Accountability Act 2014 (the 2014 Act) in respect of Objection 3.

Our decisions following consideration of the accepted objections under Step 3 of the National Audit Office's Auditor Guidance Note 04 are set out below:

Objection 3: You object to the repayment of grants totalling £27,532.51 which led to a member of staff being made redundant and services to the community being reduced.

Findings: This objection relates to items of account in Box 6 of the Accounting Statements.

We note that the objection has been accepted insofar as it relates to the lawfulness of the payments referred to.

PKF Littlejohn LLP
15 Westferry Circus,
Canary Wharf, London
E14 4HD

T: +44 (0)20 7516 2200
pkf-l.com

We note that the Council commissioned Maoni Consulting to support an internal review of the grant application to the Woodsmith Foundation and governance and project delivery arrangements in January 2024. The resulting report is known as the 'Maoni Report' and following a decision by the Information Commissioner's Office, this report is now publicly available on the Council's website, with some redactions.

As the report is publicly available, we have not reproduced any substantial elements in this decision letter. However, we note that the most pertinent points to considering this objection are set out in Recommendation 1:

> *It is recommended that the purchase of the TV/stand and TV licence were in line with the project application and as such the funding for this expenditure of £1,192.72 should be retained by the Council.*
>
> *Of the remaining balance of £20,807.28 from the grant payment, it is recommended that the Council consider negotiating a reasonable sum to include an element of staffing and venue costs for the Hub for the period January to December 2023 when some level of social activity for over-65s was being delivered, albeit not within the requirements of the grant award.*

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The Council further notes that a total of £9,376.17 - comprising the unused balances of six separate grants from different funders, each restricted according to the funder's criteria - was repaid to the respective organisations on 28 March 2024. These funds were returned as they were unlikely to be used, given that the Council no longer employed staff working in the areas covered by the terms and conditions of the grants. These repayments were authorised at the meeting on 20 March 2024.

We note that, in our view, much of the objector's commentary regards the Council's actions with respect to commissioning a report to review the administration of a particular grant; and the return of various grants to different funders as being unreasonable. In terms of assessing whether the Council has taken a rational approach in deciding to spend funds on legal and professional fees and returning grants to the relevant funders, we considered whether the Council has acted reasonably[1].

We note that the Council has followed the recommendation of the Maoni Report when repaying the largest grant funding amount that it had received. We also consider that the

[1] In assessing whether the actions of an authority have been unreasonable, the term 'unreasonable' has a special meaning in law. An authority acts 'unreasonably' or 'irrationally' when its actions are so unreasonable that no reasonable person could have made that decision. This is known as the 'Wednesbury unreasonableness principle' (*Associated Provincial Picture Houses Ltd. v Wednesbury Corporation* [1948]). In that case, the court held that it could not intervene to overturn the decision of the defendant simply because the court disagreed with it. Where Parliament has given local authorities a discretion as to their decisions/actions, that discretion may be exercised in different ways according to honestly and reasonably held opinion. It is not the court's job to substitute its own opinion for that of the local authority. This principle applies equally to auditors who are fulfilling their public audit responsibilities.

Council's decision to extend this recommendation to refunding other grants received, for similar reasons, was reasonable.

We therefore consider that the repayment of grants to relevant funders to be policy decisions by the Council.

Conclusion: We do not uphold this objection.

Objection 5: You object to the Council's failure to comply with financial regulations (including FR 5.2) during the year in relation to the presentation of a schedule of payments and supporting invoices to the Council prior to authorisation.

Findings: This objection relates to the response given in Assertion 2 of the Annual Governance Statement.

The Council's Financial Regulations (FR5.2) state the following:

> *A schedule of the payments required, forming part of the Agenda for the Meeting, shall be prepared by the RFO and, together with the relevant invoices, be presented to Council. If the schedule is in order it shall be authorised by a resolution of the Council and shall be signed by the Chairman of the Meeting. If more appropriate the detail may be shown in the Minutes of the Meeting.*

The objector's view is that when the Council authorises payments, it is not presented with relevant invoices. At the Finance agenda item, each councillor is provided with a spread sheet showing expenditure for the previous month (the spreadsheet has a white background and black type). The sheet contains a row titled 'various' which shows wages, HMRC payments and other expenditure. The individual breakdown of items under the heading 'various' is not seen by councillors.

The objector further highlights that there is a second spreadsheet held by the Clerk with a pink background. This sheet contains a breakdown of items under the 'various' heading in the white spreadsheet. The pink spreadsheet is only seen by the Clerk and two councillors who are selected to carry out on-line bank authorisation, normally the Chairman and Vice Chair. No other councillors see the contents of the pink spread sheet. This means that the majority of councillors have authorised payments for items they are unaware of and that are hidden in the sheet with a pink background shown on the white spread sheet under the 'various' heading.

The Council comments that the system of internal control in place is longstanding and subject to annual review. The processes used have consistently included presentation of a schedule of accounts for approval and provision of supporting documentation at meetings, thus fulfilling the requirements under FR 5.2. The Council further comments that its procedures include:

- All invoices being brought to each meeting for inspection should any councillor wish to query them.
- A schedule of accounts for payment being presented at meetings for Council approval.
- Payment authorisations taking place either by cheque signature or (more recently) online banking authorisation.
- The total amount approved being recorded in the meeting minutes.

The Council has commented that until 10 May 2023, the schedule of payments presented at meetings included staffing costs such as wages, tax and pensions as itemised entries.

Following a recommendation from the Council's Internal Auditor, this was revised at the meeting of 10 May 2023 (Minute 85/23.3 refers).

The Council comments that consequently, from 1 June 2023, the schedule of payments was amended so that staffing payments were summarised on the front page under a single line ("Staffing (wages, HMRC, pensions)"), with itemised details on the reverse side of the schedule, marked in pink for confidentiality. The Council further comments that only the two authorised online bank signatories were provided with copies of the detailed breakdowns.

With regard to the staffing payments, we note that the Practitioners' Guide also includes the following mandatory requirement for a positive response to Assertion 2:

> *1.16 Employment — The remuneration payable to all employees needs to be approved in advance by the authority. In addition to having robust payroll arrangements which cover the accuracy and legitimacy of payments of salaries and wages, and associated liabilities, the authority needs to ensure that it has complied with its duties under employment legislation and has met its pension obligations.*

Consequently, although councillors do not see the individual staffing payments, they will have already approved the remuneration under PG1.16.

We therefore conclude that it was appropriate for the Council to answer 'Yes' to Assertion 2.

Conclusion: We do not uphold this objection.

Objection 8: You object to the Council's accusation of defamation in the solicitor's letter to you as the former Chair when no such resolution had been made by the Council and when case law indicates that no such action for defamation can be made by a local council.

Findings: This objection relates to the response given in Assertion 3 of the Annual Governance Statement.

The objector notes that the minutes of the Council meeting on 8 March 2024 state:

> *58/24.4 Complaint dated 5/3/24 to Chairman about Clerk. The Chairman gave details of the complaint and the advice he had received for the Council from the YLCA. **Resolved** YLCA advice be released to Cllr. Smith for her to draft a response on Cllr. Thompson's behalf and our solicitor be asked to write a strong letter to the complainant in respect of their use of confidential Council documents in their possession.*
>
> *58/24.5 Defamation costs. Resolved the advice from NALC via the YLCA be noted.*

The objector comments that the minutes clearly show that the Council resolved to send a strong solicitor's letter to the objector regarding confidential documents. The objector further comments that the Council did not discuss or make any decision about an accusation of defamation.

The Council comments that solicitors acting on behalf of the Council wrote a strongly worded letter to the objector, as was authorised by the Council at its meeting held on 8 March 2024. The Council further comments that the letter was a formal letter before action relating to an alleged breach of fiduciary duty and duty of confidentiality.

The Council acknowledges that the term "defamatory" was used within the solicitor's letter to describe certain comments or statements allegedly made by the objector. The Council comments that describing comments as “defamatory” is not the same as formally accusing an individual of defamation in a legal context and that at no point in the correspondence was the objector accused of the tort of defamation.

The Council further comments that it never considered initiating legal proceedings for defamation and is fully aware that it does not possess the legal power to bring such an action. The Council states that it submitted a query concerning the Council’s powers in relation to defamation to the Yorkshire Local Councils Associations (YLCA) on 26 February 2024. The advice received from a solicitor via the National Association of Local Councils (NALC) was noted by Council at its meeting of 8 March 2024 (Minute 58/24.5 refers). This advice is protected under legal professional privilege and was provided separately to councillors as a confidential document.

Whilst we note the above comments from the Council and the objector, it can only be for the Courts to determine whether there is any case to answer regarding the actions of the Council. The Council has the powers to take legal proceedings (s222, Local Government Act 1972). The Council also has the powers to take and pay for legal advice. This right is a necessary incident to its functions as a public authority (s111, Local Government Act 1972), as well as a logical consequence of its power to take legal proceedings.

We further note that the letter from the Council’s solicitor, comments that the next steps (if the Council was not satisfied with the response from the objector) would be to obtain a restraining order.

We therefore conclude that it was appropriate for the Council to answer ‘Yes’ to Assertion 3.

Conclusion: We do not uphold this objection.

Having considered whether each accepted objection should be included in a public interest report and whether we should apply for a declaration under section 28(3) of the 2014 Act in respect of Objection 3, we have decided not to take either course of action.

Please note that there is no right of appeal against a decision not to issue a public interest report in respect of any of the objections. With regard to Objection 3, you have a right to appeal our decision not to apply for a declaration under section 28(3) of the 2014 Act. Should you wish to do so, you must appeal to the High Court within the period of 21 days beginning with the day after you receive this statement of written reasons.

At this stage, we would like to remind both you and the Council of the need to ensure compliance with relevant data protection legislation (including GDPR). This could include, for example, redacting personal information (such as the objector’s name, address or other identifying information) from any subsequent publication or sharing of the objections and related correspondence.

Yours sincerely

PKF Littlejohn LLP

PKF Littlejohn LLP

cc Newby and Scalby Town Council c/o Town Clerk

Subject: RE: NEWBY & SCALBY TOWN COUNCIL - OBJECTIONS TO 2023/24 AGAR - ADDITIONAL FEES
From: SBA <SBA@pkf-l.com>
Date: 11/09/2025, 11:38
To: SBA <SBA@pkf-l.com>, "Jools Marley, Clerk to Council" <clerk@newbyandscalby-tc.gov.uk>

Dear Jools

Further to the completion of our challenge work, here is the analysis of the additional time charged until today. As we're sure that you will recognise, we have not charged all the time spent dealing with the challenge correspondence over the last few months – that would be a much higher number of hours, but have charged time used to progress the work on the challenge file, equating to less than four days work to consider, determine and report on the objections and other information received.

The total time charged is shown below:

Grade	Hourly rate £	Hours to be billed	Total £
Engagement lead	355.00	12.85	4,561.75
Senior manager	215.00	15.00	3,225.00
			7,786.75
VAT @ 20%			1,557.35
Total			**9,344.10**

The invoice will be included with the completion letter, which will be with you in the next day or two; I can confirm that there were no additional reporting matters on the 2023/24 AGAR as a result of all our challenge work.

Please contact us if you have any queries and thank you for all your help with the challenge process.

Kind regards

Rebecca

Rebecca Plane | Head of Challenge | Engagement Lead
PKF
For and on behalf of PKF Littlejohn LLP
[redacted]

15 Westferry Circus
London E14 4HD
United Kingdom

www.pkf-l.com

Tel: +44(0)20 7516 2200

Subject: Fwd: Late correspondence request WAS Fwd: TOR for staffing

Date: Mon, 15 Sep 2025 08:09:26 +0100

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

Organisation: Newby & Scalby Town Council

To: N&STC councillors

Please find below details of an item of late correspondence which the Chairman deems necessary to consider at agenda item 8.6

Jools

-------- Forwarded Message --------

Subject: Re: Late correspondence request WAS Fwd: TOR for staffing

Date: Fri, 12 Sep 2025 12:02:29 +0100

From: cllr.jackie.smith@newbyandscalby-tc.gov.uk

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

Yes, please

Jackie

On 2025-09-12 11:45, Jools Marley, Clerk to Council wrote:

Jackie - I've just had this in from Gill in her capacity as Chairman of R&S. Would you be OK for it to be included as late correspondence - as below?

8.6 Correspondence received after 11/9/25 which the Chairman of the meeting deems it necessary to consider as a matter of urgency.

If you are, please email to confirm same and I will then put it out to councillors as a late item for consideration. Thanks, Jools

-------- Forwarded Message --------

Subject: TOR for staffing

Date: Fri, 12 Sep 2025 10:57:59 +0100

From: cllr.gill.kendall@newbyandscalby-tc.gov.uk

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

Request from Chairman of the Review and Staffing Committee

At its meeting on 10th September 2025, Committee considered the following agenda item:-

4 Amendment to R&S Committee Terms of Reference The present Terms of Reference for this Committee are silent on the approval of Minutes, hence minutes go to full Council for approval. This is an unsatisfactory state of affairs. To consider asking Council to vary the Terms of Reference so that minutes are approved by Committee and provided to Council for noting and info. This can be done by the addition of the following into its fully delegated powers "To approve minutes of Review & Staffing Committee meetings. Approved minutes will be put before the next Ordinary Meeting of Council for information
purposes".

Committee resolved to ask Council to vary its Terms of Reference as outlined in the agenda item above.

May I request this be considered by Council at its next meeting on 17th September 2025.

It will require the sentence "Minutes of meeting shall be submitted to full Council for approval and signature" to be removed and replaced by "Minutes shall be approved by the Committee. Approved minutes will be put before the next Ordinary Meeting of Council for information purposes."

Council is asked to resolve as follows:-
To vary the "Frequency of Meetings etc" section Terms and Conditions of the Review and Staffing Committee to read as follows:-

FREQUENCY OF MEETINGS ETC:-
One meeting will be held every year to review all staff contracts and job descriptions and HR policies. Otherwise meetings will be convened as and when necessary. Arrangements for minute taking will be made when a committee meeting is called. It is expected that the committee will be able to meet within seven working days of being notified by the Clerk. Minutes shall be approved by the Committee. Approved minutes will be put before the next Ordinary Meeting of Council for information purposes.

Thanking you in anticipation of your co operation,
Gill Kendall

NEWBY & SCALBY TOWN COUNCIL - SCHEDULE OF ACCOUNTS TO BE PAID year 2025 to 2026

11th JUNE 2025 | **SCHEDULE 3**

REF NO.	Invoice Date	CREDITOR	REASON	GROSS £	VAT £	NET £	VAT Code	TRANS. TYPE	VAT No.
3/1	05-08-25	Business Stream	Allotments water 3/2/25-2/5/25	£14.17	£0.00	£14.17	T0	DD**	
3/2	05-21-25	N Barnes	Parish maintenance	£470.00	£0.00	£470.00	T10	auto	
3/3	05-26-25	Active Security	Security services	£88.80	£14.80	£74.00	T1	auto	239167487
3/4	05-28-25	Franklin Greenscapes	Ground maintenance Parish/445/445b	£412.50	£0.00	£412.50	T10	auto	
3/5	05-30-25	Document Solutions	Printing 27/2/25-30/5/25	£66.27	£11.04	£55.23	T1	DD**	974202523
3/6	05-30-25	Skipton BS.	Allotment deposits (£10-36a, £20-46S)	£30.00	£0.00	£30.00	T10	auto	
3/7	05-31-25	A Brunton	Waste collection	£25.70	£4.28	£21.42	T1	auto	167153754
3/8	06-01-25	Various	Staffing	£1,388.73	£0.00	£1,388.73	T9	various	
3/9	06-02-25	Fidelity	Phone/broadband	£75.55	£12.59	£62.96	T1	DD	970685289
3/10	06-02-25	Lloyds	Multipay	£378.11	£49.19	£328.92	T1	DD	various
3/11	06-04-25	YLCA	Training (Bore, Shepherd)	£54.80	£0.00	£54.80	T10	auto	
		Authorised for payment by Cllrs. Smith and Thompson (see FR19.2)							
		Payments went out 12/6/25 (unless DD in which case went out when payee asked for the money)							
				£3,004.63	**£91.90**	**£2,912.73**			

** Already drawn

RESOLVED THAT PAYMENT OF THE ABOVE BE RATIFIED: ______ **DATE**

CHAIRMAN

NEWBY & SCALBY TOWN COUNCIL - SCHEDULE OF ACCOUNTS TO BE PAID year 2025 to 2026

9th JULY 2025 | **SCHEDULE 4**

REF NO.	Invoice Date	CREDITOR	REASON	GROSS £	VAT £	NET £	VAT Code	TRANS. TYPE	VAT No.
4/1	06-02-25	Business Stream	High St toilets water 2/3/25-1/6/25	£106.76	£0.00	£106.76	T0	DD**	
4/2	06-10-25	British Gas	Gas 12/5/25-10/6/25	£104.16	£4.96	£99.20	T5	DD**	
4/3	06-10-25	British Gas	Electric 12/5/25-10/6/25	£84.51	£4.02	£80.49	T5	DD**	
4/4	06-25-25	Harrington Law	Legal services	£6,600.00	£1,100.00	£5,500.00	T1	auto**	
4/5	06-30-25	Wellers	Legal services	£726.00	£111.00	£615.00	T1	auto	205712985
4/6	07-01-25	A Brunton	Waste collection	£25.70	£4.28	£21.42	T1	auto	167153754
4/7	07-01-25	Fidelity	Phone/broadband	£75.55	£12.59	£62.96	T1	DD	970685289
4/8	07-01-25	Various	Staffing	£938.02	£0.00	£938.02	T0	various	
4/9	07-02-25	Business Stream	Water 445b 2/4/25-1/7/25	£79.88	£0.00	£79.88	T0	DD	
4/10	07-02-25	Lloyds	Multipay	£188.89	£9.33	£179.56	T1	DD	various
4/11	07-03-25	Franklin Greenscapes	Ground maintenance Parish/445/445b	£154.00	£0.00	£154.00	T10	auto	
4/12	-	Skipton Building Society	Deposit £20 plot 5West	£20.00	£0.00	£20.00	T9	auto	
		Payments authorised online banking by Cllrs. Smith and Bore (see FR19.2)							
** Already drawn				**£9,103.47**	**£1,246.18**	**£7,857.29**			

RESOLVED THAT PAYMENT OF THE ABOVE BE RATIFIED: ______ **DATE**

CHAIRMAN

NEWBY & SCALBY TOWN COUNCIL - SCHEDULE OF ACCOUNTS TO BE PAID year 2025 to 2026

13th AUGUST 2025 | **SCHEDULE 5**

REF NO.	Invoice Date	CREDITOR	REASON	GROSS £	VAT £	NET £	VAT Code	TRANS. TYPE	VAT No.
5/1	07-08-25	Barnes	Parish grounds maintenance	£292.25	£0.00	£292.25	T0	auto	
5/2	07-10-25	British Gas	Gas 10/6/25-10/7/25	£84.98	£9.01	£75.97	T5	DD**	
5/3	07-10-25	British Gas	Electric 10/6/25-10/7/25	£133.15	£10.36	£122.79	T5	DD**	
5/4	07-25-25	Gallagher	Insurance	£1,837.59	£0.00	£1,837.59	T0	auto	
5/5	07-28-25	Ware & Kay	Professional charges	£1,400.00	£233.33	£1,166.67	T1	auto**	734276037
5/6	08-01-25	Various	Staffing	£1,788.00	£0.00	£1,788.00	T0	various	
5/7	08-01-25	A Brunton	Waste collection	£25.70	£4.28	£21.42	T1	auto	167153754
5/8	08-01-25	Fidelity	Phone/broadband	£75.55	£12.59	£62.96	T1	DD	970685289
5/9	08-04-25	Lloyds	Multipay	£96.94	£15.66	£81.28	T1	DD	various
5/10	08-05-25	N Barnes	Parish grounds maintenance	£332.75	£0.00	£332.75	T10	auto	
5/11	08-06-25	Franklin Greenscapes	Ground maintenance Parish/445/445b	£297.00	£0.00	£297.00	T10	auto	
5/12	08-11-25	British Gas	Gas 10/7/25-11/8/25	£25.40	£1.21	£24.19	T5	DD**	
5/13	08-11-25	British Gas	Electric 10/7/25-11/8/25	£104.70	£4.99	£99.71	T5	DD**	
5/14	08-11-25	Spectrum	Toilet hygiene contract	£90.17	£15.03	£75.14	T1	auto	
5/15	08-13-25	Cash	Petty cash to imprest	£79.00	£1.67	£77.33	T1	ch300124	
5/16	08-13-25	Skipton BS	Deposit plot 5East	£20.00	£0.00	£20.00	T9	auto	
					£6,683.18	**£308.13**	**£6,375.05**			

** Already drawn

RESOLVED THAT PAYMENT OF THE ABOVE BE RATIFIED: **DATE**

CHAIRMAN

NEWBY & SCALBY TOWN COUNCIL - SCHEDULE OF ACCOUNTS TO BE PAID year 2025 to 2026

17th SEPTEMBER 2025 | **SCHEDULE 6**

REF NO.	Invoice Date	CREDITOR	REASON	GROSS £	VAT £	NET £	VAT Code	TRANS. TYPE	VAT No.
6/1	08-03-25	Business Stream	Water (allotments 3/5/25-2/8/25)	£293.83	£0.00	£293.83	T0	DD**	
6/2	08-11-25	Business Stream	Water (allotments 3/8/25-10/8/25)	£300.09	£0.00	£300.09	T0	DD**	
6/3	08-15-25	Harrington Law	Legal services (bal)	£540.00	£90.00	£450.00	T1	auto	367612480
6/4	08-16-25	E Coast Pest Control	Quarterly contract	£103.68	£17.28	£86.40	T1	auto	827320051
6/5	08-26-25	E Coast Fire Services	Annual assessment	£180.00	£30.00	£150.00	T1	auto	441630086
6/6	08-28-25	Eyelid Productions	Website support	£100.00	£0.00	£100.00	T10	auto	
6/7	08-29-25	Document Solutions	Printing etc 30/5/25-28/8/25	£25.37	£4.23	£21.14	T1	DD**	974202523
6/8	09-01-25	Fidelity	Broadband/phone	£75.55	£12.59	£62.96	T1	DD**	970685289
6/9	09-01-25	Various	Staffing	£1,073.83	£0.00	£1,073.83	T0	various	
6/10	09-01-25	Duchy of Lancaster	Allotment rent	£609.00	£101.50	£507.50	T1	auto	GD323
6/11	09-02-25	Lloyds	Multipay	£114.56	£13.84	£100.72	various	DD**	various
6/12	09-03-25	N Barnes	Ground maintenance Parish (inc late inv. from June)	£399.75	£0.00	£399.75	T10	auto	
6/13	09-04-25	Franklin Greenscapes	Ground maintenance Parish/445/445b	£451.00	£0.00	£451.00	T10	auto	
6/14	09-09-25	General Electrical	Electrical work & certificate	£324.00	£54.00	£270.00	T1	auto	265695263
6/15	09-10-25	British Gas	Gas 11/8/25-10/9/25	£48.85	£2.33	£46.52	T5	DD**	
6/16	09-10-25	British Gas	Electric 11/8/25-10/9/25	£86.80	£4.13	£82.67	T5	DD**	
6/17	09-11-25	Skipton BS	Deposits (14N, 69S)	£40.00	£0.00	£40.00	T9	auto	
6/18	09-11-25	A Tadman	Best allotment (6W)	£25.00	£0.00	£25.00	T10	ch300125	
6/19	09-11-25	A Tucker	Most improved allotment (71&74N)	£25.00	£0.00	£25.00	T10	ch300126	
6/20	09-11-25	WPJ&J Flinton	Rural verge cutting	£720.00	£120.00	£600.00	T1	auto	168038452
6/21	09-11-25	PKK Littlejohn	23/24 AGAR (£420nett) and challenge work	£9,848.10	£1,641.35	£8,206.75	T1	bacs	440498250
6/22	09-18-25	ICO	Data Protection renewal	£47.00	£0.00	£47.00	T0	DD**	
** Already drawn				**£15,431.41**	**£2,091.25**	**£13,340.16**			

RESOLVED THAT PAYMENT OF THE ABOVE BE AUTHORISED: **DATE 17/9/2025**

CHAIRMAN

REPORT

FROM: Jools Marley, Clerk to Council.

TO: All Councillors

DATE: 10th September 2025

SUBJECT: Outsourcing of payroll - Recommendations of Review & Staffing Committee held on 10th September 2025.

At its meeting on 18th August 2025, the Review & Staffing Committee considered whether an external payroll contractor should be engaged to process staff wages and resolved the Clerk to Council should investigate, obtain details/prices and report to the next meeting of Committee.

Committee appreciates that while outsourcing payroll would impose an additional cost on Council, it was essential to weigh ensuring transparency regarding employee payment details against employees' rightful expectation of confidentiality in relation to their remuneration. It was also considered important that the full council was aware that its liabilities in terms of paying salaries and the related deductions had been discharged in the correct way. Outsourcing payroll would also tighten up on governance and accountability in respect of internal audit compliance.

The Review & Staffing Committee met earlier today and considered replies from external contractors identified as Company "A" and Company "B".

Committee decided that the service which would be more suitable and cost-effective for this Council was that offered by Company "B" as it direct debited the Council for all staff costs and then the company will make payments to employees, HMRC, pension provider etc.

COMMITTEE'S RECOMMENDATIONS TO COUNCIL:-

1] Council resolves to receive & note this report.

2] Council outsources payroll to an external contractor.

3] Company "B" be appointed to carry out the payroll service at a cost of £22.00 per payroll run for up to 5 employees.

4] Should these recommendations be carried by Council, the Clerk to Council be authorised to make the necessary arrangements to put the recommendations into effect and cancel any existing relevant standing orders or direct debits.

(Informative to Council from Clerk and not forming part of Committee's decision making – Company "B" is called Nycil and based in Scarborough).

[redacted]

Jools Marley CiLCA
<u>Clerk to Council</u>

REPORT

FROM: Jools Marley, Clerk to Council.

TO: All Councillors

DATE: 10th September 2025

SUBJECT: Appointment of Internal Auditor - Recommendations of Review & Staffing Committee held on 10th September 2025.

At the Council meeting of 8th May 2025, it was noted at Minute 8/5/25 41/25.4 that Council's internal auditor Mr Carey had retired. The Clerk was instructed to investigate possible replacements for 2025/26 and report to a future meeting.

The YLCA no longer assist with internal auditing and recommends looking at organisations registered with the Internal Audit Forum. Enquiries were made and six companies approached.

The Clerk brought the replies received to the Review and Staffing Committee for consideration as the matter falls within the regulatory remit of that committee. The checklist of items to be covered which is used by those within the Internal Audit Forum network is extremely comprehensive and far more detailed than the audits we have had in the recent past. Committee acknowledged it was likely there would be some things checked which hadn't been previously and felt this could only be a good thing in terms of ensuring tighter governance going forward

Four companies did not wish to submit a price as they did not have the capacity to take on more work. The remaining companies (anonymised as A and B) were considered and a preference was expressed for company B since they would carry out an interim audit as well as the year end audit.

COMMITTEE'S RECOMMENDATIONS TO COUNCIL:-

1] Council resolves to receive this report.

2] Company "B" be appointed as internal auditor to council for the financial years 2025/26 and 2026/27. The cost for 25/26 of £1,100 would cover an interim audit and a year end audit.

3] Should these recommendations be carried by Council, the Clerk to Council/RFO be authorised to make the necessary arrangements to put the recommendations into effect.

(Informative to Council from Clerk and not forming part of Committee's decision making – Company "B" is called Internal Audit Yorkshire and based in West Yorkshire).

[redacted]

Jools Marley CiLCA
Clerk to Council

REPORT

FROM: Jools Marley, Clerk to Council.

TO: All Councillors

DATE: 10th September 2025

SUBJECT: Recommendations of Review & Staffing Committee held on 10th September 2025 – Standing Orders and Financial Regulations

It has been some time since Standing Orders (SO) and Financial Regulations (FR) were thoroughly reviewed by the Review & Staffing Committee (March 2023). Updated Standing Orders were subsequently adopted by Council on 12 April 2023 [Minute 63/23.2 refers].

Although both SO and FR have always been based on the NALC templates, over time Council's FR had drifted out of sequence with the numbering and content of the official model. Following the Review & Staffing meeting in March 2023, considerable work was undertaken by the Clerk and then Chairman to prepare a draft set of FR suited to Council's requirements. However, before that draft could be presented to either Committee or Council, internal issues arose which prevented progress. These issues, combined with a further substantial re-write of the FR by NALC, have delayed completion of the review until now.

The Review & Staffing Committee has now concluded its examination of both the SO and FR in detail, comparing Council's current documents with the latest templates issued by NALC. Amendments introduced to support Council during Covid and the post-Covid period have been removed from council's existing documents, and expenditure thresholds adjusted to improve efficiency at the same time as ensuring compliance with current contract and procurement legislation.

The enclosed revised SO and FR are now recommended to Council for adoption.

COMMITTEE'S RECOMMENDATIONS TO COUNCIL:-

1] Council resolves to receive and note this report.

2] Council resolves to adopt the attached updated SO and FR with effect from midnight on 17th September 2025.

3] Should these recommendations be carried by Council, the Clerk to Council/RFO be authorised to make the necessary arrangements to put the recommendations into effect.

J. Marley

Jools Marley CiLCA
Clerk to Council

NEWBY & SCALBY TOWN COUNCIL

STANDING ORDERS

As Recommended by Review & Staffing Committee for Adoption by Council at its meeting of 17/9/2025
(agenda item 9.6.3 and associated report refers).

[See last page for amendment history]

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INTRODUCTION

Based on NALC Standing Orders issued April 2025 which updated Model Standing Orders 14 and 18.

HOW TO USE MODEL STANDING ORDERS

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. Model standing orders use gender-neutral language (e.g. "Chair").

A model standing order that includes brackets like this '(   )' requires information to be inserted by a council. A model standing order that includes brackets like this '[ ]' and the term 'OR' provides alternative options for a council to choose from when determining standing orders.

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 chair of the meeting. A motion is a proposal made by a councillor for an issue to be discussed at a meeting and for a decision to be made accordingly,

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 chair 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 chair of the meeting, is expressed in writing to the chair.

h A councillor may move an amendment to their 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 chair 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 chair of the meeting.

k One or more amendments may be discussed together if the chair 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 chair 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 point of order is an appeal to the chair of the meeting for clarification or for a ruling on a matter of procedure. A councillor raising a point of order shall identify the standing order which (s)he considers has been breached or specify the other irregularity in the proceedings of the meeting (s)he is concerned by.

q A point of order shall be decided by the chair of the meeting and their 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 chair 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 their 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 (three) minutes without the consent of the chair of the meeting.

2. **DISORDERLY CONDUCT AT MEETINGS**

a No person shall obstruct or attempt to disrupt the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chair of the meeting shall request such person(s) to moderate or improve their conduct.

b If person(s) disregard the request of the chair of the meeting to moderate or improve their conduct, any councillor or the Chair 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 chair 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.** Legal, staffing and commercial matters will usually be confidential but this list is not exhaustive.

e If invited to do so by the Chair of the meeting, 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 directed by the chair of the meeting.

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 chair 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 their comments to the chair of the meeting.

k Only one person is permitted to speak at a time. If more than one person wants to speak, the chair 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** from the Chair of the meeting.

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 **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chair of the Council may in their absence be done by, to or before the Vice-Chair of the Council (if there is one).**

p **The Chair of the Council, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice-Chair of the Council (if there is one) if present, shall preside. If both the Chair and the Vice-Chair are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.**

q **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.**

r **The chair 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 their**

casting vote whether or not (s)he gave an original vote.

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

s **Unless standing orders provide otherwise, voting on a question shall be by a show of hands. 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 their vote for or against that question.** Such a request shall be made before moving on to the next item of business on the agenda.

t 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 (s)he held interests in were being considered;

vi. if there was a public participation session; and

vii. the resolutions made.

u **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 their right to participate and vote on that matter.**

v **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.**

Quorum for Ordinary and Extraordinary Meetings of Newby & Scalby Town Council is five members of Council present and voting.

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

w **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.

x A meeting shall not exceed a period of two hours.

y Smoking including the use of devices intended to imitate smoking is not permitted at any meeting of the Council, its committees, sub-committees or working groups.

z All mobile phones must be switched to off or silent for the duration of any meeting of the Council, its committees, sub-committees and working groups.

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, sub-committee or working group, non-members must be seated with the public. Councillors are only entitled to inspect documents or have papers for those committees, sub-committees or working groups of which (s)he is 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 permit a committee to determine the number and time of its meetings;

iii. shall, subject to standing orders 4(b) and (c), appoint and determine the terms of office of members of such a committee;

iv. shall permit a committee to appoint its own chair at the first meeting of the committee;

v. 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;

vi. shall determine if the public may participate at a meeting of a committee;

vii. 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;

viii. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and

ix. 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 Chair and Vice-Chair (if there is one) of the Council.**

f **The Chair of the Council, unless (s)he has resigned or become disqualified, shall continue in office and preside at the annual meeting until their successor is elected at the next annual meeting of the Council.**

g **The Vice-Chair of the Council, if there is one, unless (s)he resigns or becomes disqualified, shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the Council.**

h **In an election year, if the current Chair of the Council has not been re-elected as a member of the Council, (s)he shall preside at the annual meeting until a successor Chair of the Council has been elected. The current Chair of the Council shall not have an original vote in respect of the election of the new Chair 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 Chair of the Council has been re-elected as a member of the Council, (s)he shall preside at the annual meeting until a new Chair of the Council has been elected. (S)he may exercise an original vote in respect of the election of the new Chair of the Council and shall give a casting vote in the case of an equality of votes.**

j Following the election of the Chair of the Council and Vice-Chair (if there is one) of the Council at the annual meeting, the business may include:

i. **In an election year, delivery by the Chair 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 Chair of the Council of their 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 Chair of the Council may convene an extraordinary meeting of the Council at any time.**

b **If the Chair 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 chair 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 chair of a committee or a sub-committee does not call an extraordinary meeting within (seven) days of having been requested to do so by (four) members of the committee or the sub-committee, any (three) 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 (five) 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. **VOTING ON APPOINTMENTS**

a 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 chair 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 chair 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 2

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, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.**

e If at a meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or conditions of services, of any person employed or recently 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

Full Council meetings ●

Committee meetings ●

Sub-committee meetings ●

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 chair of the meeting and stand as an accurate record of the meeting to which the minutes relate.

d If the chair of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, (s)he shall sign the minutes and include a paragraph in the following terms or to the same effect:

"The chair of this meeting does not believe that the minutes of the meeting of the ( ) held on [date] in respect of ( ) were a correct record but this view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings."

e **If the Council's gross annual income or expenditure (whichever is higher) does not exceed £25,000, it shall publish draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place.**

f Subject to the publication of draft minutes in accordance with standing order 12(e) and standing order 20(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(u).

a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.

b Unless (s)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 (s)he has a disclosable pecuniary interest. (S)he may return to the meeting after it has considered the matter in which (s)he had the interest.

c Unless (s)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 (s)he has another interest if so required by the Council's code of conduct. (S)he may return to the meeting after it has considered the matter in which (s)he had the interest.

d **Dispensation requests shall be in writing and submitted to the Proper**

Officer as early 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 Officerand that decision is final.

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 Principal 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 them. Such action excludes disqualification or suspension from office.** The Principal Council is North Yorkshire Council.

15. PROPER OFFICER

a The Proper Officer shall be either (i) the clerk or (ii) other staff member 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 (eight) days before the meeting confirming their withdrawal of it;

iii. convene a meeting of the Council for the election of a new Chair of the Council, occasioned by a casual vacancy in their 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 23);*

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 written or electronic record 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 23).*

c No member shall have the right to ask or demand that the Proper Officer or any member of staff carry out any act or deed which is not in fulfilment of a Resolution of the Council or its Committees, or his/her obligations as the Responsible Financial Officer of the Council.

d Where any additional work or duties are required of the Proper Officer, members must agree such work prior to it being carried out and the Chair or Vice Chair will instruct the Proper Officer thereof.

16. RESPONSIBLE FINANCIAL OFFICER

a The Council shall 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.

17. 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:

i. 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.

18. **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 £60,000 or due to special circumstances are exempt from a competitive tendering process or procurement exercise.

b. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.

c. 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. tenders must be submitted in writing in a sealed envelope marked with the title of the contract and addressed to the Proper Officer. The envelope must NOT bear any indication as to the identity of the tenderer;

   iv. 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;

   v. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.

d. Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value or any tender.

e. **Where the value of a contract is likely to exceed the threshold specified by the Government from time to time, the Council must consider whether the contract is subject to the requirements of the current procurement legislation and, if so, the Council must comply with procurement rules. NALC's procurement guidance contains further details.**

19. 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 chair of the Review & Staffing Committee or, if (s)he is not available, the vice-chair (if there is one) of the Review & Staffing Committee of absence occasioned by illness or other reason and that person shall report such absence to the Review & Staffing Committee at its next meeting.

c The chair of the Review & Staffing Committee or in their absence, the vice-chair shall upon a resolution conduct a review of the performance and annual appraisal of the work of the Clerk to Council. Reviews and appraisals of staff managed by the Clerk to Council shall be carried out by the Clerk to Council and reported to the Review & Staffing Committee. The review and appraisals are subject to approval by resolution by the Review & Staffing Committee.

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 chair of the Review & Staffing Committee or in their absence, the vice-chair 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 the Clerk to Council relates to the chair or vice-chair 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

19(f).

20. **RESPONSIBILITIES TO PROVIDE INFORMATION**

See also standing order 21.

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.

21. **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 their 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.**

22. **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.

23. **EXECUTION AND SEALING OF LEGAL DEEDS**

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

a A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.

b **Subject to standing order 23(a), any two councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.**

24. 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.

25. 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; or

iii. incur or commit Council to any expenditure.

26. STANDING ORDERS GENERALLY

a All or part of a standing order, except one that incorporates mandatory statutory or legal requirements, may 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 or vary or revoke one or more of the Council's standing orders, except one that incorporates mandatory statutory or legal requirements, shall
i. be proposed by a special motion, the written notice by at least (five) councillors to be given to the Proper Officer in accordance with standing order 9.
ii stand adjourned without discussion to the next ordinary meeting of the Council, and
iii. 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 the councillor's official council email address as soon as possible after the councillor has signed his or her acceptance of office..

d The decision of the chair of a meeting as to the application of standing orders at the meeting shall be final.

Document History		
Status	**Date**	**Version**
Draft to Council.	17/9/2025	V1.0
Original - approved by Council.		V1.0

NEWBY & SCALBY TOWN COUNCIL

FINANCIAL REGULATIONS

As Recommended by Review & Staffing Committee for Adoption by Council at its meeting of 17/9/2025
(agenda item 9.6.3 and associated report refers).

[See last page for amendment history]

MODEL FINANCIAL REGULATIONS FOR LOCAL COUNCILS

This Model Financial Regulations template was produced by the National Association of Local Councils (NALC) in April 2024 for the purpose of its member councils and county associations. Every effort has been made to ensure that the contents of this document are correct at time of publication. NALC cannot accept responsibility for errors, omissions and changes to information subsequent to publication. An update was issued 13/3/2025

Notes to assist in the use of this template:

1) Bold text indicates legal requirements, which a council cannot change or suspend.
2) Curly brackets indicate words, sentences or sections that can be removed if not applicable, or amended to fit the council's circumstances. An example of this is the phrase {or duly delegated committee}, which can be deleted if there are no committees.

These Financial Regulations are based on the NALC template updated 13/03/2025

Contents

These Financial Regulations were adopted by the council at its meeting held on [enter date].

1. General

1.1. These Financial Regulations govern the financial management of the council and may only be amended or varied by resolution of the council. They are one of the council's governing documents and shall be observed in conjunction with the council's Standing Orders.

1.2. Councillors are expected to follow these regulations and not to entice employees to breach them. Failure to follow these regulations brings the office of councillor into disrepute.

1.3. Wilful or negligent breach of these regulations by an employee may result in disciplinary proceedings.

1.4. In these Financial Regulations:

- 'Accounts and Audit Regulations' means the regulations issued under Sections 32, 43(2) and 46 of the Local Audit and Accountability Act 2014, or any superseding legislation, and then in force, unless otherwise specified.
- "Approve" refers to an online action, allowing an electronic transaction to take place.
- "Authorise" refers to a decision by the council, or a committee or an officer, to allow something to happen.
- 'Proper practices' means those set out in *The Practitioners' Guide*
- *Practitioners' Guide* refers to the guide issued by the Joint Panel on Accountability and Governance (JPAG) and published by NALC in England or Governance and Accountability for Local Councils in Wales – A Practitioners Guide jointly published by One Voice Wales and the Society of Local Council Clerks in Wales.
- 'Must' and **bold text** refer to a statutory obligation the council cannot change.
- 'Shall' refers to a non-statutory instruction by the council to its members and staff.

1.5. The Responsible Financial Officer (RFO) holds a statutory office, appointed by the council. [The Clerk has been appointed as RFO and these regulations apply accordingly.] The RFO;

- acts under the policy direction of the council;
- administers the council's financial affairs in accordance with all Acts, Regulations and proper practices;
- determines on behalf of the council its accounting records and control systems;
- ensures the accounting control systems are observed;
- ensures the accounting records are kept up to date;
- seeks economy, efficiency and effectiveness in the use of council resources; and
- produces financial management information as required by the council.

1.6. **The council must not delegate any decision regarding:**

- **setting the final budget or the precept (council tax requirement);**
- **the outcome of a review of the effectiveness of its internal controls**
- **approving accounting statements;**
- **approving an annual governance statement;**
- **borrowing;**
- **declaring eligibility for the General Power of Competence; and**
- **addressing recommendations from the internal or external auditors**

1.7. In addition, the council shall:

- determine and regularly review the bank mandate for all council bank accounts;
- authorise any grant or single commitment in excess of £25,000;

2. Risk management and internal control

2.1. **The council must ensure that it has a sound system of internal control, which delivers effective financial, operational and risk management.**

2.2. The RFO with the Clerk shall prepare, for approval by the council, a risk management policy covering all activities of the council. This policy and consequential risk management arrangements shall be reviewed by the council at least annually.

2.3. When considering any new activity, the RFO with the Clerk shall prepare a draft risk assessment including risk management proposals for consideration by the council.

2.4. **At least once a year, the council must review the effectiveness of its system of internal control, before approving the Annual Governance Statement.**

2.5. **The accounting control systems determined by the RFO must include measures to:**

- **ensure that risk is appropriately managed;**
- **ensure the prompt, accurate recording of financial transactions;**
- **prevent and detect inaccuracy or fraud; and**
- **allow the reconstitution of any lost records;**
- **identify the duties of officers dealing with transactions and**
- **ensure division of responsibilities.**

2.6. At least once in each quarter, and at each financial year end, a member other than the Chair shall be appointed to verify bank reconciliations (for all accounts) produced by the RFO. The member shall sign and date the reconciliations and the original bank statements (or similar document) as evidence of this. This activity, including any exceptions, shall be reported to and noted by the Finance & General Purposes Committee.

2.7. Regular back-up copies shall be made of the records on any council computer and stored either online or in a separate location from the computer. The council shall put measures in place to ensure that the ability to access any council computer is not lost if an employee leaves or is incapacitated for any reason.

3. Accounts and audit

3.1. All accounting procedures and financial records of the council shall be determined by the RFO in accordance with the Accounts and Audit Regulations.

3.2. **The accounting records determined by the RFO must be sufficient to explain the council's transactions and to disclose its financial position with reasonably accuracy at any time. In particular, they must contain:**

- **day-to-day entries of all sums of money received and expended by the council and the matters to which they relate;**
- **a record of the assets and liabilities of the council;**

3.3. The accounting records shall be designed to facilitate the efficient preparation of the accounting statements in the Annual Governance and Accountability Return.

3.4. The RFO shall complete and certify the annual Accounting Statements of the council contained in the Annual Governance and Accountability Return in accordance with proper practices, as soon as practicable after the end of the financial year. Having certified the Accounting Statements, the RFO shall submit them (with any related documents) to the council, within the timescales required by the Accounts and Audit Regulations.

3.5. **The council must ensure that there is an adequate and effective system of internal audit of its accounting records and internal control system in accordance with proper practices.**

3.6. **Any officer or member of the council must make available such documents and records as the internal or external auditor consider necessary for the purpose of the audit** and shall, as directed by the council, supply the RFO, internal auditor, or external auditor with such information and explanation as the council considers necessary.

3.7. The internal auditor shall be appointed by the council and shall carry out their work to evaluate the effectiveness of the council's risk management, control and governance processes in accordance with proper practices specified in the Practitioners' Guide.

3.8. The council shall ensure that the internal auditor:

- is competent and independent of the financial operations of the council;
- reports in writing, or in person, on a regular basis with a minimum of one written report during each financial year;
- can demonstrate competence, objectivity and independence, free from any actual or perceived conflicts of interest, including those arising from family relationships; and

- has no involvement in the management or control of the council

3.9. Internal or external auditors may not under any circumstances:

- perform any operational duties for the council;
- initiate or approve accounting transactions;
- provide financial, legal or other advice including in relation to any future transactions; or
- direct the activities of any council employee, except to the extent that such employees have been appropriately assigned to assist the internal auditor.

3.10. For the avoidance of doubt, in relation to internal audit the terms 'independent' and 'independence' shall have the same meaning as described in The Practitioners Guide.

3.11. The RFO shall make arrangements for the exercise of electors' rights in relation to the accounts, including the opportunity to inspect the accounts, books, and vouchers and display or publish any notices and documents required by the Local Audit and Accountability Act 2014, or any superseding legislation, and the Accounts and Audit Regulations.

3.12. The RFO shall, without undue delay, bring to the attention of all councillors any correspondence or report from internal or external auditors.

4. Budget and precept

4.1. **Before setting a precept, the council must calculate its council tax requirement for each financial year by preparing and approving a budget, in accordance with The Local Government Finance Act 1992 or succeeding legislation.**

4.2. Budgets for salaries and wages, including employer contributions shall be reviewed by the Review & Staffing Committee at least annually in September for the following financial year and its recommendations be put to Council in October prior to the setting of the annual budget.

4.3. No later than the end of November each year, the RFO shall prepare a draft budget with detailed estimates of all receipts and payments for the following financial year, taking account of the lifespan of assets and cost implications of repair or replacement.

4.4. Unspent budgets for completed projects shall not be carried forward to a subsequent year. Unspent funds for partially completed projects may be carried forward (by placing them in an earmarked reserve) with the formal approval of the full council.

4.5. Every committee with a dedicated budget shall review its draft budget and submit any proposed amendments to the Finance & General Purposes Committee not later than the end of October each year.

4.6. The draft budget with any committee proposals, including any recommendations for the use or accumulation of reserves, shall be considered by the Finance & General Purposes Committee and a recommendation made to the council.

4.7. Having considered the proposed budget and , the council shall determine its council tax requirement by setting a budget. The council shall set its precept no later than the end of December for the ensuing financial year.

4.8. **Any member with council tax unpaid for more than two months is prohibited from voting on the budget or precept by Section 106 of the Local Government Finance Act 1992 and must disclose at the start of the meeting that Section 106 applies to them.**

4.9. The RFO shall **issue the precept to the billing authority no later than the end of February**.

4.10. The agreed budget provides a basis for monitoring progress during the year by comparing actual spending and income against what was planned.

4.11. Any addition to, or withdrawal from, any earmarked reserve shall be agreed by the Finance & General Purposes Committee.

5. Procurement

5.1. **Members and officers are responsible for obtaining value for money at all times.** Any officer procuring goods, services or works should ensure, as far as practicable, that the best available terms are obtained, usually by obtaining prices, terms and conditions and a description of the supply from several suppliers.

5.2. The RFO should verify the lawful nature of any proposed purchase before it is made and in the case of new or infrequent purchases, should ensure that the legal power being used is reported to the meeting at which the order is authorised and also recorded in the minutes.

5.3. Every contract shall comply with the council's Standing Orders and these Financial Regulations and no exceptions shall be made, except in an emergency.

5.4. **For a contract for the supply of goods, services or works where the estimated value will exceed the thresholds set by Parliament, the full requirements of The Procurement Act 2023 and The Procurement Regulations 2024 or any superseding legislation ("the Legislation"), must be followed in respect of the tendering, award and notification of that contract.**

5.5. Where the estimated value is below the Government threshold, the council shall (with the exception of items listed in paragraph 5.12) obtain prices as follows:

5.6. For contracts estimated to exceed £60,000 including VAT, the Clerk shall advertise an open invitation for tenders in compliance with any relevant provisions of the Legislation. Tenders shall be invited in accordance with Appendix 1.

5.7. **For contracts estimated to be over £30,000 including VAT, the council must comply with any requirements of the Legislation regarding the publication of invitations and notices.**

5.8. For contracts estimated to exceed £10,000 excluding VAT but not to exceed £60,000 excluding VAT the Clerk or RFO shall seek 3 fixed-price quotes;

5.9. Where the value of a contract is estimated to be between £3,000 and £10,000 excluding VAT, the Clerk or RFO shall try to obtain 3 estimates - which might include evidence of online prices, or recent prices from regular suppliers, bearing in mind that estimates are not fixed and may be changed by the supplier.

5.10. For smaller purchases, the Clerk or RFO shall seek to achieve value for money.

5.11. **Contracts must not be split to avoid compliance with these rules.**

5.12. The requirement to obtain competitive offers in these regulations need not apply to contracts that relate to items (i) to (iv) below:

i. specialist services, such as legal or financial professionals or specialist consultants;

ii. repairs to, or parts for, existing machinery or equipment;

iii. works, goods or services that constitute an extension of an existing contract;

iv. goods or services that are only available from one supplier or are sold at a fixed price.

5.13. When applications are made to waive this financial regulation to enable a contract to be negotiated without competition, a cogent reason must be set out in a recommendation to the council. Avoidance of competition is not a valid reason.

5.14. The council shall not be obliged to accept the lowest or any tender, quotation or estimate.

5.15. Individual purchases may be authorised by:

- the Clerk or RFO under delegated authority, or the Finance & General Purposes Committee for any items below £1,000 excluding VAT.
- the Clerk or RFO, in consultation with the Chair of the Council or the Finance & General Purposes Committee, for any items £1,000 and above but below £5,000 excluding VAT.
- The Finance & General Purposes Committee for all items of expenditure over £5,000 but below £25,000 excluding VAT.
- the council for all items £25,000 excluding VAT and over.

Such authorisation must be supported by a minute.

5.16. No individual member, or informal group of members may issue an official order or make any contract on behalf of the council.

5.17. No expenditure may be authorised that will exceed the budget for that type of expenditure other than by resolution of the council or a duly delegated committee acting within its Terms of Reference except in an emergency.

5.18. In cases of serious or imminent risk to the delivery of council services or to public safety on council premises, the Clerk or RFO may authorise expenditure of up to

£5,000 excluding VAT on repair, replacement or other work that in their judgement is necessary, whether or not there is any budget for such expenditure. The Clerk shall report such action to the Chair as soon as possible and to the relevant committee and council as soon as practicable thereafter.

5.19. No expenditure shall be authorised, no contract entered into or tender accepted in relation to any major project, unless the council is satisfied that the necessary funds are available and that where a loan is required, Government borrowing approval has been obtained first.

5.20. An official order, letter or email shall be issued for all work, goods and services above £1,000 excluding VAT unless a formal contract is to be prepared or an official order would be inappropriate. Copies of orders shall be retained, along with evidence of receipt of goods.

5.21. Any ordering system can be misused and access to them shall be controlled by the RFO.

6. Banking and payments

6.1. The council's banking arrangements, including the bank mandate, shall be made by the RFO and authorised by the council; a decision on banking arrangements shall not be delegated to a committee. The council has resolved to bank with Unity Trust Bank. The arrangements shall be reviewed at least every two years for security and efficiency.

6.2. The council must have safe and efficient arrangements for making payments, to safeguard against the possibility of fraud or error. Wherever possible, more than one person should be involved in any payment, for example by dual online authorisation or dual cheque signing. Even where a purchase has been authorised, the payment must also be authorised and only authorised payments shall be approved or signed to allow the funds to leave the council's bank.

6.3. All invoices for payment should be examined for arithmetical accuracy, analysed to the appropriate expenditure heading and verified to confirm that the work, goods or services were received, checked and represent expenditure previously authorised by the council before being certified by the RFO.

6.4. Personal payments to employees (including salaries, wages, expenses and any payment made in relation to the termination of employment) may be summarised as "staffing" on the public part of any Schedule of Payments to avoid disclosing any personal information. Such payments shall be itemised as a confidential item on the rear of any Schedule of Payments and details will only be available to the two councillors authorising the online payment or signing the cheque.

6.5. All payments shall be made by online banking in accordance with a resolution of the council or duly delegated committee, or a delegated decision by an officer. Payment by cheque shall be as an exception.

6.6. For each financial year the RFO may draw up a schedule of regular payments due in relation to a continuing contract or obligation (such as Salaries, PAYE, National Insurance, pension contributions, rent, rates, regular maintenance contracts and similar items), which the council or a duly delegated committee may authorise in advance for the year.

6.7. The Clerk and RFO shall have delegated authority to authorise payments in the following circumstances:

i. any payment necessary to avoid a charge under the Late Payment of Commercial Debts (Interest) Act 1998 or to comply with contractual terms, where the due date for payment is before the next scheduled meeting of the council or Finance & General Purposes Committee, where the Clerk or RFO certify that there is no dispute or other reason to delay payment, provided that a list of such payments shall be submitted to the next appropriate meeting of council or Finance & General Purposes Committee.

ii. Fund transfers within the councils banking arrangements up to the sum of £75,000, provided that a list of such transfers shall be notified to the next appropriate meeting of the Finance and General Purposes Committee.

6.8. The RFO shall present a schedule of payments requiring authorisation or ratification, forming part of the agenda for the meeting, together with the relevant invoices (redacted as necessary), to the Finance & General Purposes Committee or Council. The Finance & General Purposes Committee or Council shall review the schedule for compliance and, having satisfied itself, shall authorise or ratify payment by resolution. The authorised or ratified schedule shall be initialled immediately below the last item by the person chairing the meeting. The minutes of the meeting shall state which two councillors are to authorise the online payments and shall show the total amount of the sum approved. .

7. Electronic payments

7.1. Where internet banking arrangements are made with any bank, the RFO shall be appointed as the Service Administrator and have View, Submit, Authorise authority. The Clerk shall also have View, Submit, Authorise authority. The bank mandate agreed by the council shall identify councillors who will be authorised to approve transactions on those accounts and a minimum of two people will be involved in any online approval process. The Clerk may be an authorised signatory, but no signatory should be involved in approving any payment to themselves.

7.2. No employee or councillor shall disclose any PIN or password, relevant to the council or its banking, to anyone not authorised in writing by the council or a duly delegated committee.

7.3. The RFO (or Clerk in the RFO's absence) shall set up all items due for payment online. A list of payments for approval, together with copies of the relevant invoices (redacted as necessary), shall be available to the two councillors authorised by the meeting to approve the online banking transactions or sign the cheques.

7.4. In the prolonged absence of the RFO, the Clerk or an authorised signatory shall set up any payments due before the return of the RFO but will not authorise any payments which they have set up.

7.5. The two councillors authorised by the meeting to approve the payments shall check the payment details against the invoices before approving each payment using the online banking system.

7.6. Evidence shall be retained showing which members approved the payment online

7.7. With the approval of the Finance & General Purposes Committee, regular payments (such as gas, electricity, telephone, broadband, water, National Non-Domestic Rates, refuse collection, pension contributions and HMRC payments) may be made by variable direct debit, provided that the instructions are signed/approved online by two authorised members. The approval of the use of each variable direct debit shall be reviewed by the Finance & General Purposes Committee at least every two years.

7.8. Payment may be made by BACS or CHAPS by resolution of the Finance & General Purposes Committee or Council provided that each payment is approved online by two authorised bank signatories, evidence is retained and any payments are reported to the next relevant meeting. The approval of the use of BACS or CHAPS shall be reviewed by resolution of the council at least every two years.

7.9. If thought appropriate by the Finance & General Purposes Committee, regular payments of fixed sums may be made by banker's standing order, provided that the instructions are signed or approved online by two authorised members, evidence of this is retained and any payments are reported to council when made. The approval of the use of a banker's standing order shall be reviewed by the council] at least every two years.

7.10. Account details for suppliers may only be changed upon written notification by the supplier verified by the Clerk and the RFO or a member of the Finance & General Purposes Committee. This is a potential area for fraud and the individuals involved should ensure that any change is genuine. Data held should be checked with suppliers every three years.

7.11. Members and officers shall ensure that any computer used for the council's financial business has adequate security, with anti-virus, anti-spyware and firewall software installed and regularly updated.

7.12. Remembered password facilities should not be used on any computer used for council banking.

8. Cheque payments

8.1. Cheques or orders for payment in accordance with a resolution or delegated decision shall be signed by two members and countersigned by the Clerk or RFO.

8.2. A signatory having a family or business relationship with the beneficiary of a payment shall not, under normal circumstances, be a signatory to that payment.

8.3. To indicate agreement of the details on the cheque with the counterfoil and the invoice or similar documentation, the signatories shall also initial the cheque counterfoil and invoice.

8.4. Any signatures obtained away from council meetings shall be reported to the Finance & General Purposes Committee at the next convenient meeting.

9. Payment cards

9.1. Any Debit Cards issued for use will be specifically restricted to the Clerk and the RFO and will also be restricted to a single transaction maximum value of £750 unless authorised by the Finance & General Purposes Committee in writing before any order is placed.

9.2. A pre-paid debit card may be issued to employees with varying limits. These limits will be set by the Finance & General Purposes Committee. Transactions and purchases made will be reported to the Finance & General Purposes Committee and authority for topping-up shall be at the discretion of the Finance & General Purposes Committee.

9.3. Any corporate credit card or trade card account opened by the council will be specifically restricted to use by the Clerk and RFO and any balance shall be paid in full each month.

9.4. Use of personal credit or debit cards or cash by the Clerk and RFO is discouraged and shall be the exception where no other alternative is available. Under no circumstances should councillors use personal credit or debit cards or cash.

10. Petty Cash

10.1. The RFO shall maintain a petty cash imprest account of £150 and may provide petty cash to officers for the purpose of defraying operational and other expenses.

a) Vouchers for payments made from petty cash shall be kept, along with receipts to substantiate every payment.

b) Cash income received must not be paid into the petty cash float but must be separately banked, as provided elsewhere in these regulations.

c) Payments to maintain the petty cash float shall be drawn by cheque and shown separately on any schedule of payments presented for approval.

11. Payment of salaries and allowances

11.1. **As an employer, the council must make arrangements to comply with the statutory requirements of PAYE legislation.**

11.2. **Councillors allowances (where paid) are also liable to deduction of tax under PAYE rules and must be taxed correctly before payment.**

11.3. Salary rates shall be agreed by the council, No changes shall be made to any employee's gross pay, emoluments, or terms and conditions of employment without the prior consent of the council .

11.4. Payment of salaries shall be made, after deduction of tax, national insurance, pension contributions and any similar statutory or discretionary deductions, on the dates stipulated in employment contracts.

11.5. Deductions from salary shall be paid to the relevant bodies within the required timescales, provided that each payment is reported, as set out in these regulations above.

11.6. Each payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a payroll control account or other separate confidential record, with the total of such payments each calendar month reported in the cashbook. Payroll reports may be reviewed by the Finance & General Purposes Committee to ensure that the correct payments have been made.

11.7. Any termination payments shall be supported by a report to the council, setting out a clear business case. Termination payments shall only be authorised by the full council.

12. Loans and investments

12.1. Any application for Government approval to borrow money and subsequent arrangements for a loan must be authorised by the full council and recorded in the minutes. All borrowing shall be in the name of the council, after obtaining any necessary approval.

12.2. Any financial arrangement which does not require formal borrowing approval from the Secretary of State (such as Hire Purchase, Leasing of tangible assets or loans to be repaid within the financial year) must be authorised by the full council, following a written report on the value for money of the proposed transaction.

12.3. The council shall consider the requirement for an Investment Strategy and Policy in accordance with Statutory Guidance on Local Government Investments, which must be written in accordance with relevant regulations, proper practices and guidance. Any Strategy and Policy shall be reviewed by the council at least annually.

12.4. All investment of money under the control of the council shall be in the name of the council.

12.5. All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.

12.6. Payments in respect of short term or long-term investments, including transfers between bank accounts held in the same bank, shall be made in accordance with these regulations.

13. Income

13.1. The collection of all sums due to the council shall be the responsibility of and under the supervision of the RFO.

13.2. The council will review all fees and charges for work done, services provided, or goods sold at least annually as part of the budget-setting process, following a report of the Clerk. The RFO shall be responsible for the collection of all amounts due to the council.

13.3. Any sums found to be irrecoverable and any bad debts shall be reported to the council by the RFO and shall be written off in the year. The council's approval shall be shown in the accounting records.

13.4. All sums received on behalf of the council shall be deposited intact with the council's bankers, with such frequency as the RFO considers necessary. The origin of each receipt shall clearly be recorded on the paying-in slip or other record.

13.5. Personal cheques shall not be cashed out of money held on behalf of the council.

13.6. Any repayment claim under section 33 of the VAT Act 1994 shall be made monthly where the claim exceeds £100 and at least annually at the end of the financial year.

13.7. Where significant sums of cash are regularly received by the council, the RFO shall ensure that more than one person is present when the cash is counted in the first instance, that there is a reconciliation to some form of control record such as ticket issues, and that appropriate care is taken for the security and safety of individuals banking such cash.

13.8. Any income that is the property of a charitable trust shall be paid into a dedicated bank account. Instructions for the payment of funds due from the charitable trust to the council (to meet expenditure already incurred by the authority) will be given by the Managing Trustees of the charity meeting separately from any council meeting.

14. Payments under contracts for building or other construction works

14.1. Where contracts provide for payment by instalments the RFO shall maintain a record of all such payments, which shall be made within the time specified in the contract based on signed certificates from the architect or other consultant engaged to supervise the works.

14.2. Any variation of, addition to or omission from a contract must be authorised by the Clerk to the contractor in writing, with the council being informed where the final cost is likely to exceed the contract sum by 10% or more, or likely to exceed the budget available.

15. Stores and equipment

15.1. Any officer in charge of a section shall be responsible for the care and custody of stores and equipment in that section.

15.2. Delivery notes shall be obtained in respect of all goods received into store or otherwise delivered and goods must be checked as to order and quality at the time delivery is made.

15.3. Stocks shall be kept at the minimum levels consistent with operational requirements.

15.4. The RFO shall be responsible for periodic checks of stocks and stores, at least annually.

16. Assets, properties and estates

16.1. The Clerk shall make arrangements for the safe custody of all title deeds and Land Registry Certificates of properties held by the council. If there are no physical title deeds or Land Certificates, the Clerk shall keep a record of the title numbers of properties and arrange for the Land Registry to notify the Council of any dealings with any such property.

16.2. The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date, with a record of all properties held by the council, their location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held, in accordance with Accounts and Audit Regulations.

16.3. The continued existence of tangible assets shown in the Register shall be verified at least annually, possibly in conjunction with a health and safety inspection of assets.

16.4. No interest in land shall be purchased or otherwise acquired, sold, leased or otherwise disposed of without the authority of the council, together with any other consents required by law. In each case a written report shall be provided to council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate where required by law).

16.5. No tangible moveable property shall be purchased or otherwise acquired, sold, leased or otherwise disposed of, without the authority of the council, together with any other consents required by law, except where the estimated value of any one item does not exceed £1,000. In such cases a written report shall be provided to council with a full business case.

17. Insurance

17.1. The RFO shall keep a record of all insurances effected by the council and the property and risks covered, reviewing these annually before the renewal date in conjunction with the council's review of risk management.

17.2. The Clerk shall give prompt notification to the Council's insurance provider of all new risks, properties or vehicles which require to be insured and of any alterations affecting existing insurances.

17.3. The RFO shall be notified of any loss, liability, damage or event likely to lead to a claim, and shall report these to the council or relevant committee at the next available meeting. The RFO shall negotiate all claims on the council's insurers in consultation with the Clerk.

17.4. All appropriate members and employees of the council shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined by the council, or duly delegated committee.

18. Charities

18.1. Where the council is sole managing trustee of a charitable body the Clerk and RFO shall ensure that separate accounts are kept of the funds held on charitable trusts and separate financial reports made in such form as shall be appropriate, in accordance with Charity Law and legislation, or as determined by the Charity Commission. The Clerk and RFO shall arrange for any audit or independent examination as may be required by Charity Law or any Governing Document.

19. Suspension and revision of Financial Regulations

19.1. The council shall review these Financial Regulations annually and following any change of clerk or RFO. The Clerk shall monitor changes in legislation or proper practices and advise the council of any need to amend these Financial Regulations.

19.2. The council may, by resolution duly notified prior to the relevant meeting of council, suspend any part of these Financial Regulations, provided that reasons for the suspension are recorded and that an assessment of the risks arising has been presented to all members. Suspension does not disapply any legislation or permit the council to act unlawfully.

19.3. The council may temporarily amend these Financial Regulations by a duly notified resolution, to cope with periods of absence, local government reorganisation, national restrictions or other exceptional circumstances.

19.4. A motion to permanently add to or vary or revoke one or more of the Council's financial regulations, except one that incorporates mandatory statutory or legal requirements, is subject to Standing Order 25b

Appendix 1 - Tender process

1) Any invitation to tender shall state the general nature, including length, of the intended contract and the Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases.
2) The invitation shall in addition state that tenders must be addressed to the Clerk in the ordinary course of post, unless an electronic tendering process has been agreed by the council.
3) Where a postal process is used, each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract. All sealed tenders shall be opened at the same time on the prescribed date by the Clerk in the presence of at least one member of council.
4) Where an electronic tendering process is used, the council shall use a specific email address that will be monitored to ensure that nobody accesses any tender before the expiry of the deadline for submission.
5) Any invitation to tender issued under this regulation shall be subject to Standing Order 18 and shall refer to the terms of the Bribery Act 2010.
6) Where the council, or duly delegated committee, does not accept any tender, quotation or estimate, the work, goods or services is not allocated and the council requires further pricing, no person shall be permitted to submit a later tender, estimate or quotation who was present when the original decision-making process was being undertaken. The Council or duly delegated committee shall decide how to proceed with the abortive procurement.

Document History		
Status	**Date**	**Version**
Draft to Council.	17/9/2025	V1.0
Original - approved by Council.		V1.0

REPORT

FROM: Jools Marley, Clerk to Council.

TO: All Councillors

DATE: 8th September 2025

SUBJECT: **Moving Forwards**

Over the last two years, the Council has faced considerable upset and disruption as a result of certain staffing issues. There has been much misleading and biased comment on social media and in the press. As has already been notified to councillors, in May 2025 the Employment Tribunal ruled in favour of the former employee and the award was paid by Council's insurers

It is believed no useful purpose can be served by endless discussion of the Tribunal and associated matters. The Council needs to move on.

The events of the past two years have highlighted several areas in which the Council must strengthen its governance, decision-making and management processes. The following measures are in the process of being implemented, to ensure greater transparency, accountability and efficiency :

1. Staff Management Structures

Only the Clerk/Proper Officer is authorised to manage Council staff. The Clerk's line manager is the Review and Staffing Committee, which has appointed a single point of contact for day-to-day communication. No individual councillor will directly manage staff.

2. Human Resources Expertise

The Council will retain access to professional HR advice and support and ensure that members of the Review and Staffing Committee receive HR training.

3. Signature of Legal Agreements

All legal agreements that require a signature on behalf of the Council, including funding agreements with binding terms and conditions, must be signed either by two councillors formally authorised by resolution, or by an officer authorised by resolution or under the Council's Scheme of Delegation. All agreements must be securely archived.

4. Approval of Funding Applications

No funding applications will be submitted without prior Council approval. All relevant terms and conditions must be reviewed and recorded.

5. Reporting Requirements

Reports to Council or committees must be in writing and issued with agenda papers wherever possible. If, exceptionally, a report is presented at a meeting, it must be tabled, recorded in the minutes and archived with the agenda papers on the Council website.

6. Governance Compliance

Councillors must adhere to Standing Orders and Financial Regulations at all times. Updates to these documents are in progress and members are encouraged to maintain skills and knowledge through ongoing training, supported by reference materials such as the NALC *Good Councillor's Guide,* which can be accessed by all councillors.

7. Committee Structure and Efficiency

Additional committees, such as the Planning Committee and the Finance and General Purposes Committee will help expedite business.

8. Use of Council Facilities

The meeting room at 445b Scalby Road will remain available for hire, with fees and viability kept under review to minimise the burden on taxpayers. The Council will no longer deliver social or advice services directly, recognising that it does not have the necessary qualifications or staff.

Recommendation to Council:

That the Council -

1. notes the contents of this report; and
2. implements the proposals for moving forward as set out in points 1 to 8 above.

Cllr. Jackie Smith
Chairman

Cllr. Helen Bore
Vice Chairman

For Meeting of 17/9/25 **Agenda Item: 9.8**

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

TO: All Councillors

DATE: 9th September 2025

SUBJECT: Planter, 4 Lane ends, Hackness Road

Background

There is a large planter adjacent the pillar box at Hackness Road/4 Land Ends corner. The planter was originally maintained by the local *In Bloom* group, and is now cared for by the *Friends Group*, who also maintain other planted areas within the parish.

Concerns have been raised regarding the condition of the planter: the lower section is now rusty, and the overall appearance has become unsightly.

Additional information

One parishioner has requested the planter be removed altogether. The *Friends Group* has confirmed they are willing to continue looking after a planter in this location, should it be retained or replaced.

Cost implications

Two broad options are available:-

Option 1 Remove the existing planter and do not replace it.
Option 2 Remove the existing planter and replace it with a self-watering planter made from recycled plastic..

North Yorkshire Council has been asked to provide a quotation for the removal of the existing planter and installation of a new one; this information is expected prior to the meeting.

Amberol has confirmed prices on two potentially suitable replacement planters are £470 or £560 including delivery but excluding VAT.

Neither removal of the existing planter nor purchase/installation of a replacement are budgeted costs. However, both could be funded from reserves if Council so decides.

A summary of the pros and cons of each option along with cost implications and community impact is overleaf at Appendix 1

Recommendations

1. Council receives & notes this report.
2. Council resolves whether to go for Option 1 or Option 2.
3. The Clerk to Council/RFO be authorised to make the necessary arrangements to put the recommendations into effect.

J. Marley

Jools Marley (CiLCA)
Clerk to the Town Council and RFO

APPENDIX 1

Decision Matrix – Planter at 4 Lane Ends, Hackness Road

Option	Pros	Cons	Cost Implications	Community Impact
Option 1: Remove existing planter and do not replace	- No ongoing maintenance costs for Council or Friends Group - Simplifies the site (no need to monitor condition in future)	- Loss of greenery/flowers at a prominent corner - May be viewed negatively by residents who value planted features - Could reduce attractiveness of the area	One-off cost for removal & disposal only	Possible disappointment from community & Friends Group; may be seen as a decline in local environment
Option 2: Remove existing planter and replace with self-watering recycled plastic planter	- Provides a fresh, tidy, and long-lasting feature - Self-watering design reduces maintenance burden - Made from recycled materials (environmentally sustainable) - Continues visual amenity at key location	- Higher upfront cost - Requires removal & installation work - Not a budgeted item (would use reserves)	Cost of removal + purchase & installation of new planter	Likely positive reception from wider community; maintains civic pride & care for environment

9-9

Final External Auditor Report and Certificate 2023/24 in respect of Newby & Scalby Town Council NY0408

Respective responsibilities of the auditor and the authority

Our responsibility as auditors to complete a **limited assurance review** is set out by the National Audit Office (NAO). A limited assurance review is **not a full statutory audit**, it does not constitute an audit carried out in accordance with International Standards on Auditing (UK & Ireland) and hence it **does not** provide the same level of assurance that such an audit would. The UK Government has determined that a lower level of assurance than that provided by a full statutory audit is appropriate for those local public bodies with the lowest levels of spending.

Under a limited assurance review, the auditor is responsible for reviewing Sections 1 and 2 of the Annual Governance and Accountability Return in accordance with NAO Auditor Guidance Note 02 (AGN 02) as issued by the NAO on behalf of the Comptroller and Auditor General. AGN 02 is available from the NAO website – https://www.nao.org.uk/code-audit-practice/guidance-and-information-for-auditors/.

This authority is responsible for ensuring that its financial management is adequate and effective and that it has a sound system of internal control. The authority prepares an Annual Governance and Accountability Return in accordance with *Proper Practices* which:

- summarises the accounting records for the year ended 31 March 2024; and
- confirms and provides assurance on those matters that are relevant to our duties and responsibilities as external auditors.

External auditor's limited assurance opinion 2023/24

On 19 September 2024, we issued a report detailing the results of our limited assurance review of Sections 1 and 2 of this authority's Annual Governance & Accountability Return for the year ended 31 March 2024. We explained that we were unable to certify completion of the review at that time. We are now in a position to certify completion of the review.

The external auditor report given in Section 3 of the Annual Governance & Accountability Return requires amendments as follows:

> On the basis of our review of Sections 1 and 2 of the Annual Governance and Accountability Return (AGAR), in our opinion the information in Sections 1 and 2 of the AGAR is in accordance with Proper Practices and no other matters have come to our attention giving cause for concern that relevant legislation and regulatory requirements have not been met.
>
> Other matters not affecting our opinion which we draw to the attention of the authority:
>
> We received challenge correspondence in relation to the 2023/24 AGAR which we considered before completing our work. The authority will receive an invoice in relation to this additional work.

External auditor certificate 2023/24

We certify that we have completed our review of Sections 1 and 2 of the Annual Governance & Accountability Return, and discharged our responsibilities under the Local Audit and Accountability Act 2014, for the year ended 31 March 2024.

PKF Littlejohn LLP

PKF Littlejohn LLP
11/09/2025

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