

NORTON-ON-DERWENT TOWN COUNCIL

Draft Minutes of the Meeting of the Town Council held in the Council Chamber,
Commercial Street, Norton-on-Derwent on Monday 24th July 2023 at 6.30pm.

PRESENT	Councillors; D Keal (Mayor), M Brampton (Deputy Mayor), I Conlan, P Farndale, R King, D Lloyd-Williams, S Shaw, A Spencer, H Spencer, J Vale and L Burr MBE
IN ATTENDANCE	C Eade (Assistant Clerk)
APOLOGIES	None

55/23 PUBLIC SESSION – 4 members of the public in attendance

The council received 4 complaints from one member of the Public. It was agreed that he would send his complaints in writing to the Mayor.

56/23 COUNTY MEMBERS REPORT

None – Cllr K Duncan was not present at the meeting.

57/23 DECLARATIONS OF INTEREST

Cllr L Burr MBE is a member of the North Yorkshire Council Planning Committee and abstains from all Town Council Planning decisions. Cllr I Conlan is a member of West Malton Residents Group.

58/23 MINUTES

RESOLVED:

a) That the minutes of the Town Council meeting on 19th June 2023 (Minutes 29/23 to 54/23 inclusive) be approved and signed as a correct record.

Cllr D Keal Proposed, seconded by Cllr J Vale. Cllrs I Conlan and L Burr MBE abstained. All other Members approved.

b) That the minutes of the Extra Ordinary of Norton Town Council on the 12th June 2023 be approved and signed as a true record.

Cllr D Keal proposed, seconded by Cllr S Shaw. Cllrs I Conlan, L Burr MBE and A Spencer abstained. All other Members approved.

c) That the minutes of the Skatepark Committee and Working Party held on Thursday 6th July 2023 be approved and signed as a correct record once correction of word detrimental be amended to beneficial as raised by Cllr H Spencer.

Cllr D Keal proposed, seconded by Cllr I Conlan. All other Members approved.

59/23 Skatepark

Councillors discussed investigating a license for the use of the Skatepark if the Skatepark School continues next year. The Skatepark Committee and Working Party will report back to the council.

RESOLVED:

It was agreed that the Skatepark Event should take place on the 30th July. The council agreed to pay the First Aider required for the event and that Ryan Swain was to organise and fund all other matters regarding the event.

Proposed Cllr D Keal, seconded by Cllr I Conlan. 5 Members in favour, 2 against, Cllrs P Farndale and L Burr MBE abstained.

60/23 MAYORS ANNOUNCEMENTS

Mayors Report: June 2023

Invitations:

Invited to an open event and BBQ at Next Steps allotments with the Clerk to see how much progress has been made at the allotments that NS use. Huge improvement to how they used to be – very tidy and lots of produce used by NS and members. They have installed raised beds/work benches – made from recycled wood – so that gardening can be accessible to all even those in wheelchairs. Next Steps support workers are working on a ‘fork to plate’ initiative with some of the members and on the back of the success of this project one of the members has just been accepted on a horticultural course at Askham Bryan. Very impressive!

Preceded by a meeting with Rosy Smith from NS who works, along with the Clerk and Cllr Shaw to look at installing a toilet at the allotments. Benefit both NSs and all allotment holders. Details and figures will be brought to council once these have been determined.

Sadly couldn't attend the Council visit to Acorn – perhaps Cllr King might like to talk about this as he arranged it?

Other issues related to Norton:

Path along snicket to Lakeside – still very overgrown with vegetation right across the path, including brambles. These resulted in some minor scratches to a partially sighted individual using the path which was reported to the Clerk. The Agent for the sale of the land has been contacted twice by the Clerk, but no response so far. The Deputy Clerk is going to try to speak to them again this week as it is hazardous.

Norton Roadworks – the Environment Agency is currently working on the flood defences at Norton Road and have apologised for the inconvenience these works are leading to. However works are

programmed to complete by the August bank holiday weekend and our delivery partners, BAM, are currently aiming to finish sooner.

The work is to replace and update is already a flap valve in place in the Mill Beck Culvert This existing valve works effectively, but it is a single point of failure which could result in significant flooding to Norton should it fail when required.

The work we are currently undertaking is to install a new flap valve on the end of the culvert in addition to the existing penstock. This will create a further means of flow control and improve the resilience of the flood defences. Unlike the existing penstock valve the flap valve offers a passive solution – e.g the flap valve will close as the water levels in the River Derwent rise without any need for powered automation.

The work will therefore provide a more robust flood defence solution to the local community.

Skatepark – a skate event to promote the park is happening on Sunday July 30th. All necessary provision – insurance and first aid, plus marshalling

61/23 REPORT OF THE CLERK

The Assistant Clerk was unable to advise on the Clerks report on this occasion.

62/23 FINANCIAL MATTERS

<u>Company / Payee</u>	<u>Description</u>	<u>Amount</u>
North Yorks Council	Cemetery - Business Rates (July)	217.00
North Yorks Council	Chamber - Business Rates (July)	356.00
Yorkshire Housing	Chamber - Lease (July-Sept)	1711.32
British Gas	Chamber - Gas (June)	36.56
British Gas	Chamber - Elec (June)	84.69
British Gas	Passageway - Elec (June)	30.93
British Gas	Cemetery - Elec (June)	37.22
BT	Telephone/Broadband (June)	
Aviva Pension	Payroll - Clerk Pension (June)	804.60
Salaries	Payroll (June)	5,867.93
HMRC	Payroll - Tax & NI (June)	1,972.05
North Yorks Pension	Payroll - NYPF (June)	619.23
Harrison Hire	Skatepark - Electricity (June)	45.90
Spectrum	Chamber - Printing (June)	19.73
Tyke 2000	Cemetery - Fuel	40.01
Dinah Keal	Mayors Allowance	1400.00
Rialtas	EOY Close down	906.00
Malton Town Council	CCTV Qtr2 Connectivity	371.25
Malton Town Council	CCTV Qtr2 Maintenance	339.00
Malton Town Council	Commercial Planting - County B	1199.40

Derwent Riverside Project	Labyrinth (50%)	1355.00
Streetscape	Player Area Annual Inspection	384.00
Norton Hardware	Play Area/Office/Cemetery	121.38
The Trophy & Print Shop	Mayors Chain additions	110.00
R Yates	Chamber - Kettle	32.99
R Yates	Play Areas - Nails	8.00
R Yates	NIB - Supplies	28.00
R Yates	Chamber - Supplies	30.28
R Yates	Cemetery - XXL Wheelbarrow	165.00
R Yates	NIB - Compost	14.75
R Yates	Play Areas - Barrow Tyre	7.99
Fitzwilliam Estate	Skatepark Lease (July-Sept)	462.50
Hardcastle France	Admin - Payroll (Apr-June)	180.00
BATA	Play Areas - Wood & Concrete	129.94
YLCA	New Clerks Webinar	50.00
Sutcliffe Play	Play Area - Replacement part	48.46

Total £19,187.11

RESOLVED:

- a) That thirty six accounts be approved for payment.

Proposed by Cllr P Farndale, seconded by Cllr D Lloyd Williams. All other members approved.

RESOLVED:

- b) Received financial summary to 30th June 2023 (information)
c) Received bank reconciliation on 30th June 2023 (information)
d) Received deposit account reconciliation to 30th June (information)

Proposed by Cllr P Farndale, seconded by Cllr D Lloyd Williams. All others Members approved.

- e) To consider the introduction of a pre-paid debit card.

RESOLVED:

It was agreed the Clerk and the Assistant Clerk should have the use of a pre-paid card for purchases on behalf of the Council when required. It was agreed the Equals card was the most secure option as the Council will specify the spending limit and monitor its use.

Proposed by Cllr M Brampton, seconded by Cllr D Lloyd-Williams. Cllr R King abstained. All other Members approved.

63/23 PLANNING MATTERS

ZE23/00653/HOUSE Erection of a single storey extension to rear elevation, repositioning the front door, erection of a detached double garage and log store together with the formation of a new vehicular access and installation of 1.80 metre high close boarded boundary fence with timber gates

Rose Cottage Bazeleys Lane Norton Malton North Yorkshire YO17 9PY

RESOLVED- Recommended approval providing no objections from neighbouring properties.

Proposed by Cllr D Lloyd-Williams, seconded by Cllr P Farndale. Cllr L Burr MBE abstained. All others Members approved.

ZE23/00752/LBC Installation of 2no. Replacement timber doors

3 Old Court Close Norton Malton North Yorkshire YO17 9PP

RESOLVED- Recommended approval providing no objections from neighbouring properties.

Proposed by Cllr D Lloyd-Williams, seconded by Cllr P Farndale. Cllr L Burr MBE abstained. All others Members approved.

64/23 Co-Option – As there is an ongoing investigation with the North Yorkshire Council it was agreed to defer this matter.

Proposed by Cllr S Shaw, seconded by Cllr R King. Cllr M Brampton and Cllr I Conlan abstained. All others Members approved.

The assistant Clerk to write to all applicants.

65/23 Equality and Diversity Policy

NORTON ON DERWENT TOWN COUNCIL

EQUALITY AND DIVERSITY POLICY

Our commitment

The council is committed to providing equal opportunities in employment and to avoiding unlawful discrimination.

This policy is intended to assist the council to put this commitment into practice. Compliance with this policy should also ensure that employees do not commit unlawful acts of discrimination.

Striving to ensure that the work environment is free of harassment and bullying and that everyone is treated with dignity and respect is an important aspect of ensuring equal opportunities in employment.

The law

It is unlawful to discriminate directly or indirectly in recruitment or employment because of age, disability, sex, gender reassignment, pregnancy, maternity, race (which includes colour, nationality, caste and ethnic or national origins), sexual orientation, religion or belief, or because someone is married or in a civil partnership. These are known as "protected characteristics".

Discrimination after employment may also be unlawful, e.g. refusing to give a reference for a reason related to one of the protected characteristics.

The council will not discriminate against or harass a member of the public in the provision of services or goods. It is unlawful to fail to make reasonable adjustments to overcome barriers to using services caused by disability. The duty to make reasonable adjustments includes the removal, adaptation or alteration of physical features, if the physical features make it impossible or unreasonably difficult for disabled people to make use of services. In addition, service providers have an obligation to think ahead and address any barriers that may impede disabled people from accessing a service.

Types of unlawful discrimination

Direct discrimination is where a person is treated less favourably than another because of a protected characteristic.

In limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post and a proportionate means of achieving a legitimate aim.

Indirect discrimination is where a provision, criterion or practice is applied that is discriminatory in relation to individuals who have a relevant protected characteristic such that it would be to the detriment of people who share that protected characteristic compared with people who do not, and it cannot be shown to be a proportionate means of achieving a legitimate aim.

Harassment is where there is unwanted conduct, related to one of the protected characteristics (other than marriage and civil partnership, and pregnancy and maternity) that has the purpose or effect of violating a person's dignity; or creating an intimidating, hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.

Associative discrimination is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic.

Perceptive discrimination is where an individual is directly discriminated against or harassed based on a perception that he/she has a particular protected characteristic when he/she does not, in fact, have that protected characteristic.

Third-party harassment occurs where an employee is harassed and the harassment is related to a protected characteristic, by third parties.

Victimisation occurs where an employee is subjected to a detriment, such as being denied a training opportunity or a promotion because he/she made or supported a complaint or raised a grievance under the Equality Act 2010, or because he/she is suspected of doing so. However, an employee is not protected from victimisation if he/she acted maliciously or made or supported an untrue complaint.

Failure to make reasonable adjustments is where a physical feature or a provision, criterion or practice puts a disabled person at a substantial disadvantage compared with someone who does not have that protected characteristic and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.

Equal opportunities in employment

The council will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy.

Recruitment

Person and job specifications will be limited to those requirements that are necessary for the effective performance of the job. Candidates for employment or promotion will be assessed objectively against the requirements for the job, taking account of any reasonable adjustments that may be required for candidates with a disability. Disability and personal or home commitments will not form the basis of employment decisions except where necessary.

Working practices

The council will consider any possible indirectly discriminatory effect of its standard working practices, including the number of hours to be worked, the times at which these are to be worked and the place at which work is to be done, when considering requests for variations to these standard working practices and will refuse such requests only if the council considers it has good reasons, unrelated to any protected characteristic, for doing so. The council will comply with its obligations in relation to statutory requests for contract variations. The council will also make reasonable adjustments to its standard working practices to overcome barriers caused by disability.

Equal opportunities monitoring

The council will monitor the ethnic, gender and age composition of the existing workforce and of applicants for jobs (including promotion), and the number of people with disabilities within these groups, and will consider and take any appropriate action to address any problems that may be identified as a result of the monitoring process.

The council treats personal data collected for reviewing equality and diversity in accordance with the data protection policy. Information about how data is used and the basis for processing is provided in the council's privacy notices.

Dignity at work

The council has a separate dignity at work policy concerning issues of bullying and harassment on any ground, and how complaints of this type will be dealt with.

People not employed by the council

The council will not discriminate unlawfully against those using or seeking to use the services provided by the council.

You should report any bullying or harassment by suppliers, visitors or others to the council who will take appropriate action.

Training

The council will provide training and raise awareness of equal opportunities to those likely to be involved in recruitment or other decision making where equal opportunities issues are likely to arise. Training for Officers and Councillors on an annual basis.

The council will provide training and raise awareness of all staff engaged to work at the council to help them understand their rights and responsibilities under the dignity at work policy and what they can do to help create a working environment free of bullying and harassment.

Your responsibilities

Every employee is required to assist the council to meet its commitment to provide equal opportunities in employment and avoid unlawful discrimination. Employees can be held personally liable as well as, or instead of, the council for any act of unlawful discrimination. Employees who commit serious acts of harassment may be guilty of a criminal offence.

Acts of discrimination, harassment, bullying or victimisation against employees or customers are disciplinary offences and will be dealt with under the council's disciplinary procedure.

Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

Grievances

If you consider that you may have been unlawfully discriminated against, you should use the council's grievance procedure to make a complaint. If your complaint involves bullying or harassment, the grievance procedure is modified as set out in the dignity at work policy.

The council will take any complaint seriously and will seek to resolve any grievance that it upholds. You will not be penalised for raising a grievance, even if your grievance is not upheld, unless your complaint is both untrue and made in bad faith.

Monitoring and review

This policy will be monitored periodically by the council to judge its effectiveness and will be updated in accordance with changes in the law. [In particular, the council will monitor the ethnic and gender composition of the existing workforce and of applicants for jobs (including promotion), and the number of people with disabilities within these groups, and will review its equal opportunities policy in accordance with the results shown by the monitoring. If changes are required, the council will implement them.

Information provided by job applicants and employees for monitoring purposes will be used only for these purposes and will be dealt with in accordance with relevant data protection legislation.]

This is a non-contractual procedure which will be reviewed from time to time.

Date of policy: **July 2023**

Approving committee: **Norton Town Council**

Date of committee meeting: **24th July 2023**

Policy version reference: **1**

Supersedes: **Equal Opportunities Policy**

Policy effective from: **July 2023**

Date for next review: **July 2025**

RESOLVED:

To accept the Equality and Diversity Policy with amended wording and to update policy in line with any updates in Legislation if changes come into effect before policy review.

Proposed by Cllr L Burr MBE, seconded by Cllr I Conlan. Cllr D Lloyd-Williams abstained. All other Members approved.

66/23 CEMETERY LAWNMOVER

RESOLVED:

To purchase lawnmower, exact model to be confirmed by Cemetery Manager.

Purposed by Cllr L Burr, seconded by Cllr D Keal. All other Members approved.

67/23 CHAMBER CHAIRS

RESOLVED:

Assistant Clerk to arrange for Foots Upholstery (Pickering) to re-upholster twelve chamber chairs in leather as per quote costing £1536.00.

Proposed by Cllr S Shaw, seconded by Cllr I Conlan. Cllr L Burr MBE and Cllr R King against. All others Members approved.

68/23 PLAY AREA INSPECTION REPORT

Assistant Clerk to report at next Norton Town Meeting what actions have been taken following annual inspection of the play areas.

69/23 NEIGHBOURHOOD PLAN

RESOLVED:

Cllr I Conlan explained the importance of the plan and Cllr J Vale confirmed that Malton Town Council are still waiting the revised figures from the Neighbourhood Plan Planning Consultant. It was agreed that the documents be approved.

Cllr I Conlan proposed, seconded by Cllr J Vale. Cllr R King abstained. All other Members approved.

70/23 CORRESPONDENCE

NONE

71/23 REPRESENTAIVES

Cllr S Shaw reported that this year's Roman Festival Event had to be postponed until September due to Health & Safety concerns regarding the exceptional weather conditions.

72/23 MEMBERS QUESTIONS

Cllr H Spencer requested all Councillors inspect the Riverbank as it is looking unsightly. It was agreed that this needs to be on the agenda at the next meeting and an action plan put in place on how exactly the contractor is to manage it.

73/23 DATE OF NEXT NORTON ON DERWENT TOWN COUNCIL MEETING

Monday 21st August 2023, 6.30pm at Council Chamber, 84b Commercial Street, Norton.

74/23 COMPOUND (Excluded item)

Cllr D Keal proposed that this matter and 75/23 be discussed in private and that members of the public be asked to leave.

Proposed by Cllr D Keal, seconded by Cllr L Burr MBE. All other Members approved.

The members of Public left the meeting at 8.15pm.

RESOLVED

That Cllr J Vale and Cllr R King begin discussions with current tenant regarding rent and current arrangements regarding the compound site.

Proposed Cllr L Burr MBE, seconded by Cllr Conlan. All other Members approved.

75/23 STAFFING MATTERS

Cllr H Spencer left the meeting at 9pm.

RESOLVED

That the Assistant Clerk be made acting Proper Officer and RFO. It was agreed that additional hours be work to a total of 24 hours per week. It was agreed that an acting up allowance should be paid while the assistant Clerk performs the roles of Proper Officer and RFO.

Proposed by Cllr M Brampton, seconded by Cllr D Keal. Cllr A Spencer abstained. All other Members approved.

Meeting Closed at 9.10pm.

_____ (Chairman)

