

Minutes of the Annual Meeting of the Sevenoaks Town Council held via Zoom and in the Council Chamber, Town Council Offices, Bradbourne Vale Road, Sevenoaks on Tuesday 4<sup>th</sup> May 2021.

**Meeting Commenced: 7:00pm**

**Meeting Concluded: 7:53pm**

**PRESENT**

**CLLR N J L BUSVINE OBE, MAYOR, IN THE CHAIR**

Cllr Keith Bonin	Present	Cllr Lise Michaelides	Present
Cllr Nicholas Busvine OBE	Present	Cllr Tom Morris Brown	Apologies
Cllr Sue Camp	Present	Cllr Mrs Rachel Parry	Present
Cllr Dr Marilyn Canet	Present	Cllr Richard Parry	Present
Cllr Tony Clayton	Present	Cllr Robert Piper	Present
Cllr Andrew Eyre	Present	Cllr Simon Raikes	Present
Cllr Victoria Granville-Baxter	Present	Cllr Claire Shea	Present
Cllr Roderick Hogarth	Apologies	Cllr Edward Waite	Present

(14)

**Also Present**

The Mayoress, Madeleine Busvine  
 Town Clerk, Senior Committee Clerk, Social Media & Events Assistant  
 Sgt Harvey Harris-Tanzer  
 Claire Ritchie  
 Jamie Alexander Wilson  
 Matthew Ball

Livestreamed on YouTube and available to view here: <https://youtu.be/Sl9IDG07IN0>

Number of views to date: 92

**PUBLIC QUESTION TIME**

No questions were submitted by members of the public.

**Mayor Busvine made the following four presentations to:**

- a) **The Mayor's Outgoing Cadet**  
**Sgt Harvey Harris-Tanzer** was presented with a certificate and a glass plaque as a token of appreciation for his service. The Mayor thanked him personally for his support, noting that he was a fantastic representative for Sevenoaks Air Cadets, and wishing him well for the future.
- b) **Mayor's Award**  
 Throughout the year of office, the Mayor becomes aware of many people who voluntarily provide time and resources for the benefit of the community of Sevenoaks. For this reason, it was decided to create a Sevenoaks Mayor's Award to recognise these contributions. The first Mayor's Award was presented in 2014.

This year two Mayor's Awards were presented to:

**Claire Ritchie:**

Claire Ritchie decided to set up Lockdown Larder, after seeing there was a need in our community to support those whose income had vanished as a result of the lockdown and were struggling to feed themselves and their families.

Within a week, she had secured funding from Sevenoaks Town Council and set up a gofundme page which raised nearly £7,800 in donations. Within eight weeks and following the support of local supermarkets and businesses, the scheme had already received over 375 applications and supported over 80 families – a staggering achievement and testament to the generosity across our community.

Claire has been an outstanding and dedicated volunteer since day one of the first lockdown and completely worthy of a Mayor's Award for service to the community.

**Jamie Alexander Wilson:**

Jamie Alexander Wilson has been a central figure in the arts scene of Sevenoaks since he began producing the professional pantomime at The Stag Theatre in 2009. He has provided artistically spectacular and technically advanced shows bringing many household names to Sevenoaks from TV, the stage and from around the World. In addition to The Stag's professional pantomime, he has produced other shows – ranging from Sooty to West End music - providing professional entertainment to the people of Sevenoaks. He also started the successful Stag Youth Theatre which now encompasses the successful 'Film in a Week' courses and which this year branched out into play writing for young people.

In recent years he has used the 20,000+ visitors to his professional pantomime to raise thousands of pounds for many charities such as Medical Detection Dogs and Friends for Families

During the pandemic he turned those entrepreneurial skills and charitable mind to supporting the survival of The Stag Theatre which he holds as his local theatre. He was the driving force behind the booking, production and fronting the artistic and fund-raising success of the Summer 'Live at the Vine' concerts raising more than £10,000 for The Stag as well as providing some work for West End stars many of whom had not worked since before the lockdown of March 2020. He translated this success into a series of concerts in the theatre ("It's Time To Come Back Inside") which were sold out and only stopped by the effects of the virus and Government restrictions.

He also found time to be a Community Lockdown Volunteer in Sevenoaks and is now helping at the Bat & Ball Testing Centre. Throughout he remains an upbeat and positive voice both of reason providing pastoral support to his pantomime family as well as practical support to The Stag and, seemingly, to everyone he meets. These are just some of the reasons the Mayor was pleased to award this year's Sevenoaks Town Mayor's award to Jamie Alexander Wilson.

**c) KALC Community Award 2020-21: Matthew Ball**

Kent Association of Local Councils (KALC) Community Awards are presented to acknowledge and recognise those who have made a significant contribution to their community. The award is presented to Matthew Ball for the creation of an invaluable, historical resource for

Sevenoaks on the impact of WW1, through his research, website, books, school and community projects; inspiring inter-generational understanding and bringing history to life.

The Mayor was pleased to present the KALC Community Award to Matthew Ball.

Award recipients attended the meeting via Zoom: their awards would be delivered to them.

43 ELECTION OF MAYOR

The Town Clerk read the notice to convene the meeting.

Mayor Busvine invited nominations for the Office of Mayor.

It was proposed by Cllr Tony Clayton, and seconded by Cllr Edward Waite, that Cllr Dr Merilyn Canet be elected to the office of Mayor for the ensuing year. There were no other nominations.

**RESOLVED by a unanimous vote that** Cllr Dr Merilyn Canet be elected Mayor.

44 DECLARATION OF ACCEPTANCE OF OFFICE

Cllr Dr Merilyn Canet read aloud and signed the Statutory Declaration of Acceptance of Office.

The retiring Mayor welcomed his successor and invested her with the Mayoral Chain of Office. (In line with Covid safe practices, the Mayoral chain was sanitised and the new Mayor placed the chain around her own neck)

Mayor Canet presented Cllr Busvine with his Past Mayor's badge and gifts for himself and Madeleine Busvine in thanks for their two years term of office.

**CLLR DR MERILYN CANET IN THE CHAIR**

Cllr Nick Busvine gave a retiring speech and addressed the Council:

- *I never imagined as I toiled through various schools in Sevenoaks that I would one day serve as Mayor. Still less that I would end up doing so for two straight years..... as in line with most other councils around the country, I was asked to remain as Mayor for the duration of the pandemic, which I am glad to say now appears to be all but over.*
- *So, it was a term that was very much in two halves*
- *As a former diplomat and veteran of various conflicts around the world – Syria in the first Gulf War, the Mozambique civil war, insurgency and drugs wars in Colombia and over a year in Baghdad during the height of the Iraq war – I was proud to serve alongside many members of our armed forces. It therefore seemed entirely appropriate that I should select the Armed Forces welfare organisation SSAFA as my principal charity. I am delighted to say that before the lockdown bar came down, we managed to raise over £6,500 for SSAFA. My second charity was the Sevenoaks Air Cadets, for whom we raised almost £4,500. Flying is also close to my heart. I have been a pilot since 1988 – and currently teach people how to fly gliders. The Air Cadets are a brilliant group – and I do hope that this money will help with all the great activities they will be planning to undertake post-lockdown. In addition, we raised nearly £1,000 for the Stag theatre, as well as contributing £650 to the SRFC*

- *Covid put paid to traditional fund-raising activity. So I made 'Saving our Stag' my key focus for the year. I am incredibly proud of what the Town Council and Sevenoaks residents were able to do to raise money for the Stag – at a time when we were very seriously concerned that the theatre might have to close. Jamie Wilson was the driving creative force behind the Live on the Vine concerts last year – ably supported by the STC and Stag teams – including a regiment of volunteers. I think the Live on the Vine represented for me the best of Sevenoaks – rallying in a time of crisis to a very worthy cause. In October, it was incredible to be able to present a cheque totalling over £70,000 to the Stag team*
- *I think the level of commitment shown by the town helped to secure generous government Covid grant funding.*
- *My last Civic duty – last week – was to welcome back Oakley the deer – who is looking very splendid, and to do a tour of the Stag to see at first hand all the work that has been done on the fabric of the building during lockdown. The Stag is even more of an asset now than it was pre-Covid. I would like to thank our MP Laura Trott for helping to secure those Stag grant funds. But most of all, I would like to pay tribute to Stag Manager Andrew Eyre and his team for doing such an incredible job, when at times they must all have feared for their futures.*
- *During the past year, all our lives have been incredibly constrained. So, as Mayor, I tried to focus on writing longer pieces than usual in the Town Crier, in an effort to capture the spirit of the times and the determination of local residents to see the crisis through.*
- *Much of what I did was low profile, but I hoped made a helpful impact in a low-key way. I remember being very moved to be asked, for example, to record a video message to the students at Walthamstow Hall – where I ended by reading W H Davies's poem 'Leisure' 'What is life, if full of care, we have no time to stand and stare....'. If nothing else, we did have time to pause and reflect and, and I reminded the pupils - in Mohamed Ali's memorable words: 'Don't count the days, make the days count.'*
- *The response of residents of Sevenoaks to the crisis was amazing. Organisations sprang up, such as Care for our Community – which STC looked to support from a newly established Resilience Fund. I have made awards today to Claire Ritchie and Jamie Wilson – but honestly, there were many, many people in our town who rallied round to help people get through. We all owe them a very big thank you.*
- *The Council, of course, marched firmly on under Linda Larter's brilliant leadership. Our normal business continued (albeit with many staff on furlough). Councillors were introduced to the mysteries of Zoom meetings. And, if I hear one more time, 'you are muted councillor so-and-so', I think I'll probably go mad. Thankfully we are back to face-to-face meetings very soon.*
- *I think the Town Council Annual Report – which is attached to your agendas explains far more eloquently than I ever could what has been achieved during lockdown.*
- *But the absolute highlights for me were the opening of our brand-new Community Centre – which was promptly mobilised as an asymptomatic testing centre – and the saving of the Stag*
- *I was also proud to have been able to represent STC and local residents on Armed Forces Day, VJ Day 75 and Remembrance Day. A particularly moving moment for me was personally laying crosses on all the war graves at Greatness Cemetery on Armistice Day. Instead of the usual civic group, it fell to just Father Robin Jones and me to pay tribute to our war dead. I hope we did them justice.*
- *All of these events and occasions only happened, of course, due to the tireless dedication of our Town Council staff.*
- *So, to conclude, I would like to pay tribute once again to Linda Larter and her amazing team. I must also give a special thank you to Avril Mitchem who manages the Mayor's complex diary in normal times with such skill and who kept me on track during the first half of my term of office.*
- *It only remains for me to wish the new Mayor, Cllr Dr Marilyn Canet, and Deputy Mayor, Cllr Rachel Parry, the very best of luck during the more normal times that we all hope lie ahead.*

Cllr Shea thanked Cllr Busvine for his two years of service as Mayor on behalf of Sevenoaks Town Council. She noted the extremely busy programme of events in the first year and thanked Cllr and Mrs Busvine for agreeing to continue as Mayor and Mayoress during the extremely difficult second year. She acknowledged their positivity and dedication despite the challenges of the pandemic, and thanked them for their time, energy and commitment.

Cllr Clayton welcomed Cllr Canet as the new Mayor on behalf of Sevenoaks Town Council. He commented on her commitment to a green agenda, her involvement in allotments and planting and growing and her understanding of the connection between wellbeing and nature. He noted that she had spent time as a volunteer on the vaccine programme. Cllr Clayton wished the new Mayor all the best for the year ahead. The Town Clerk presented the new Mayor with a bouquet of flowers.

Cllr Mrs Parry thanked Madeleine Busvine for her skill, support and dedication to being Mayoress for the past two years and commented on the success of her and Cllr Busvine's term of office.

Mayor Canet gave a speech expressing her thanks for election to office and setting out her priorities:

- **Priorities for 2021-22**

*Rebuilding after Covid and its three lockdowns is a challenge for many people - but also an opportunity for our community. Individuals and families have been isolated, businesses have been damaged, or died. But we have learned even more strongly how important it is to support each other. So many people have volunteered or looked out for neighbours. New organisations have sprung up to mobilise concern for others. We can be proud of Sevenoaks – and aim to build on all the strengths it has shown.*

*We're lucky to live in one of the most attractive towns, full of exceptionally able people, with lovely countryside, great connections and one of the most active voluntary sectors in the UK. We know our people are willing to get stuck in to help, and to change things where needed. So, we can tackle the big challenges to help our town, and each other, by using the talents and determination of Sevenoaks citizens.*

- **Getting Sevenoaks Zero Carbon back on track**

*We know what the biggest challenge for the planet is – for our children and grandchildren. The NDP needs to be put in place this year, without more delay, and the measures to green streets, create safer routes for walking and cycling, to plant trees, promote public transport, active travel, and energy efficient homes must speed up. We should aim to involve citizens in this process – residents associations, schools and others have been crucial in making progress in areas like safer streets, and we need to work with them to move faster.*

- **Reconnecting our community**

*People have felt so isolated this last year, and rebuilding connections isn't always easy. Our Town Council is best placed to help many of them re-connect:*

- *Using the new Bat & Ball Centre and Station as a focus for community activity*

- *Developing and promoting the Business Hub as a part of a network for thousands of people now working from home at least part of the time*
  - *Helping local businesses adapt to meet new needs – trading outdoors this summer, then supporting the new home workers*
  - *Supporting the Stag as a community cultural and arts centre in the heart of the town*
- **Supporting each other**  
*We should recognise many people have found the lockdown tough, for their health, mentally and economically. Supporting and growing the volunteer network which has kept us healthy, shopped for the vulnerable, given us advice is important. We should pay special attention to mental health groups and their ability to help those who have suffered the most isolation and anxiety. That includes many older people, but there's also the impact of lost opportunities for young people too – whose transition from school or university to work has been suspended for months. If we can build bridges between young people, the volunteer sector and business, using the Town Council contacts and funding, it will make a difference. As part of the same process we must start developing the ideas in STC's priorities for community activities to share, repair, and recycle, which will make both an economic and a social contribution to recovery.*

45 **ELECTION OF DEPUTY MAYOR**

Mayor Canet invited nominations for the office of Deputy Mayor.

It was proposed by Cllr Nick Busvine, and seconded by Cllr Robert Piper, that Cllr Mrs Rachel Parry be elected to the office of Deputy Mayor for the ensuing year. There were no other nominations.

**RESOLVED by a unanimous vote that** Cllr Mrs Rachel Parry be elected as Deputy Mayor.

46 **DECLARATION OF ACCEPTANCE OF OFFICE**

The Deputy Mayor, Cllr Mrs Rachel Parry, read aloud and signed the Statutory Declaration of Acceptance of Office.

Mayor Canet advised that Cllr Mrs Parry's badge of office and a bouquet of flowers would be delivered to her.

Cllr Bonin thanked Cllr Dr Canet, as outgoing Deputy Mayor, for her support to the outgoing Mayor during the Covid crisis. The deferment last year of her term of office as Mayor had not dented her cheerful attitude; he thanked her for her service as Deputy Mayor and wished her well in her new role as Mayor.

47 **APOLOGIES FOR ABSENCE**

**RESOLVED:** to note and accept apologies received from Cllr Roderick Hogarth and Cllr Tom Morris Brown.

48 **REQUESTS FOR DISPENSATIONS**

**RESOLVED:** to note none had been received.

49 **DECLARATIONS OF INTEREST**

**RESOLVED:** to note none had been received.

50 MINUTES OF COUNCIL MEETING – 12<sup>th</sup> April 2021

**RESOLVED:** to accept and sign the Minutes as a true record of the meetings.

51 MINUTES OF PLANNING COMMITTEES – 6<sup>th</sup> and 26<sup>th</sup> April 2021

**RESOLVED:** to accept and sign the Minutes as true records of the meetings.

52 MINUTES OF FINANCE & GENERAL PURPOSES COMMITTEE – 12<sup>th</sup> April 2021

**RESOLVED:** to accept and sign the Minutes as a true record of the meetings.

53 APPOINTMENT OF STANDING COMMITTEES/SUB COMMITTEES

**RESOLVED:** that Standing Committees and Sub Committees be appointed as follows  
(**Appendix A**):

Community Infrastructure Committee  
Finance & General Purposes Committee  
Open Spaces & Leisure Committee  
Personnel Committee  
Planning Committee  
Youth Services Sub-Committee  
Bat & Ball Centre Users Group  
Sevenoaks Town Team

54 APPOINTMENT OF CHAIRMEN, VICE-CHAIRMEN AND MEMBERS OF STANDING COMMITTEES/SUB-COMMITTEES

**RESOLVED:** that the report appointing Chairmen, Vice-Chairmen and Members of Standing and Sub-Committees be received and adopted. (**Appendix B**).

55 REPRESENTATION ON OUTSIDE BODIES

**RESOLVED that** the schedule of Representation on Outside Bodies be received and adopted subject to the following addition (**Appendix C**):

Representatives on Tarmac & KCC Liaison Group to be:

- Chairman of Open Spaces & Leisure Committee
- Cllr Andrew Eyre
- Cllr Claire Shea

56 APPROVAL OF TERMS OF REFERENCE – STANDING COMMITTEES/SUB-COMMITTEES

**RESOLVED:** that the Terms of Reference for Standing Committees and Sub-Committees be received and adopted. (**Appendix D**).

57 STANDING ORDERS

**RESOLVED that:**

- 1) Sevenoaks Town Council's Standing Orders be approved and adopted; (**Appendix E**)
- 2) It be noted that NALC had revised its Model Standing Orders; and
- 3) A Working Group of Committee Chairmen be created to review the Standing Orders in the light of the new NALC Model Standing Orders.

58 COUNCILLOR CODE OF CONDUCT

**RESOLVED:** That Sevenoaks Town Council adopt the Local Government Association Model Councillor Code of Conduct 2020. (**Appendix F**)

59 ANNUAL SUBSCRIPTIONS

**RESOLVED:** that the schedule of Annual Subscriptions for 2021/2022 be received and agreed. (**Appendix G**).

60 DELEGATION OF AUTHORITY UNDER S.101 OF THE LOCAL GOVERNMENT ACT 1972

**RESOLVED:** To agree emergency measures that if it was not possible to convene a meeting either in person or virtually of the Council or Committee in reasonable time or where restrictions are in place, the Town Clerk (and Deputy Town Clerk) shall have delegated authority under s.101 of the Local Government Act 1972 to make decisions on behalf of the Council where such decision cannot be reasonably deferred and must be made in order to comply with a commercial or statutory deadline. This will be carried out where possible by consultation with members by electronic means or telephone. The Town Clerk will further consult with the Mayor for guidance as necessary. The aim would be to follow the normal schedule of meeting process producing Agenda (Reports) and Minutes (Notes of Meetings). The delegation does not extend to matters expressly reserved to the Council in legislation or in its Standing Orders or Financial Regulations. Any decision made under this delegation must be recorded in writing and must be published in accordance with the relevant regulations.

Legally these meetings would be “Working Parties” until such time as they can be returned to normal practice. They will follow the same schedule of meeting dates, Terms of Reference and Standing Orders.

61 SEVENOAKS TOWN COUNCIL ANNUAL REPORT 2020/21

Councillors commented on the excellence of the Annual Report and the achievements during the difficult circumstances of the covid pandemic. In particular, the completion of the Bat & Call Centre and near completion of the Business Hub were noted. Thanks were given to the Town Clerk and her team, local residents and voluntary groups.

**RESOLVED:** that the Town Council Annual Report 2020-21 be received and noted.

62 GENERAL DATA PROTECTION REGULATION POLICIES [GDPR]

**RESOLVED to note:**

- 1) that the General Data Protection Regulation is retained in domestic law now the Brexit transition period has ended, but the UK has the independence to keep the framework under review. The “UK GDPR” sits alongside an amended version of the Data Protection Act 2018. The government has published a [‘Keeling Schedule’ for the UK GDPR](#), which shows the amendments.
- 2) that the Town Council continues to adopt GDPR practices as required by statute throughout all its day-to-day business.

63 CIVIC EVENTS AND MAYOR’S ENGAGEMENTS 2019/20 AND 2020/21

Councillors thanked Cllr and Mrs Busvine and Cllr Dr Canet, in her role as former Deputy Mayor, for all they had done during the past difficult year.

**RESOLVED to note:**

- 1) the functions attended by the Mayor, Deputy Mayor or representative during 2019/20;

- 2) that the functions attended by the Mayor, Deputy Mayor or representative during 2020/21 had been severely curtailed by the pandemic, but to note the events which were able to take place; and
- 3) that Civic Events for the 2021/22 civic year would be considered in due course as the Covid-19 pandemic restrictions allow.

64 PRESS RELEASE

It was **resolved** that press releases be issued in respect of:

- a) the election of Cllr Dr Marilyn Canet to the position of Mayor;
- b) the election of Cllr Mrs Rachel Parry to the position of the Deputy Mayor; and
- c) the presentation of awards to Sgt Harvey Harris-Tanzer, Claire Ritchie, Jamie Alexander Wilson and Matthew Ball.

The meeting closed at 7:53pm

Signed: ..... Date: .....  
Mayor

RESOLUTION 53

**Standing Committees / Sub Committees**

Finance & General Purposes Committee

Open Spaces & Leisure Committee

Planning Committee

Personnel Committee

Community Infrastructure Committee

Youth Services Committee

Bat & Ball Centre User Group

**Other:**

Sevenoaks Town Team Executive Board

RESOLUTION 54

LIST OF APPOINTMENTS	2020/2021 Rolled forward from 2019/20	Nominations 2021/22
MAYOR	Cllr N J L Busvine OBE	Cllr Dr M J Canet
DEPUTY MAYOR	Cllr Dr M J Canet	Cllr Mrs R E Parry
STANDING COMMITTEE Please note the Mayor is ex-Officio on all Committees		
<u>OPEN SPACES &amp; LEISURE COMMITTEE</u>	<u>10 MEMBERS 2020/2021</u>	<u>2021/22</u>
CHAIRMAN VICE CHAIRMAN <i>Mayor ex officio</i>	Cllr Dr J M Canet (C) Cllr A W Eyre [VC]  Cllr S Camp Cllr V Granville Baxter Cllr L Michaelides Cllr T Morris Brown  Cllr K Bonin Cllr R Hogarth Cllr R J Parry Cllr S Raikes	Cllr. N Busvine (C) Cllr V Granville Baxter (VC)  Cllr K Bonin Cllr R Hogarth Cllr R J Parry Cllr S Raikes  Cllr S Camp Cllr L Michaelides Cllr T Morris Brown Cllr Dr J M Canet
<u>FINANCE AND GENERAL PURPOSES COMMITTEE</u>	<u>10 MEMBERS 2020/2021</u>	<u>2021/21</u>
CHAIRMAN VICE CHAIRMAN <i>Mayor ex officio</i>	Cllr S G Raikes [C] Cllr A Clayton (VC)  Cllr K Bonin Cllr A Eyre Cllr R Hogarth Cllr R Piper Cllr S Camp Cllr Dr J M Canet Cllr T Morris Brown Cllr E Waite	Cllr A Clayton (C) Cllr. K Bonin (VC)  Cllr S Camp Cllr V Granville Baxter Cllr T Morris Brown Cllr E Waite Cllr S G Raikes Cllr A Eyre Cllr R Hogarth Cllr R Piper

RESOLUTION 54

<u>PLANNING COMMITTEE</u>	2020/2021	2021/22
<b>CHAIRMAN</b> <b>VICE CHAIRMAN</b>	<b>Cllr S Camp</b> <b>Cllr R Piper</b> All Councillors	<b>Cllr. Raikes (C)</b> <b>Cllr S Camp (VC)</b> All Councillors

<u>COMMUNITY INFRASTRUCTURE COMMITTEE</u>	<u>6 MEMBERS</u> <u>2020/2021</u>	<u>2021/22</u>
<b>CHAIRMAN</b> <b>VICE CHAIRMAN</b> <i>Mayor ex officio</i>	<b>Cllr R J Parry [C]</b> <b>Cllr A Clayton (VC)</b>  Cllr R Hogarth Cllr R Piper Cllr Dr J M Canet Cllr C Shea	<b>Cllr C Shea (C)</b> <b>Cllr R J Parry (VC)</b>  Cllr A Clayton Cllr S Camp Cllr R Hogarth Cllr N Busvine

<u>PERSONNEL COMMITTEE</u>	<u>8 MEMBERS</u> <u>2020/2021</u>	<u>2021/22</u>
<b>CHAIRMAN</b> <b>VICE CHAIRMAN</b> <i>Mayor ex officio</i>	<b>Cllr A Clayton (C)</b> <b>Cllr A Eyre (VC)</b>  Cllr Dr JM Canet Cllr C Shea Cllr E Waite Cllr R J Parry Cllr R Piper Cllr S Raikes	<b>Cllr A Eyre (C)</b> <b>Cllr A Clayton (VC)</b>  Cllr R J Parry Cllr K Bonin Cllr S Raikes Cllr L Michaelides Cllr C Shea Cllr E Waite

RESOLUTION 54

<u>YOUTH SERVICES COMMITTEE</u>	<u>8 MEMBERS 2020/2021</u>	<u>2021/22</u>
<b>CHAIRMAN</b> <b>VICE CHAIRMAN</b> <i>Mayor ex officio</i>	<b>Cllr Mrs R E Parry (C)</b> <b>Cllr C Shea (VC)</b> Cllr R Hogarth Cllr K Bonin Cllr A Eyre Cllr V Granville Baxter Cllr T Morris Brown Cllr E Waite	<b>Cllr E Waite (C)</b> <b>Cllr Mrs R E Parry (VC)</b> <b>Cllr C Shea</b> Cllr V Granville Baxter Cllr T Morris Brown Cllr R Hogarth Cllr N Busvine Cllr A Eyre

<b>LIST OF APPOINTMENTS</b>	<b>2020/2021</b>	
<p><b>SUB COMMITTEES – Note:</b> The following Sub Committees will report to the Finance and General Purposes Committee.</p> <p>The following Sub Committees (membership as shown below) will include the Chairman or Vice Chairman of the F &amp; G P Committee where indicated (unless they signify that they do not wish to serve).</p>		
Bat & Ball Centre User Group  <b>Town Council Representatives: -</b>  <b>CHAIRMAN</b>	<u>2020/21</u>  <b>Bat &amp; Ball Centre User Group No appointments made during closure period</b>	<u>2021/22</u>  <b>Bat &amp; Ball Centre User Group No appointments made during closure period</b>

RESOLUTION 55

**NOMINATIONS  
REPRESENTATION ON OUTSIDE BODIES**

Organisation	2020/2021 Rolled forward from 2019/20	2021/22
Age UK (Council & Exec)	Cllr J M Canet	Cllr J M Canet
Citizens Advice Bureau	Cllr S Raikes	Cllr S Raikes
Dorothy Parrott Trust	Mayor Deputy Mayor	Mayor Deputy Mayor
Friends of Pontoise	Cllr S Raikes	Cllr S Raikes
Friends of Rheinbach	Cllr R Hogarth	Cllr R Hogarth
KALC (Area & County)	Cllr A Clayton Cllr R J Parry	Cllr A Clayton Cllr R J Parry
Kentish Opera - Patron	Mayor	Mayor
League of Friends of Sevenoaks Hospital	Mayor	Mayor
Lady Margaret Boswell's Church of England Educational Charity ----- period of four years wef 2017	Cllr S Raikes	Cllr. Raikes
Sevenoaks Almshouse Charity	Cllr J M Canet	Cllr J M Canet
Sevenoaks Churches Group for Social Concern	Cllr S Raikes	Cllr L Michaelides
Sevenoaks Fair Trade Steering Committee	Cllr A Clayton alternate Cllr S Raikes	Cllr V Granville Baxter alternate Cllr S Raikes
Sevenoaks Summer Festival	Cllr S Raikes Cllr V Granville Baxter	Cllr S Raikes Cllr V Granville Baxter
Sevenoaks District Arts Council	Cllr V Granville Baxter	Cllr V Granville Baxter
Sevenoaks Town Team	Cllr A S Clayton Cllr S G Raikes	Cllr V Granville Baxter Cllr S G Raikes
SRFC Liaison Group & Raleys/Knole Paddock User Group	Cllr A W Eyre Cllr S Raikes	Cllr N Busvine Cllr C Shea
SRTA [Liaison]	Not required	Not required

**RESOLUTION 55**

Tarmac & KCC Liaison Group	Chairman of OS & L Cllr A Eyre Cllr C Shea	Chairman of OS & L Cllr A Eyre Cllr C Shea
Visit Kent	Cllr C Shea	Cllr C Shea
Woodside Private Road Ltd	Cllr S Camp	Cllr C Shea

## **TERMS OF REFERENCE - THE TOWN COUNCIL**

### **1 COUNCIL**

The Town Council is the final authority on matters of policy and the powers of duties exercised by the Council. The Town Council will be solely responsible for the following specific functions:-

- (a) The power of raising loans and setting the precept
- (b) The power of incurring capital expenditure not specifically included in the Council's approved estimates of expenditure for the time being
- (c) The appointment or dismissal of the Town Clerk
- (d) Appointment of Committees, Chairmen and Vice Chairmen thereof
- (e) Appointment of Representatives on Outside Bodies
- (f) Annual Subscriptions
- (g) Standing Orders as to the conduct of the Council's business
- (h) The Committee Structure including terms of reference, membership etc

## **STANDING COMMITTEES**

Sevenoaks Town Council operates and governs under a committee system with the following delegated powers.

Councillors shall be members of the Standing Committees of the Council in accordance with standing orders.

### **2 FINANCE AND GENERAL PURPOSES COMMITTEE**

- (a) To study the long term aims and objectives of the Town Council and recommend such forward programmes and other steps as may be necessary to achieve the Council's objectives in whole or in part during specific time spans.
- (b) To consider all the following matters and have executive powers once general policy and expenditure has been approved by the Town Council.
  - (i) All financial matters and accounts for payment as provided for by the Financial Regulations
  - (ii) Annual Estimates
  - (iii) Capital Works Programme
  - (iv) Grant Aid
  - (v) Public Offices
  - (vi) Executive powers to be granted to officers and Committee Chairmen
  - (vii) Projects for the benefit of the Sevenoaks Community and to make recommendations thereon to the Council
  - (viii) Annual Management letter from the Auditors

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- (ix) Insurance policies
- (x) Asset Register
- (xi) Town Twinning and Liaison
- (xii) To consider any general purposes business
- (xiii) Town Partnership
- (xiv) Sevenoaks Community Centre Administration
- (xv) Christmas Lighting & Town Centre Events/Festivals
- (xvi) Markets

3 **OPEN SPACES & LEISURE COMMITTEE**

To consider all matters relating to the following items and have executive powers once general policy and expenditure has been approved by the Council.

- (a) Cemeteries
- (b) Lawn of Remembrance
- (c) Recreational Facilities
- (d) Refuse and litter collection; Grit Bins/Litter Bins
- (e) Allotments
- (f) Roleys Field, Knole Paddock, Greatness and associated developments
- (g) The Open Spaces, Woodlands and Common Areas under the Council's control
- (h) Vine Gardens/Upper High Street Gardens
- (i) Sevenoaks Common and other Open Spaces
- (j) Seats, other than seats in bus shelters
- (k) Maintenance of footpaths
- (l) Rights of Way on both footpaths and bridleways including obstructions and applications for diversions; closure or creation of rights of way and to have executive powers regarding action necessary for dealing with obstructions of right of way
- (m) Public Shelters, Bus Shelters, and to have executive powers regarding urgent action necessary in the interest of public safety in these places
- (n) Town Clocks
- (o) Public Lavatories
- (p) Any Bye Laws to be introduced by the Town Council

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4 **PLANNING COMMITTEE**

- (a) To consider and have executive powers except where future policy is being formulated properly the concern of the Finance and General Purposes Committee, to deal with all Town and Country Planning matters
- (b) To consider all matters relating to redevelopment schemes including the provision of attendant roads and ancillary parking
- (c) To consider all matters relating to traffic routes designed to reduce or remove traffic from the centres of the Town and the Upper High Street
- (d) To have authority to hold additional Planning meetings on Tuesdays when the fortnightly cycle of commenting on planning applications would be impossible to adhere to owing to Bank Holidays
- (e) The Chairman of the Committee, or in his/her absence the Vice Chairman, in consultation with one other Committee Member (to be a ward member for the premises concerned) and the Town Clerk, to have executive powers to make observations in respect of planning applications referred to the Town Council, where it is not possible to convene a meeting of the Committee in time to meet the deadline date for return of observations to the Planning Officer

Where this executive power has been exercised, the observations made to the Planning Officer are to be reported to the next meeting of the Town Planning Committee or direct to the next meeting of the Town Council if sooner

- (f) To consider and have executive power in respect of all matters relating to Licensing within the Parish, including licensing of premises for the sale of alcohol
- (g) The Chairman of the Committee or in his/her absence the Vice Chairman in consultation with one other Committee Member (to be a ward member for the premises concerned) and the Town Clerk to have executive powers to make observations in respect of Licensing Applications referred to the Town Council where it is not possible to convene a meeting of the Committee in time to meet the deadline date for return of observations to the Licensing Authority.

Where this executive power has been exercised the observations made to the Licensing Authority are to be reported to the next meeting of the town Planning Committee or direct to the next meeting of the Town Council if sooner

- (h) To consider all matters relating to Highways (other than footway lighting) within the area of the Town Council including parking restrictions and street car parks, street signs, street numbering, traffic movements and routes, one way systems, maintenance and cleaning
- (h) To consider all matters relating to:-
  - (i) Car Parks and car parking charges
  - (ii) Public Transport Services associated with the Town
  - (iii) Any proposed Motorway Interchanges affecting the Town
  - (iv) Rail Services
  - (v) Air transport
- (i) To consider any long term aims and objectives of the Town Council in relation to the

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Local Plan and the Local Development Framework; Town Development and other strategic Town and Country Planning matters

- (j) All matters relating to road safety
- (k) Conservation Areas and Environmental Improvements except where relating to Town Council land and properties
- (l) Formation of Neighbourhood Plans
- (m) Tree Work Applications - The Chairman of the Committee or in his/her absence the Vice Chairman in consultation with another Committee member (to be a ward member for the site concerned) and the Town Clerk to have executive powers to make observations to the Local Planning Authority in respect of Tree Work applications (both Conservation Area and Tree Preservation Order) which the Town Council is notified of in order to maximise the opportunity to object to inappropriate works prior to a determination being reached by the Local Planning Authority.

Where this executive power has been exercised the observations made to the Local Planning Authority are to be reported to the next meeting of the Planning Committee or direct to the next meeting of the Town Council if sooner.

**5 PERSONNEL COMMITTEE**

To have executive authority in respect of all personnel matters, in particular:

- (a) Senior Staff appointments
- (b) The Council's establishment
- (c) Training report and evaluation

To make recommendations to Council on:-

- (d) Terms and conditions of service in respect of staff
- (e) Responsibility for all Health and Safety Matters

**6 COMMUNITY INFRASTRUCTURE COMMITTEE**

To oversee the project management with delegated executive powers of the projects and priorities identified in the Community Investment Plan and Town Council's Priorities once approval has been given by the Town Council.

These to include:-

- (a) Approval of tenders
- (b) Approval of contractors
- (c) Expenditure to budget agreed by Council and Finance & General Purposes Committee.
- (d) Research and make recommendations to Council for new projects
- (e) To create the list for and approve the expenditure of the Community Infrastructure Levy income on projects.
- (f) Submit Planning Applications for projects as identified.
- (g) Submit Funding Applications for projects as identified.

**7. YOUTH SERVICES COMMITTEE**

To consider all matters relating to the following items and have executive powers once general policy and expenditure has been approved by the Council:

- a) Sevenoaks Youth Council
- b) House in the Basement Youth Café
- c) Liaising and working with other youth service providers with aim of assessing needs and to encourage and support activities with the aim of fostering the personal development of young people.
- d) Arranging events and facilities for young people
- e) Responsible for budgets for
  - Youth Council
  - HitB Youth Café
  - Youth Grants
- f) The Youth Services Committee may co-opt non-voting members to the Committee, including two Youth Councillors.
- g) Meetings of the Youth Services Committee to be held after Youth Council meetings.
- h) A quorum of the Youth Services Committee will be three voting members.
- i) Have executive authority to award Youth Grants to the value of £250 up to the overall budget. The Committee shall not normally support applications for funding services which are the responsibility of a statutory authority nor applications for funding of a service for a period exceeding three years, nor application forms from individuals without the demonstrated support of a recognised group, club or organisation.

## **SUB COMMITTEES**

### **8. Bat & Ball Centre User Group**

*The aim of the Users Group is to assist the operation of the Bat & Ball Centre. The Group may suggest, where applicable, improvements or ideas.*

*The management and day to day operation of the Centre are not matters for the User Group.*

(a) Membership will consist of the following representatives: -

- (i) 2 Town Councillors
- (ii) 7 User Groups

The Chief Executive/Town Clerk or an appropriate substitute will attend all meetings.

(b) The Councillors will invite organisations who use the centre to nominate representatives to the Group to ensure community input to the Bat & Ball Centre

(c) A Councillor is to be elected annually as Chairman of the User Group, together with one other Councillor. Should the Chairman step down during the term of office, the other Councillor will assume the role until the end of the term.

(d) Agendas for meetings will be compiled by the Town Council

(e) The Group will meet three times per year

(f) The Town Council may consult the User Group, as appropriate, about any projects relating to the Bat & Ball Centre.

(g) A quorum will be the Chairman, or in his absence, his representative, together with 3 other representatives.

(h) Membership of the Group is voluntary and no expenses or remuneration are paid.

(i) Suggestions and / or ideas formulated by the Group for presentation to the Town Council, must be supported by a majority vote at the Groups' meeting. The Chairman if necessary will have a casting vote.

(j) Notes of meetings to be reported to the Finance & General Purposes Committee

## Sevenoaks Town Council Standing Orders

### Historic

11.01.2016

22.02.2016

Adopted Resolution 410

16 05 2016

Adopted Resolution 61

15 05 2017

Adopted Resolution 64

14.05.2018

Adopted Resolution 70

13.05.2019

Adopted Resolution 62

# 1 Meetings

Mandatory for full Council meetings ●

Mandatory for committee meetings ●

Mandatory for 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 **When calculating the 3 clear days for notice of a meeting to councillors and the public, 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 shall not count.**
- c **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.**
- d Subject to standing order 1(c) above, members of the public are permitted to make representations, answer questions and give evidence in respect of any item of business included in the agenda.
- e The period of time which is at the Chairman's discretion for public participation in accordance with standing order 1(d) above] is normally 15 minutes and shall not exceed 30 minutes.
- f Subject to standing order 1(e) above, each member of the public is entitled to speak once only in respect of business itemised on the agenda and shall not speak for more than 3 minutes.
- g In accordance with standing order 1(d) above, a question asked by a member of the public during a public participation session at a meeting shall not require a response or debate.

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- h In accordance with standing order 1(g) above, the Chairman may direct that a response to a question posed by a member of the public be referred to a Councillor for a oral response or to an employee for a written or oral response.
- i A record of a public participation session at a meeting shall be included in the minutes of that meeting.
- j A person shall raise his hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort). The Chairman may at any time permit an individual to be seated when speaking.
- k Any person speaking at a meeting shall address his comments to the Chairman.
- l Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chairman shall direct the order of speaking.
- m Reporting the proceedings of a meeting as defined by the Openness of Local Government Bodies Regulations 2014 is permitted subject to members of the public and press having not been excluded under Standing Order 1 (c ) and that reporting is carried out in a manner which does not disrupt the transaction of business at the meeting. For the avoidance of doubt, the right to report on the proceedings of meetings does not override standing orders 10 (a,b,c). those exercising their right to report on the proceedings of a meeting are requested to comply with Sevenoaks Town Council's Protocol for the recording of meetings  
*[Minute 213 (i) refers - 06.10.2014]*
- n **In accordance with standing order 1(c) above, the press shall be provided 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 Mayor may in his absence be done by, to or before the Deputy Mayor**

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- p **The Mayor, if present, shall preside at a meeting. If the Mayor is absent from a meeting, the Deputy Mayor, if present, shall preside. If both the Mayor and the Deputy Mayor are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.**
- q **Subject to standing order 1 (y) below, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.**
- r **The Chairman may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote. (See also standing orders 2 (i) and (j) below.)**
- s **Voting on any 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 his vote for or against that question.**  
Such a request shall be made prior to the vote. A Member dissenting from a Committee decision may, at his request, have his name recorded as dissenting therefrom
- t
- u **The minutes of a meeting shall record the names of councillors present and absent.**
- v If prior to a meeting, a Councillor has submitted reasons for his absence at the meeting which is then approved by a resolution, such resolution shall be recorded in the minutes of the meeting at which the approval was given.
- w **The code of conduct adopted by the Council shall apply to councillors in respect of the entire meeting.**

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- x **An interest arising from the code of conduct adopted by the Council, the existence and nature of which is required to be disclosed by a Councillor at a meeting shall be recorded in the minutes. (*See also standing orders 7 and 8 below.*)**
- y **No business may be transacted at a Council meeting, Committee Meeting, or Sub-Committee Meeting unless at least one third of the whole members of the Committee are present, and in no case shall the quorum of a meeting be less than three. In the case of the Planning Committee and the Finance and General Purposes Committee the quorum shall be six members.**
- z **If a meeting is or becomes inquorate no business shall be transacted** and the meeting shall be adjourned. The proper officer shall record the names of those members present and those absent and any outstanding business of a meeting so adjourned shall be transacted at a following meeting.
- aa Meetings shall not exceed a period of 3.5 hours. Meetings shall commence at 7.00pm and conclude at 10.30pm unless a majority of those present by Resolution extend that closure time to 11.00pm on the same day

## 2 Ordinary Council meetings

*See also standing order 1 above*

- 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 new councillors elected take office.**
- b **In a year which is not an election year, the annual meeting of a Council shall be held on such day in May as the Council may direct.**
- c **The annual meeting of the Council shall take place at 7pm.**
- 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 directs.**
- e **Other ordinary meetings may be held in each year on such dates and times as**

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**the Council may direct.**

- f The election of the Mayor and Deputy Mayor of the Council shall be the first business completed at the annual meeting of the Council.**
- g The Mayor of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the Council.**
- h The Deputy Mayor of the Council, if any, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Mayor of the Council at the next annual meeting of the Council.**
- i In an election year, if the current Mayor of the Council has not been re-elected as a member of the Council, he shall preside at the meeting until a successor Mayor of the Council has been elected. The current Mayor of the Council shall not have an original vote in respect of the election of the new Mayor of the Council but must give a casting vote in the case of an equality of votes.**
- j In an election year, if the current Mayor of the Council has been re-elected as a member of the Council, he shall preside at the meeting until a new Mayor of the Council has been elected. He may exercise an original vote in respect of the election of the new Mayor of the Council and must give a casting vote in the case of an equality of votes.**
- k Following the election of the Mayor of the Council and Deputy Mayor of the Council at the annual meeting of the Council, the order of business shall be as follows.**
  - i. In an election year, delivery by councillors of their declarations of acceptance of office.**
  - ii. Confirmation of the accuracy of the minutes of the last meeting of the Council and to receive and note minutes of and/or to determine recommendations made by committees.**
  - iii. Review of delegation arrangements to committees, sub-committees, employees and other local authorities.**

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- iv. Review of the terms of references for committees.
- v. Receipt of nominations to existing committees.
- vi. Appointment of any new committees, confirmation of the terms of reference, the number of members (including, if appropriate, substitute councillors) and receipt of nominations to them.
- vii. Review and adoption of appropriate standing orders and financial regulations.
- viii. Review of arrangements, including any charters, with other local authorities and review of contributions made to expenditure incurred by other local authorities.
- ix. Review of representation on or work with external bodies and arrangements for reporting back.
- x. In a year of elections, if a Council's period of eligibility to exercise the power of General Power of Competence expired the day before the annual meeting, to review and make arrangements to reaffirm eligibility.
- xi. Review of inventory of land and assets including buildings and office equipment to be reviewed at first Finance & General Purposes meeting following the annual meeting of the Council
- xii. Review and confirmation of arrangements for insurance cover in respect of all insured risks to be reviewed at first Finance & General Purposes meeting following the annual meeting of the Council
- xiii. Review of the Council's and/or employees' memberships of other bodies.
- xiv. Establishing or reviewing the Council's complaints procedure to be reviewed at first Finance & General Purposes meeting following the annual meeting of the Council
- xv. Establishing or reviewing the Council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998 to be reviewed at first Finance & General Purposes meeting following the annual meeting of the Council

- xvi. Establishing or reviewing the Council's policy for dealing with the press/media to be reviewed at first Finance & General Purposes meeting following the annual meeting of the Council
- xvii. Setting the dates, times and place of ordinary meetings of the full Council for the year ahead.

### 3 Proper Officer

- a The Council's Proper Officer shall be either (i) the clerk or such other employee as may be nominated by the Council from time to time or (ii) such other employee appointed by the Council to undertake the role of the Proper Officer during the Proper Officer's absence. The Proper Officer and the employee appointed to act as such during the Proper Officer's absence shall fulfil the duties assigned to the Proper Officer in standing orders.
- b The Council's Proper Officer shall do the following.
  - i. **Sign and serve on councillors by email to their notified email address, delivery or post at their residences a summons confirming the time, date, venue and the agenda of a meeting of the Council and a meeting of a committee and sub-committee at least 3 clear days before the meeting.**
  - ii. **Give public notice of the time, date, venue and agenda at least 3 clear days before a meeting of the Council or a meeting of a committee or a sub-committee (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**
  - iii. Subject to standing orders 4(a)–(e) below, include in the agenda all motions in the order received unless a councillor has given written notice before the meeting confirming his withdrawal of it.
  - iv. **Convene a meeting of full Council for the election of a new Mayor of the**

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**Council, occasioned by a casual vacancy in his office, in accordance with standing order [3(b)i] OR [3(b)ii] above.**

- v. Make available for inspection the minutes of meetings.
- vi. **Receive and retain copies of byelaws made by other local authorities.**
- vii. **Receive and retain declarations of acceptance of office from councillors.**
- viii. Retain a copy of every councillor's register of interests and any changes to it and keep copies of the same available for inspection.
- ix. Keep proper records required before and after meetings;
- x. Process all requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the Council's procedures relating to the same.
- xi. Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
- xii. Manage the organisation, storage of and access to information held by the Council in paper and electronic form.
- xiii. Arrange for legal deeds to be sealed using the Council's common seal and witnessed (*See also standing orders 14(a) and (b).*)
- xiv. Arrange for the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations.
- xv. Record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;
- xvi. Refer a planning application received by the Council to the Chairman or in his absence the Vice-Chairman of the Planning Committee in consultation with one other Committee Member and the Town Clerk, to have executive powers to make observations, where it is not possible to convene a meeting of the Committee in time to meet the deadline date for return of observations to the Planning Officer. Where this executive power has been exercised, the observations made to the Planning Officer are to be reported to the next meeting of the Town Planning Committee or direct to the next

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meeting of the Town Council if sooner.

- xvii. Retain custody of the seal of the Council which shall not be used without a resolution to that effect.
- xviii. Action or undertake activity or responsibilities instructed by resolution or contained in standing orders.
- xix. Liaise, as appropriate, with the Council's Data Protection Officer.

## **4 Motions requiring written notice**

- a In accordance with standing order 3(b)(iii) above, no motion may be moved at a meeting unless it is included in the agenda and the mover has given written notice of its wording to the Council's Proper Officer at least 5 clear days before the next meeting.
- b The Proper Officer may, before including a motion in the agenda received in accordance with standing order 4(a) above, correct obvious grammatical or typographical errors in the wording of the motion.
- c If the Proper Officer considers the wording of a motion received in accordance with standing order 4(a) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer in clear and certain language at least 5 clear days before the meeting.
- d If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the Chairman of the forthcoming meeting or, as the case may be, the Councillors who have convened the meeting, to consider whether the motion shall be included or rejected in the agenda.
- e Having consulted the Chairman or councillors pursuant to standing order 4(d) above, the decision of the Proper Officer as to whether or not to include the motion in the agenda shall be final.
- f Notice of every motion received in accordance with the Council's standing orders

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shall be numbered in the order received and shall be entered in a book, which shall be open to inspection by all councillors.

- g Every motion rejected in accordance with the Council's standing orders shall be duly recorded with a note by the Proper Officer giving reasons for its rejection in a book for that purpose, which shall be open to inspection by all councillors.
- h Every motion and resolution shall relate to the Council's statutory functions, powers and lawful obligations or shall relate to an issue which specifically affects the Council's area or its residents.

## **5 Motions not requiring written notice**

- a Motions in respect of the following matters may be moved without written notice.
  - i. To appoint a person to preside at a meeting.
  - ii. To approve the absences of councillors.
  - iii. To approve the accuracy of the minutes of the previous meeting.
  - iv. To correct an inaccuracy in the minutes of the previous meeting.
  - v. To dispose of business, if any, remaining from the last meeting.
  - vi. To alter the order of business on the agenda for reasons of urgency or expedience.
  - vii. To proceed to the next business on the agenda.
  - viii. To close or adjourn debate.
  - ix. To refer by formal delegation a matter to a committee or to a sub-committee or an employee.
  - x. To appoint a committee or sub-committee or any councillors (including substitutes) thereto.
  - xi. To receive nominations to a committee or sub-committee.
  - xii. To dissolve a committee or sub-committee.

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- xiii. To note the minutes of a meeting of a committee or sub-committee.
- xiv. To consider a report and/or recommendations made by a committee or a sub-committee or an employee.
  
- xv. To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant.
- xvi. To authorise legal deeds to be sealed by the Council's common seal  
*(See standing orders 14(a) and (b) below.)*
- xvii. To authorise the payment of monies
- xviii. To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.
- xix. To extend the time limit for speeches.
- xx. To exclude the press and public for all or part of a meeting.
- xxi. To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct.
- xxii. To give the consent of the Council if such consent is required by standing orders.
- xxiii. To suspend any standing order except those which are mandatory by law.**
- xxiv. To adjourn the meeting.
- xxv. To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
- xxvi. To answer questions from councillors.
- b If a motion falls within the terms of reference of a committee or sub-committee or within the delegated powers conferred on an employee, a referral of the same may be made to such committee or sub-committee or employee provided that the Chairman may direct for it to be dealt with at the present meeting for reasons of urgency or expedience.

## 6 Rules of debate

- a Motions included in an agenda shall be considered in the order that they appear on the agenda unless the order is changed at the Chairman's direction for reasons of expedience.
- b Subject to standing orders 4(a)–(e) above, a motion shall not be considered unless it has been proposed and seconded.
- c Subject to standing order 3(b) (iii) above, a motion included in an agenda not moved by the councillor who tabled it, may be treated as withdrawn.
- d A motion to amend an original or substantive motion shall not be considered unless proper notice has been given after the original or substantive motion has been seconded and notice of such amendment, shall, if required by the Chairman, be reduced to writing and handed to the Chairman who shall determine the order in which they are considered.
- e A Councillor may move amendments to his own motion. If a motion has already been seconded, an amendment to it shall be with the consent of the seconder.
- f Any amendment to a motion shall be either:
  - i. to leave out words;
  - ii. to add words;
  - iii. to leave out words and add other words.
- g A proposed or carried amendment to a motion shall not have the effect of rescinding the original or substantive motion under consideration.
- h Only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chairman. No further amendment to a motion shall be

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moved until the previous amendment has been disposed of.

- i Subject to Standing Order 6(h) above, one or more amendments may be discussed together if the Chairman considers this expedient but shall be voted upon separately.
- j [Deliberately left blank]
- k If an amendment is not carried, other amendments shall be moved in the order directed by the Chairman.
- l If an amendment is carried, the original motion, as amended, shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved.
- m The mover of a motion or the mover of an amendment shall have a right of reply, not exceeding 3 minutes.
- n Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply in respect of the substantive motion at the very end of debate and immediately before it is put to the vote.
- o Subject to standing orders 6(m) and (n) above, a councillor may not speak further in respect of any one motion except to speak once on an amendment moved by another councillor or to make a point of order or to give a personal explanation.
- p During the debate of a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A Councillor raising a point of order shall identify the standing order which he considers has been breached or specify the irregularity in the meeting he is concerned by.
- q A point of order shall be decided by the Chairman and his decision shall be final.
- r With the consent of the seconder and/or of the meeting, a motion or amendment may be withdrawn by the proposer. A councillor shall not speak upon the said motion or amendment unless permission for the withdrawal of the motion or amendment has been refused.

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- s Subject to standing order 6(o) above, when a councillor's 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 Councillor or person to be silent or for the person 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;
  - ix. to suspend any standing order, except those which are mandatory.
- t In respect of standing order 6(s)(iv) above, the Chairman shall first be satisfied that the motion has been sufficiently debated before it is seconded and put to the vote. The Chairman shall call upon the mover of the motion under debate to exercise or waive his right of reply and shall put the motion to the vote after that right has been exercised or waived. The adjournment of a debate or of the meeting shall not prejudice the mover's right of reply at the resumption.

## **7 Code of conduct (England)**

*See also standing orders 1(d)–(i) above*

- a Pursuant to section 27 of the Localism Act 2011, Sevenoaks Town Council had adopted this Code of Conduct to promote and maintain high standards of behaviour by its members and co-opted members whenever they conduct business of the Council, including the business of the office to which they were elected or appointed, or when they claim to act or give the impression of acting as a representative of the Council.
- b All councillors shall where possible undertake training in the code of conduct

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within 6 months of the delivery of their declaration of acceptance of office.

- c Where a matter arises at a meeting which relates to a disclosable pecuniary interest the member shall not participate in a discussion or vote on the matter. He/she only has to declare what his/her Interest is If It is not already entered in the member's register of interests or if he/she has not notified the Monitoring Officer of it.

- d **Dispensations**

On a written request made to the Council's Proper Officer, the Council may grant a member a dispensation to participate in a discussion and vote on a matter at a meeting even if he/she has a disclosable pecuniary interest if the Council believes that the number of members otherwise prohibited from taking part in the meeting would impede the transaction of the business; or it is in the interests of the inhabitants in the Council's area to allow the member to take part or it is otherwise appropriate to grant a dispensation.

## 8 Questions

- a A councillor may seek an answer to a question concerning any business of the Council provided 5 clear days' notice of the question has been given to the Proper Officer.
- b Questions not related to items of business on the agenda for a meeting shall only be asked during the part of the meeting set aside for such questions.
- c Every question shall be put and answered without discussion.

## 9 Minutes

- a If a copy of the draft minutes of a preceding meeting has been circulated to councillors no later than the day of service of the summons to attend the scheduled meeting they shall be taken as read.
- b No discussion of the draft minutes of a preceding meeting shall take place except

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- in relation to their accuracy. A motion to correct an inaccuracy in the minutes shall be raised in accordance with standing order 5(a)(iv) above.
- c Minutes, including any amendment to correct their accuracy, shall be confirmed by resolution and shall be signed by the Chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
  - d Deliberately left blank.
  - e Upon a resolution which confirms the accuracy of the minutes of a meeting, any previous draft minutes or recordings of the meeting shall be destroyed.

## **10 Disorderly conduct**

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly.
- b If, in the opinion of the Chairman, there has been a breach of standing order 10(a) above, the Chairman shall express that opinion and thereafter any councillor (including the Chairman) may move that the person be silenced or excluded from the meeting, and the motion, if seconded, shall be put forth with and without discussion.
- c If a resolution made in accordance with standing order 10(b) above, is disobeyed, the Chairman may take such further steps as may reasonably be necessary to enforce it and/or he may adjourn the meeting.

## **11 Rescission of previous resolutions**

- a A resolution (whether affirmative or negative) of the Council shall not be reversed within 6 months except either by a special motion, the written notice whereof bears the names of at least 4 councillors of the Council, or by a motion moved in pursuance of the report or recommendation of a committee.
- b When a special motion or any other motion moved pursuant to standing order 11(a) above has been disposed of, no similar motion may be moved within a

further 6 months.

## 12 Voting on appointments

- a Where more than 2 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. Any tie may be settled by the Chairman's casting vote.

## 13 Expenditure

- a Any expenditure incurred by the Council shall be in accordance with the Council's financial regulations.
- b **The Council's financial regulations shall be reviewed once a year.**
- c **The Council's financial regulations may make provision for the authorisation of the payment of money in exercise of any of the Council's functions to be delegated to a committee, sub-committee or to an employee.**

## 14 Execution and sealing of legal deeds

*See also standing order 5(a)(xvi) above*

- a A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.
- b **In accordance with a resolution made under standing order 14(a) above, the**

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**Council's common seal shall alone be used for sealing a deed required by law. It shall be applied by the Proper Officer in the presence of the Mayor, Deputy Mayor or one other member who shall sign the deed as witnesses.**

## 15 Committees

*See also standing order 1 above*

- a The Council may, at its annual meeting, appoint standing committees and may at any other time appoint such other committees as may be necessary, and:
- i. shall determine their terms of reference;
  - ii. may permit committees to determine the dates of their meetings;
  - iii. shall appoint and determine the term of office of councillor or non-councillor members of such a committee (unless the appointment of non-councillors is prohibited by law) so as to hold office no later than the next annual meeting;
  - iv. may appoint substitute councillors to a committee whose role is to replace ordinary councillors at a meeting of a committee if ordinary councillors of the committee have confirmed to the Proper Officer by noon on the day of the meeting that they are unable to attend;
  - v. an ordinary member of a committee who has been replaced at a meeting by a substitute member (in accordance with standing order 15(a)(iv) above) shall not be permitted to participate in debate or vote on business at that meeting and may only speak during any public participation session during the meeting;
  - vi. may in accordance with standing orders, dissolve a committee at any time.

## 16 Sub-committees

*See also standing order 1 above*

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- a Unless there is a Council resolution to the contrary, every committee may appoint a sub-committee whose terms of reference and members shall be determined by resolution of the committee.

## **17 Extraordinary meetings**

*See also standing order 1 above*

- a **The Mayor may convene an extraordinary meeting of the Council at any time.**
- b **If the Mayor of the Council does not or refuses to call an extraordinary meeting of the Council within 7 days of having been requested to do so by two councillors, those two councillors may convene an extraordinary meeting of the Council. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two councillors.**
- c The Chairman of a committee (or a sub-committee) may convene an extraordinary meeting of the committee or sub-committee at any time.
- d If the Chairman of a committee (or a sub-committee) does not or refuses to call an extraordinary meeting within 7 days of having been requested by to do so by no less than a quarter of the members of the committee, those councillors may convene an extraordinary meeting of a committee (or a sub-committee). The statutory public notice giving the time, venue and agenda for such a meeting must be signed by 2 councillors.

## **18 Advisory committees**

*See also standing order 1 above*

- a The Council may appoint advisory committees comprised of a number of councillors and non-councillors.
- b [Deliberately left blank]

## 19 Accounts and Financial Statement

- a All payments by the Council shall be authorised, approved and paid in accordance with the Council's financial regulations, which shall be reviewed at least annually.
- b The Responsible Financial Officer shall supply to each councillor as soon as practicable after 31 March, 30 June, 30 September and 31 December in each year a statement summarising the Council's receipts and payments for each quarter and the balances held at the end of a quarter. This statement should include a comparison with the budget for the financial year. A Financial Statement prepared on the appropriate accounting basis (receipts and payments, or income and expenditure) for a year to 31 March shall be presented to each councillor before the end of the following month of May. The Statement of Accounts of the Council (which is subject to external audit), including the annual governance statement, shall be presented to Council for formal approval before 30 June.

## 20 Estimates/precepts

- a **The Council shall approve written estimates for the coming financial year** at its meeting before the end of January.
- b Any committee desiring to incur expenditure shall give the Proper Officer a written estimate of the expenditure recommended for the coming year no later than December.

## **21 Canvassing of and recommendations by councillors**

- a Canvassing councillors or the members of a committee or sub-committee, directly or indirectly, for appointment to or by the Council shall disqualify the candidate from such an appointment. The Proper Officer shall disclose the requirements of this standing order to every candidate.
- b A councillor or a member of a committee or sub-committee shall not solicit a person for appointment to or by the Council or recommend a person for such appointment or for promotion; but, nevertheless, any such person may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
- c This standing order shall apply to tenders as if the person making the tender were a candidate for an appointment.

## **22 Inspection of documents**

- a Subject to standing orders to the contrary or in respect of matters which are confidential, a councillor may, for the purpose of his official duties (but not otherwise), inspect any document in the possession of the Council or a committee or a sub-committee, and request a copy for the same purpose. The minutes of meetings of the Council, its committees or sub-committees shall be available for inspection by councillors.

## **23 Unauthorised activities**

- a Unless authorised by a resolution, no individual councillor shall in the name or on

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behalf of the Council, a committee or a sub-committee:

- i. inspect any land and/or premises which the Council has a right or duty to inspect; or
- ii. issue orders, instructions or directions.

## **24 Confidential business**

- a Councillors and employees shall not disclose information given in confidence or which they believe, or ought to be aware is of a confidential nature.
- b A councillor in breach of the provisions of standing order 24(a) above may be removed from a committee or a sub-committee by a resolution of the Council.

## **25 The General Power of Competence**

- a On 19 November 2012 [Minute271] Sevenoaks Town Council passed a resolution that It had fulfilled the criteria in order to become an eligible town council as set out in the Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012/965 which came into force in April 2012 to use the General Power of Competence.  
The resolution must be re-affirmed at the annual meeting of the council after the ordinary election every four years.

## **26 Matters affecting Council employees**

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- a If a meeting considers any matter personal to a Council employee, it shall not be considered until the Council or the Personnel Committee has decided whether or not the press and public shall be excluded pursuant to standing order 1(c) above.
- b Deliberately left blank.
- c Deliberately left blank
- d The Personnel Committee shall deal with any personnel matters concerning absence, performance, grievance and disciplinary matters as contained within the Employee Handbook agreed by the Personnel Committee
- e [Deliberately left blank]
- f [Deliberately left blank]
- g The Council shall keep written records relating to employees secure. All paper records shall be secured under lock and electronic records shall be password protected.
- h Records documenting reasons for an employee's absence due to ill health or details of a medical condition shall be made available only to those persons with responsibility for the same.
- i Only persons with line management responsibilities shall have access to employee records referred to in standing orders 26(g) and (h) above if so justified.
- j Deliberately left blank.

## 27 Management of Information

- 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**

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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.

## 28 Information Provision

- a All requests for information held by the Council shall be processed in accordance with the Council's policy in respect of handling requests under the Freedom of Information Act 2000.

The Council, shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.

## 29 Responsibilities under Data Protection Legislation

- a The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his personal data.
- b The Council shall have a written policy in place for responding to and managing a personal data breach.
- c 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.
- d 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.

- e     **The Council shall maintain a written record of its processing activities.**

### **30 Relations with the press/media**

- a     All requests from the press or other media for an oral or written statement or comment from the Council shall be processed in accordance with the Council's policy in respect of dealing with the press and/or other media.
- b     In accordance with the Council's policy in respect to dealing with the press and/or other media, councillors shall not, in their official capacity, provide oral or written statements or written articles to the press or other media.

### **31 Liaison with District & County Councillors**

- a     An invitation to attend a meeting of the Council shall be sent via email, together with the agenda, to the councillor of the District and County Council representing its electoral ward unless declined
- b     Unless the Council otherwise orders, a copy of each letter sent to the District or County Council shall be sent to the District or County Council councillor representing its electoral ward.

### **32 Financial matters**

- 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 accounting records and systems of internal control;
  - ii.    the assessment and management of financial risks faced by the Council;
  - iii.   the work of the Internal Auditor 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;

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- v. Procurement policies (subject to standing order 30(b) below) including the setting of values for different procedures where the contract has an estimated value of less than £50,000.
- b **Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £50,000 shall be procured on the basis of a formal tender as summarised in standing order 30(c) below.**
- c Any formal tender process shall comprise the following steps:
  - i. a public notice of intention to place a contract to be placed in a appropriate publication;
  - ii. a specification of the goods, materials, services and the execution of works shall be drawn up;
  - iii. tenders are to be sent, in a sealed marked envelope, to the Proper Officer by a stated date and time;
  - iv. tenders submitted are to be opened, after the stated closing date and time, by the Proper Officer and at least one member of the Council;
  - v. tenders are then to be assessed and reported to the appropriate meeting of Council or Committee.
- d Neither the Council, nor any committee, is bound to accept the lowest tender, estimate or quote.
- e **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds in standing order 31(f) is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity.**
- f **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £181,302 for a public service or supply contract or in excess of £4,551,413 for a public works contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contracts**

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**Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.**

- g A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £363,424 for a supply, services or design contract; or in excess of £4,551,413 for a works contract; or £820,370 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.**

### **33 Allegations of breaches of the code of conduct**

- a On receipt of an alleged breach of the code of conduct, the Monitoring Officer at the District Council be advised
- b [Deliberately left blank]
- c [Deliberately left blank]
- d [Deliberately left blank]
- e [Deliberately left blank]
- f [Deliberately left blank]
- g [Deliberately left blank]

### **34 Variation, revocation and suspension of standing orders**

- a Any or every part of the standing orders, except those which are mandatory by law, may be suspended by resolution in relation to any specific item of business.
- b A motion to permanently add to or to vary or to revoke one or more of the Council's standing orders not mandatory by law shall not be carried unless two-

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thirds of the councillors at a meeting of the Council vote in favour of the same.

## **35 Standing orders to be given to councillors**

- a The Proper Officer shall provide a copy of the Council's standing orders to a councillor upon delivery of his declaration of acceptance of office.
- b The Chairman's decision as to the application of standing orders at meetings shall be final.
- c A councillor's failure to observe standing orders more than 3 times in one meeting may result in him being excluded from the meeting in accordance with standing orders.



## **Local Government Association**

### **Model Councillor Code of Conduct 2020**

#### **Joint statement**

The role of councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that as councillors we can be held accountable and all adopt the behaviors and responsibilities associated with the role. Our conduct as an individual councillor affects the reputation of all councillors. We want the role of councillor to be one that people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become councillors.

As councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area; taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations.

Importantly, we should be able to undertake our role as a councillor without being intimidated, abused, bullied or threatened by anyone, including the general public.

This Code has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.

## **Introduction**

The Local Government Association (LGA) has developed this Model Councillor Code of Conduct, in association with key partners and after extensive consultation with the sector, as part of its work on supporting all tiers of local government to continue to aspire to high standards of leadership and performance. It is a template for councils to adopt in whole and/or with local amendments.

All councils are required to have a local Councillor Code of Conduct.

The LGA will undertake an annual review of this Code to ensure it continues to be fit-for-purpose, incorporating advances in technology, social media and changes in legislation. The LGA can also offer support, training and mediation to councils and councillors on the application of the Code and the National Association of Local Councils (NALC) and the county associations of local councils can offer advice and support to town and parish councils.

## **Definitions**

For the purposes of this Code of Conduct, a “councillor” means a member or co-opted member of a local authority or a directly elected mayor. A “co-opted member” is defined in the Localism Act 2011 Section 27(4) as “a person who is not a member of the authority but who

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee”.

For the purposes of this Code of Conduct, “local authority” includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

## **Purpose of the Code of Conduct**

The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct. The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

## **General principles of councillor conduct**

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the [Seven Principles of Public Life](#), also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

## **Application of the Code of Conduct**

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.

This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- you misuse your position as a councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor;

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

## **Standards of councillor conduct**

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

### **General Conduct**

#### **1. Respect**

##### **As a councillor:**

**1.1 I treat other councillors and members of the public with respect.**

**1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.**

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor-officer protocol.

## **2. Bullying, harassment and discrimination**

### **As a councillor:**

#### **2.1 I do not bully any person.**

#### **2.2 I do not harass any person.**

#### **2.3 I promote equalities and do not discriminate unlawfully against any person.**

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

### **3. Impartiality of officers of the council**

**As a councillor:**

#### **3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.**

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

### **4. Confidentiality and access to information**

**As a councillor:**

#### **4.1 I do not disclose information:**

- a. given to me in confidence by anyone**
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**
  - i. I have received the consent of a person authorised to give it;**
  - ii. I am required by law to do so;**
  - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or**
  - iv. the disclosure is:**
    - 1. reasonable and in the public interest; and**
    - 2. made in good faith and in compliance with the reasonable requirements of the local authority; and**
    - 3. I have consulted the Monitoring Officer prior to its release.**

#### **4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.**

#### **4.3 I do not prevent anyone from getting information that they are entitled to by law.**

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

## **5. Disrepute**

**As a councillor:**

### **5.1 I do not bring my role or local authority into disrepute.**

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower the public's confidence in you or your local authority's ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

## **6. Use of position**

**As a councillor:**

### **6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.**

Your position as a member of the local authority provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

## **7. Use of local authority resources and facilities**

**As a councillor:**

### **7.1 I do not misuse council resources.**

### **7.2 I will, when using the resources of the local or authorising their use by others:**

- a. act in accordance with the local authority's requirements; and**
- b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.**

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

## **8. Complying with the Code of Conduct**

### **As a Councillor:**

**8.1 I undertake Code of Conduct training provided by my local authority.**

**8.2 I cooperate with any Code of Conduct investigation and/or determination.**

**8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.**

**8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.**

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

## **Protecting your reputation and the reputation of the local authority**

## **9. Interests**

### **As a councillor:**

**9.1 I register and disclose my interests.**

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority .

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in **Table 1**, is a criminal offence under the Localism Act 2011.

**Appendix B sets** out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

## **10. Gifts and hospitality**

**As a councillor:**

- 10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.**
- 10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.**
- 10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.**

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

## **Appendices**

### **Appendix A – The Seven Principles of Public Life**

The principles are:

#### **Selflessness**

Holders of public office should act solely in terms of the public interest.

#### **Integrity**

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

#### **Objectivity**

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

#### **Accountability**

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

#### **Openness**

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

#### **Honesty**

Holders of public office should be truthful.

#### **Leadership**

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

## Appendix B Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in “The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012”. You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

**“Disclosable Pecuniary Interest”** means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

**"Partner"** means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A ‘sensitive interest’ is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a ‘sensitive interest’ you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

### Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a ‘sensitive interest’, you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it

### Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a ‘sensitive interest’, you do not have to disclose the nature of the interest.

## Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which **affects** –
  - a. your own financial interest or well-being;
  - b. a financial interest or well-being of a relative, close associate; or
  - c. a body included in those you need to disclose under Other Registrable Interests as set out in **Table 2**

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

9. Where a matter **affects** your financial interest or well-being:
  - a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
  - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. Where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must make sure that any written statement of that decision records the existence and nature of your interest.

**Table 1: Disclosable Pecuniary Interests**

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

<b>Subject</b>	<b>Description</b>
<b>Employment, office, trade, profession or vocation</b>	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
<b>Sponsorship</b>	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
<b>Contracts</b>	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the

	<p>councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council —</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
<b>Land and Property</b>	<p>Any beneficial interest in land which is within the area of the council.</p> <p>‘Land’ excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.</p>
<b>Licenses</b>	<p>Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer</p>
<b>Corporate tenancies</b>	<p>Any tenancy where (to the councillor’s knowledge)—</p> <p>(a) the landlord is the council; and</p> <p>(b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.</p>
<b>Securities</b>	<p>Any beneficial interest in securities* of a body where—</p> <p>(a) that body (to the councillor’s knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were</p>

	spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.
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\* 'director' includes a member of the committee of management of an industrial and provident society.

\* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

## **Table 2: Other Registrable Interests**

You have a personal interest in any business of your authority where it relates to or is likely to affect:

- a) any body of which you are in general control or management and to which you are nominated or appointed by your authority
- b) any body
  - (i) exercising functions of a public nature
  - (ii) any body directed to charitable purposes or
  - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

## Appendix C – the Committee on Standards in Public Life

The LGA has undertaken this review whilst the Government continues to consider the recommendations made by the Committee on Standards in Public Life in their report on [Local Government Ethical Standards](#). If the Government chooses to implement any of the recommendations, this could require a change to this Code.

The recommendations cover:

- Recommendations for changes to the Localism Act 2011 to clarify in law when the Code of Conduct applies
- The introduction of sanctions
- An appeals process through the Local Government Ombudsman
- Changes to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012
- Updates to the Local Government Transparency Code
- Changes to the role and responsibilities of the Independent Person
- That the criminal offences in the Localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished

The Local Government Ethical Standards report also includes Best Practice recommendations. These are:

**Best practice 1:** Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.

**Best practice 2:** Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation and prohibiting trivial or malicious allegations by councillors.

**Best practice 3:** Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.

**Best practice 4:** An authority's code should be readily accessible to both councillors and the public, in a prominent position on a council's website and available in council premises.

**Best practice 5:** Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.

**Best practice 6:** Councils should publish a clear and straightforward public interest test against which allegations are filtered.

**Best practice 7:** Local authorities should have access to at least two Independent Persons.

**Best practice 8:** An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to

review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.

**Best practice 9:** Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.

**Best practice 10:** A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.

**Best practice 11:** Formal standards complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council, rather than the clerk in all but exceptional circumstances.

**Best practice 12:** Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.

**Best practice 13:** A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.

**Best practice 14:** Councils should report on separate bodies they have set up or which they own as part of their annual governance statement and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness and publish their board agendas and minutes and annual reports in an accessible place.

**Best practice 15:** Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.

***The LGA has committed to reviewing the Code on an annual basis to ensure it is still fit for purpose.***

			Prices are without VAT	
	Body	Due Date	2020/21	2021/22
<b>a</b>	Institute of Groundsmanship	April	£150.00	£150.00
<b>b</b>	Institute of Cemetery and Crematorium Management	April	£95.00	£95.00
<b>c</b>	Kent Association of Local Councils	April	£1,515.00	£1,515.00
<b>d</b>	South East Employers	April	£340.00	£340.00
<b>e</b>	Parish Online	June	£280.00	£700.00
<b>f</b>	Information Commissioner's Office	August	£35.00	£35.00
<b>g</b>	Local World - Sevenoaks Chronicle	September	£93.60	£93.60
<b>h</b>	LCR	October	£54.00	£54.00
<b>i</b>	Institute of Chartered Accountants in England and Wales	December	£395.00	£395.00
<b>j</b>	Sevenoaks Chamber of Commerce	January	£250.00	£250.00
<b>k</b>	Kent Junior Chess Association	September	£7.00	£7.00
<b>l</b>	Kent Farmer's Market Association	February	£57.00	£57.00
<b>m</b>	Society of Local Council Clerks	March	£525.00	£525.00
<b>n</b>	Haymarket - Planning magazine	April	£175.00	£350.00
<b>o</b>	Amazon Prime	September	£79.00	£79.00
<b>p</b>	NLA Media access	April	£334.00	£214.00
<b>q</b>	National Allotment Society	July	£55.00	£55.00
<b>r</b>	Community Rail Network	August	£80.00	£80.00
<b>s</b>	National Association of British Markets	March	£71.59	£71.59
<b>t</b>	Association of Town Centre Management	June	£545.00	£545.00
<b>u</b>	ASDAN	April	£195.00	
<b>v</b>	AAT (Accounting Technicians)	September	£233.00	£233.00