

Minutes of the Annual Meeting of the Sevenoaks Town Council held in the Council Chamber, Town Council Offices, Bradbourne Vale Road, Sevenoaks, TN13 3QG on Monday 15<sup>th</sup> May 2023.

**Meeting Commenced: 7:00pm**

**Meeting Concluded: 7:46pm**

**PRESENT**

**THE MAYOR, MRS RACHEL PARRY, IN THE CHAIR**

Cllr Libby Ancrum	Present	Cllr Sally Layne	Present
Cllr Sue Camp	Present	Cllr Lise Michaelides	Present
Cllr Dr Marilyn Canet	Present	Cllr Claire Shea	Present
Cllr Tony Clayton	Present	Cllr David Skinner OBE	Present
Cllr Catherine Daniell	Present	Cllr Nick Varley	Present
Cllr Peter Dixon	Present	Cllr Gareth Willis	Present
Cllr Victoria Granville	Apologies	Cllr Nigel Wightman	Present
Cllr Chloe Gustard	Present		

**Also Present**

Town Clerk, Deputy Town Clerk, Senior Committee Clerk, Social Media & Events Assistant  
 Nick Busvine, Andrew Eyre, Roddy Hogarth, Rachel Parry, Richard Parry and Simon Raikes  
 Caroline Berry, Sevenoaks Area Youth Trust (SAYT)  
 Dawn Hallam, Chair of Sevenoaks Area Youth Trust (SAYT)  
 Cpl Libby Simmonds  
 Able Cadet Scarlet Burgess

40 members of the public.

Livestreamed on YouTube and available to view here: <https://youtube.com/live/yJoRQduiBbw>

**PUBLIC QUESTION TIME:** No matters raised.

**AWARD PRESENTATIONS**

Mayor Rachel Parry made the following presentations:

- a) **Presentation of Cheque to Mayor's Charity: Sevenoaks Area Youth Trust (SAYT)**  
 The Mayor's chosen charity for her fundraising during her year of office was Sevenoaks Area Youth Trust (SAYT). She was very pleased to present a cheque of £12,000 to Dawn Hallam, Chair of SAYT.
- 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 the Mayor's Award was presented to Caroline Berry in recognition of her work for SAYT, as a member of the Town Council's Youth Services Committee and for the support given to the Mayor during her civic year.

**c) The Mayor's Outgoing Cadet**

Corporal Libby Simmonds was presented with a certificate and a glass plaque as a token of appreciation for her service. The Mayor thanked Libby personally for her support during the year.

**65 ELECTION OF MAYOR**

The Town Clerk read the notice to convene the meeting.

Mayor Rachel Parry invited nominations for the Office of Mayor.

It was proposed by Cllr Wightman and seconded by Cllr Daniell, that Cllr Claire Shea be elected to the office of Mayor for the ensuing year. There were no other nominations.

**RESOLVED:** that Cllr Claire Shea be elected Mayor.

**66 DECLARATION OF ACCEPTANCE OF OFFICE**

Cllr Claire Shea read aloud and signed the Statutory Declaration of Acceptance of Office.

The retiring Mayor welcomed her successor and invested her with the Mayoral Chain of Office.

Mayor Shea presented Rachel Parry with her Past Mayor's badge and a gift in thanks for her term of office.

**CLLR CLAIRE SHEA IN THE CHAIR**

**Rachel Parry gave a retiring speech and addressed the Council:**

*"I'd like to take this opportunity to thank the Mayor's secretary, Mrs Avril Mitchem for her support and work throughout my Mayoral Year. Also, I have to thank everyone in the council's offices for the help which I have really appreciated.*

*At the start of my year I pledged to follow the tradition that Mayors are apolitical and so would serve all who live and work in Sevenoaks. I pledged to ensure that the surrounding towns, districts and boroughs, also London boroughs became really aware of what Sevenoaks offers to businesses, residents and visitors, so demonstrating why Sevenoaks is such a super place. I also pledged to raise money for my charity, Sevenoaks Area Youth Trust, and was so pleased a few moments ago to present to them an interim cheque for £12,000.*

*Continuing with "thank yous" I need to thank Biggin Hill Airport, Sevenoaks Lions, the William Sennocke Lodge, the Kent Masons, Warners and Thackray Williams solicitors, Francis Jones Jewellery, Knole Park Golf Club, Delmergate Pharmacy, retiring councillor Hogarth, the Town Council and the Stag for their generous sponsorship and support.*

*As I wrote in the Sevenoaks Souvenir Brochure for the Coronation of His Majesty King Charles the Third and Queen Camilla, this has been an historic year in which to have been the Mayor of Sevenoaks, with so many national events which are unlikely to occur in such proximity for many years to come.*

*I'm sure you'll all remember the various events in June 2022 in particular, from the Platinum Jubilee, the Big Picnic on the Vine, the 900<sup>th</sup> anniversary year celebrations for St. Nicholas Church - the Town's Parish Church, and later in June my Civic Service which included the christening of the Ukrainian baby from Kiev, little Ameliia Yaremko, whose parents Anastasiia and Volodymyr were anxiously waiting for the special robes which luckily did arrive from Kiev that morning!*

*After the many happy events of last summer there came the sad news of the death of our beloved Queen, followed by the Proclamation of our new King Charles the third. At that point all of our Council's activities stopped, apart from the council's essential services. Richard, my consort, and I visited all the Care Homes in the town, taking with us the Town Council's Condolence Book, so that the residents and their carers could write a comment if they wished to do so.*

*After the Proclamation life in this country returned to a more normal pattern. Since then within Sevenoaks there has been so much going on, in the way of music and performances, by the Sevenoaks Players for example, as an ex member I must mention them, especially last month's super Sweet Charity at the Stag, and many concerts by our variety of orchestras.*

*There were lots of outdoor activities for the South East in Bloom and the Britain in Bloom competitions in which the Town did so well. As did my predecessors, I raised the Union Flag and also special occasion flags for national and local events throughout the year. Unfortunately, I wasn't able to raise the flag on Battle of Britain Memorial Day.*

*Remembrance Day last year was on a Friday and the Sunday Remembrance Day Parade was very well attended, as was the Christmas Lights Switch On, including the Pantomime cast, with as estimated audience of 10,000. All these regular annual occasions took place and knowing of our Town Clerk's efficiency I'm sure they're already planned with dates for the forthcoming year!*

*There were many activities in the town around Christmas, both before with the pantomime and Christmas Lights Switch On, and afterwards, with Chance to Dance at the Stag Theatre. Later on, March was a particularly busy month and probably will be so next spring.*

*My consort and I have also visited many other Mayors in Kent, Surrey, Sussex and London to make sure that they have heard of our town and to help them raise money for their charities, just as they have come to our events in Sevenoaks to help raise money for my charity, SAYT. The final event took place last Wednesday as you know, in the Stag Plaza, "An Evening with Gloria Hunniford and Christopher Biggins," which was very successful.*

*There have been many events for the town's charities, such as Guide Dogs for the Blind, or "Blind Dogs" as a local four-year-old described them! In April I did the Blindfold Walk which was at times slightly scary. It certainly made me appreciate my senses.*

*Richard and I have visited many schools and went to the local Scouts, Cubs, Beavers and Squirrels Weekend Camp, known as Mag Seven, a shortening of Magnificent Seven. The visit was a rather muddy occasion, although the second day was less muddy than the first one.*

*The most recent activities have been those connected with the Coronation. After many meetings and much hard work, the High Street was closed, the sun shone, the trestle tables appeared as if by magic and so did the people. Some came with just a chair or two and a basic picnic, some people dashed into one of the cafes and bought their food and drink, some families came with crowns and other exciting accessories and brought a Glyndebourne style*

*picnic, but there's no doubt that everyone there really enjoyed themselves. The Police, Army and Air cadets were out in force helping everywhere and were put to good use by Linda and others, the raffle happened as planned and it was a most spectacular day!*

*I have to mention our Town Crier, Chris Conlan, who has been a constant presence at our Town's events. I am especially grateful to Chris for helping me through large crowds and gatherings and whose stentorian tones made so many announcements.*

*May I take this opportunity Claire to wish for you a successful year as our Town's Mayor.*

*With the unrivalled help and support of Linda and all the Town Council staff I've had a simply wonderful year, with hundreds of memories to treasure for a long time to come."*

Mayor Shea thanked Rachel Parry for her many years' service as a Town Councillor and on her remarkable year as Sevenoaks Mayor during what was a historic year for the Town and nationally. She also thanked Richard Parry for his role as the Mayor's Consort.

Cllr Dr Canet welcomed Cllr Claire Shea and thanked her for taking office as the new Mayor on behalf of Sevenoaks Town Council. She commented that since moving to Sevenoaks in 2009, Cllr Shea and her family had immersed themselves in the town and its activities; she encouraged others to get involved and would be leading on the citizen led initiatives being planned. Cllr Dr Canet commented that we all want Sevenoaks to be as green, clean and as fair as possible and that Cllr Shea would lead on this work.

The Town Clerk presented the new Mayor with a gift of a plant.

The Mayor thanked her fellow councillors for her election to office, stating that it was an honour and a privilege and she was looking forward to working with them all for the good of the town. She hoped that it was not such an eventful year nationally and that it would be possible to focus on the town. She was looking forward to working with two local charities this year, Sevenoaks Welcomes Refugees and Sevenoaks Larder, both great organisations set up by local citizens to support the community in which we all live.

The Mayor thanked and paid tribute to those councillors who had recently left the Town Council (set out below). Gifts were presented to Nick Busvine, Roderick Hogarth, Rachel Parry, Richard Parry and Simon Raikes at the meeting. Gifts had been sent to those not in attendance.

Keith Bonin	Elected 2019	Vice-Chairman of Finance & General Purposes Committee
Nick Busvine	Elected 2012	Mayor 2019-2021 Chairman of Open Spaces & Leisure Committee Chairman of Stag Trustees
Andrew Eyre	Elected 2007	Mayor 2016-2017 Chairman of Stag Trustees for many years

		Chairman of Open Spaces & Leisure Committee and Sevenoaks Town Team Chairman
Roderick Hogarth	Elected 2007	Mayor 2013-2014 Deputy Mayor 2017-2018 Mayor 2018-2019
Tom Morris Brown	Elected 2019	
Rachel Parry	Elected 2015	Mayor 2022-2023 Chairman Youth Services Committee
Richard Parry	Elected 1999	Mayor 2002-2003 Mayor 2007-2008 Deputy Mayor 2011-2012 Mayor 2012-2013
Robert Piper	Elected 2003	Mayor 2005-2006 Chair of Finance & General Purposes Committee and Planning Committee for many years
Simon Raikes	Elected 2007	Mayor 2010-2011 Mayor 2014-2015 Chairman of Finance & General Purposes Committee Chairman of Planning Committee Chairman of Stag Trustees

**67 ELECTION OF DEPUTY MAYOR**

The Mayor invited nominations for the office of Deputy Mayor.

It was proposed by Cllr Camp and seconded by Cllr Clayton, that Cllr Libby Ancrum be elected to the office of Deputy Mayor for the ensuing year. There were no other nominations.

**RESOLVED** that Cllr Libby Ancrum be elected as Deputy Mayor.

**68 DECLARATION OF ACCEPTANCE OF OFFICE**

The Deputy Mayor, Cllr Libby Ancrum, read aloud and signed the Statutory Declaration of Acceptance of Office.

The Mayor provided the Deputy Mayor with her badge of office and a gift of a plant.

**69 DECLARATIONS OF ACCEPTANCE OF OFFICE BY COUNCILLORS**

The Town Clerk reported that Declarations of Acceptance of Office had been signed and received from 15 councillors. She reported that Declaration had not been received from the 16<sup>th</sup> elected Councillor and that seat would therefore be subject to the election process.

**70 APOLOGIES FOR ABSENCE**

**RESOLVED:** to note and accept apologies received from Cllr Victoria Granville.

**71     REQUESTS FOR DISPENSATIONS**

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

**72     DECLARATIONS OF INTEREST**

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

**73     MINUTES OF COUNCIL MEETING – 24<sup>th</sup> April 2023**

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

**74     MINUTES OF PLANNING COMMITTEE – 2<sup>nd</sup> May 2023**

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

**75     MINUTES OF FINANCE & GENERAL PURPOSES COMMITTEE – 24<sup>th</sup> April 2023**

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

**76     APPOINTMENT OF STANDING COMMITTEES/SUB COMMITTEES**

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

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

Other:

- Sevenoaks Town Team
- Sevenoaks Youth Council

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

It was agreed that the committee appointments set out in the report relating to the elected councillor who had not accepted office (See Minute 69 above) be marked as vacant, pending the outcome of the election process.

Revisions to the appointment of Chairman and Vice-Chairman of the Youth Services Committee set out in the circulated report were agreed at the meeting, as follows:

Chairman – Cllr Chloe Gustard

Vice-Chairman – Cllr Catherine Daniell

Members – Dr Marilyn Canet, Sally Layne, Gareth Willis

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

**78      REPRESENTATION ON OUTSIDE BODIES**

It was agreed that the appointment set out in the report relating to the elected councillor who had not accepted office (See Minute 69 above) be marked as vacant, pending the outcome of the election process.

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

**79      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**).

**80      SCHEDULE OF MEETINGS 2023/2024**

**RESOLVED:** that the Schedule of Meetings for 2023/2024 be received and adopted. (**Appendix E**)

**81      STANDING ORDERS 2023/2024**

**RESOLVED:** that Sevenoaks Town Council's Standing Orders 2023/2024 be approved and adopted (**Appendix F**)

**82      COUNCILLOR CODE OF CONDUCT**

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

**83      ANNUAL SUBSCRIPTIONS**

**RESOLVED:** that the schedule of Annual Subscriptions for 2023/2024 be received and agreed. (**Appendix H**).

**84      GENERAL POWER OF COMPETENCE**

**RESOLVED:** that the Town Council having 100% of its councillors elected on 4<sup>th</sup> May 2023 and having a Qualified Town Clerk (including S7 of CiLCA 2012) re-adopts the General Power of Competence.

**85      SEVENOAKS TOWN COUNCIL ANNUAL REPORT 2022/23**

**RESOLVED:** that the Town Council Annual Report 2022-23 be received and noted.

**86      GENERAL DATA PROTECTION REGULATION POLICIES [GDPR]**

**RESOLVED:** to note that the Town Council continues to adopt GDPR practices as required by statute throughout all its day-to-day business.

**87      APPOINTMENT OF MAYOR'S CADET**

**RESOLVED:** that Able Cadet Scarlet Burgess, Westerham Sea Cadets, be appointed as the Mayor's Cadet for the 2023-2024 Civic Year. The Mayor presented her with the Mayor's Cadet Badge of Office.

**88      CIVIC EVENTS AND MAYOR'S ENGAGEMENTS 2022-2023**

**RESOLVED:** to note

- 1) the functions attended by the Mayor, Deputy Mayor or representative during 2022-2023
- 2) the Civic Events held during the 2022-2023 civic year

**89      PRESS RELEASE**

**RESOLVED:** that press releases be issued in respect of the election of Cllr Claire Shea as Sevenoaks new Mayor and the success of the Sevenoaks Neighbourhood Town Plan Referendum.

**90      BANK SIGNATORIES**

**RESOLVED:** that arrangements be made for the following current elected Councillors to be added as Sevenoaks Town Council bank signatories:

- The Mayor
- Chairman & Vice-Chairman of the Finance & General Purposes Committee
- Chairman of Community Infrastructure Committee
- Chairman of Open Spaces & Leisure Committee

The meeting closed at 7:46pm

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



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**Appointment of 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

Sevenoaks Youth Council

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LIST OF APPOINTMENTS	2022/2023	2023/4
MAYOR	Cllr Mrs R E Parry	Cllr Claire Shea
DEPUTY MAYOR	Cllr C Shea	Cllr Libby Ancrum
STANDING COMMITTEES Please note the Mayor is ex-Officio on all Committees		
<u>OPEN SPACES &amp; LEISURE COMMITTEE</u>  <b>CHAIRMAN</b> <b>VICE CHAIRMAN</b> <i>Mayor ex officio</i>	<u><b>10 MEMBERS</b></u>  Cllr. N Busvine Cllr V Granville Baxter (VC)  Cllr K Bonin Cllr R Hogarth Cllr R J Parry Cllr S Raikes  Cllr S Camp Cllr Dr J M Canet Cllr L Michaelides Cllr T Morris Brown	<u><b>9 MEMBERS</b></u>  Cllr Dr Marilyn Canet (C) Cllr Victoria Granville (VC)  Cllr Lise Michaelides Cllr Nigel Wightman Cllr Gareth Willis Cllr Nick Varley Cllr Peter Dixon Cllr Sally Layne  <b>Vacant</b>
<u>FINANCE AND GENERAL PURPOSES COMMITTEE</u>  <b>CHAIRMAN</b> <b>VICE CHAIRMAN</b> <i>Mayor ex officio</i>	<u><b>10 MEMBERS</b></u>  Cllr A Clayton (C) Cllr. K. Bonin  Cllr E Ancrum Cllr S Camp Cllr Dr M J Canet Cllr V Granville Baxter  Cllr A Eyre Cllr R Hogarth Cllr R Parry Cllr S G Raikes	<u><b>9 MEMBERS</b></u>  Cllr Tony Clayton (C) Cllr Nigel Wightman (VC)  Cllr Peter Dixon Cllr Libby Ancrum Cllr Dr Marilyn Canet Cllr Victoria Granville Cllr David Skinner OBE Cllr Chloe Gustard  <b>Vacant</b>

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<u>PLANNING COMMITTEE</u>  <b>CHAIRMAN</b> <b>VICE CHAIRMAN</b>	<b>Cllr. Raikes (C)</b> <b>Cllr S Camp (VC)</b> <b>All Councillors</b>	<b>Cllr Sue Camp (C)</b> <b>Cllr Nick Varley (VC)</b> <b>All Councillors</b>
<u>COMMUNITY INFRASTRUCTURE COMMITTEE</u>  <b>CHAIRMAN</b> <b>VICE CHAIRMAN</b> <i>Mayor ex officio</i>	<u>6 MEMBERS</u>  <b>Cllr C Shea (C)</b> <b>Cllr R J Parry (VC)</b>  <b>Cllr S Camp</b> <b>Cllr A Clayton</b>  <b>Cllr N Busvine</b> <b>Cllr R Hogarth</b>	<u>8 MEMBERS</u>  <b>Cllr David Skinner OBE (C)</b> <b>Cllr Gareth Wills (VC)</b>  <b>Cllr Catherine Daniell</b> <b>Cllr Victoria Granville</b> <b>Cllr Tony Clayton</b> <b>Cllr Nick Varley</b> <b>Cllr Claire Shea</b>  <b>Vacant</b>
<u>PERSONNEL COMMITTEE</u>  <b>CHAIRMAN</b> <b>VICE CHAIRMAN</b> <i>Mayor ex officio</i>	<u>8 MEMBERS</u>  <b>Cllr CA Eyre (C)</b> <b>Cllr A Clayton (VC)</b>  <b>Cllr K Bonin</b> <b>Cllr R J Parry</b> <b>Cllr S Raikes</b>  <b>Cllr E Ancrum</b> <b>Cllr L Michaelides</b> <b>Cllr C Shea</b>	<u>5 MEMBERS</u>  <b>Cllr Libby Ancrum (C)</b> <b>Cllr Tony Clayton (VC)</b>  <b>Cllr Lise Michaelides</b> <b>Cllr Catherine Daniell</b>  <b>Vacant</b>

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<p><u>YOUTH SERVICES COMMITTEE</u></p> <p><b>CHAIRMAN</b> <b>VICE CHAIRMAN</b> <i>Mayor ex officio</i></p>	<p><b><u>8 MEMBERS</u></b></p> <p>Cllr Dr M.J. Canet (C) Cllr R Parry (VC)</p> <p>Cllr E Ancrum Cllr T. Morris Brown Cllr C Shea</p> <p>Cllr N Busvine Cllr A Eyre Cllr R Hogarth</p>	<p><b><u>6 MEMBERS</u></b></p> <p>Cllr Chloe Gustard (C) Cllr Catherine Daniell (VC)</p> <p>Cllr Sally Layne Cllr Dr Marilyn Canet Cllr Gareth Willis</p> <p>Vacant</p>
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LIST OF APPOINTMENTS	2022/2023	2023/2024
<p>SUB COMMITTEES – <b>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>		
<p><b>Bat &amp; Ball Centre User Group</b></p> <p>Town Council Representatives: -</p> <p>CHAIRMAN</p>	<p>Cllr Dr M J Canet Cllr C Shea</p> <p>Cllr Parry Cllr S G Raikes</p>	<p>Cllr Dr Marilyn Canet Cllr Claire Shea Cllr Tony Clayton</p>

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NOMINATIONS  
REPRESENTATION ON OUTSIDE BODIES

Organisation	2022 - 2023	2023- 2024
Age UK (Council & Exec)	Cllr J M Canet	Cllr Dr Merilyn Canet
Citizens Advice Bureau	Cllr S Raikes	Cllr Chloe Gustard
Dorothy Parrott Trust	Mayor Deputy Mayor	Mayor Deputy Mayor
Friends of Pontoise	Cllr S Raikes	Cllr Nick Varley
Friends of Rheinbach	Cllr R Hogarth	Cllr Peter Dixon
KALC (Area & County)	Cllr A Clayton Cllr R J Parry	Cllr Tony Clayton Cllr Dr Merilyn Canet
Kentish Opera - Patron	Mayor	Mayor
League of Friends of Sevenoaks Hospital	Mayor	Mayor
Lady Margaret Boswell's C of E Educational Charity for a <i>period of four years</i>	Cllr. Raikes	Cllr Sally Layne
Sevenoaks Almshouse Charity	Cllr J M Canet alternate Cllr Mrs. Parry	Cllr Dr Merilyn Canet
Sevenoaks Churches Group for Social Concern	Cllr L Michaelides	Cllr Lise Michaelides
Sevenoaks Fair Trade Steering Committee	Cllr V Granville Baxter	TBC
Sevenoaks CPRE Committee	Cllr L Michaelides	Cllr Lise Michaelides
Sevenoaks District Arts Council	Cllr V Granville Baxter	Cllr Sally Layne
Sevenoaks Summer Festival	Cllr S Raikes Cllr V Granville Baxter	Cllr Sally Layne
Sevenoaks Town Team	Cllr V Granville Baxter Cllr S G Raikes	Cllr Victoria Granville Cllr Chloe Gustard

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Sevenoaks Wildlife Reserve Working Group	<b>Cllr E Ancrum</b>	<b>Cllr Libby Ancrum</b>
SRFC Liaison Group & Raleys/Knole Paddock User Group	<b>Cllr N Busvine</b> <b>Cllr C Shea</b>	<b>Cllr Nick Varley</b> <b>Cllr Peter Dixon</b>
Tarmac & KCC Liaison Group	<b>Chairman of OS &amp; L</b> <b>Cllr R J Parry</b> <b>Cllr C Shea</b>	<b>Cllr Dr Marilyn Canet</b> <b>Cllr Claire Shea</b> <b>Vacant</b>
Visit Kent	<b>Cllr E Ancrum</b> <b>alternate Cllr A Eyre</b>	<b>Cllr Libby Ancrum</b>
Woodside Private Road Ltd	<b>Cllr C Shea</b>	<b>Cllr David Skinner OBE</b>



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## 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

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- (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
- (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) Raleys 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

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- (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

**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.

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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 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:-

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- (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.

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- 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

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**OTHER**

**9. SEVENOAKS TOWN TEAM**

1. Name  
The partnership will be called the Sevenoaks Town Team (referred to as the Town Team).
2. Aim  
The Town Team has been established with the aim of working together with a wide range of people in the local community to make Sevenoaks Town a prosperous, vibrant and attractive place to live, visit, and do business.
3. Objectives
  - 3.1
    - Improving engagement between public, private and community sector partners, in order to use this combined expertise and resources to improve the town.
  - 3.2
    - Increasing visitors (footfall) in the town centre to support local retailers.
  - 3.3
    - Encourage inward investment in the town and make Sevenoaks an attractive place for businesses looking to start-up.
  - 3.4
    - Improving the accessibility and environment of Sevenoaks Town.
  - 3.5
    - Invest and investigate different forms of digital marketing
  - 3.6
    - Produce a Yearly Calendar of Events
  - 3.7
    - Market the town as 'clean and safe'
  - 3.8
    - Produce initiatives to address 'Empty Shops' issues
  - 3.9
    - Retain and improve upon the services provided to local residents
4. Initial Actions to Achieve Objectives
  - 4.1 'Brand' Sevenoaks and improve the marketing of the town as an attractive place to do business, shop and visit
  - 4.2 Improve the accessibility and environment of Sevenoaks Town

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- 4.3 Instigate and invest in different forms of digital marketing
- 4.4. Produce a Yearly Calendar of Events
- 4.5 Market the town as ‘clean and safe’
- 4.6 Produce initiatives to address ‘Empty Shops’ issues
- 4.7 Retain and improve upon the services provided to local residents
- 5 Membership
  - 5.1 Members should be welcomed from a wide range of different sectors to reflect the diverse aspirations of people in the town.
  - 5.2 Governance.  
Members who are appointed by organisations should be clear that they act to represent their own organisation and in doing so should obtain from their organisation the necessary consent or ratification for any commitment or decision to which they are party on behalf of the Town Team.  
Members may also be known as an ‘Individual Member’ when they are not representing an organisation.
  - 5.3 The Chairman of the Partnership will be an elected member recognising responsibility of public money and national code of conduct.
  - 5.4 Members of the Executive Board who miss more than 3 months of meetings will cease to be members. Exceptions will be considered on a case-by-case basis.
  - 5.5 The Town Team will ensure that it remains a fully representative body;
  - 5.6 The Town Team will seek to ensure the full participation of the community wherever possible and seek to inform the community of the progress of its work`;
  - 5.7 The Town Team will comply with the Sevenoaks Town Council Equal Opportunities statement;
  - 5.8 The Town Team will operate in an environment which is fully accountable and transparent;
  - 5.9 Any alterations to the terms of reference must be agreed by the Town Team.
- 6. Meetings and Decision Making
  - 6.1 Sevenoaks Town Council Committee Clerk, in consultation with the Chairman of the Town Team, will timetable at least 4 full Town Team meetings at regular intervals throughout the financial year.
  - 6.2



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Additional meetings may be called by 5 or more members indicating to the Chairman that a meeting is needed.

6.3

Agenda items for such a meeting should be agreed in consultation with the Chairman and notice given by the Committee Clerk at least 10 days in advance.

6.4

Decisions will be made by consensus of those present on a majority vote

6.5

It is recognised that many members of the Town Team will have a personal interest in promoting the best interests of the business of the Town Team and that conflicts of interest are therefore difficult to identify. However, partners should declare a personal interest that might represent a conflict with the best interests of the Town Team.

7.

Administration

7.1

Sevenoaks Town Council will undertake the administrative functions necessary for the co-ordination of the Town Team.

**10. SEVENOAKS YOUTH COUNCIL CONSTITUTION**

1. The name of the organization should be Sevenoaks Youth Council (hereafter referred to as SYC)
2. The SYC is to be a democratic body, with its membership of:
  - a. up to 16 Youth Councillors aimed to be representative of all young people aged 11 to 18 within the town of Sevenoaks regardless of gender, ethnic background, disability, race or sexuality.
  - b. One voting representative from any school in Sevenoaks with pupils aged 11 to 18. More than one pupil aged 11 to 18 may attend from schools in Sevenoaks. Each school may only have one vote.
3. All members will live within 5 miles of Sevenoaks (at the time of appointment) or attend a school within Sevenoaks and be between the ages of 11 – 18.

**Terms of Reference**

1. The aims of the SYC are:
  - to encourage a culture of participation in the democratic process and to develop the ideal of citizenship.
  - to provide young people with the opportunity to convey their ideas and priorities to Sevenoaks Town Council.
  - to provide a mechanism for Sevenoaks Town Council and other agencies to consult with young people.
2. The objectives of the SYC are:

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- to build relationships with people of influence
- to develop networks of young people within the town of Sevenoaks
- to persuade young people that they are valued and can make a difference
- to comment on policies that may affect the quality of life and opportunities for young people
- to identify and redress forms of discrimination against young people
- to develop links with organisations such as the British Youth Council and UK Youth Parliament

**Structure and Membership**

1. The SYC will comprise of young people aged 11 to 18 years to represent different localities (where possible) within the town.
2. Members of the SYC should serve a two-year term.
3. Members can be nominated via schools in Sevenoaks, youth clubs, youth organisations in addition to submitting personal nominations.
4. Schools in Sevenoaks may submit agenda items and send along representatives. However only one vote will be allocated to each school.
5. Should a Youth Councillor miss 3 consecutive meetings (without agreement of exceptional circumstances) they would no longer be a member.
6. Should a Youth Councillor leave the SYC another young person should be elected or nominated to replace them.
7. Youth Councillors wishing to leave the SYC should do so by giving written notice.
8. To be elected or nominated as a youth councillor, a young person must be at least 11 and no more than 18 years old.
9. At each Annual General Meeting the SYC will elect a Chairperson, Vice Chairperson, Secretary and Treasurer. In urgent situations these members can make decisions, which must then be reported to the next meeting of the SYC for confirmation.

**Meetings**

1. The first meeting in each Youth Council financial year (normally October/November) will be the AGM.
2. The SYC will normally meet every six weeks approximately.
3. A quorum of one-third of SYC needs to be present before decisions can be made.
4. Meetings are open to the public, support workers and three Town Councillors may be present, but not able to vote.
5. Any young person can suggest items and have the opportunity to add items for the

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agenda, either through the Town Clerk, Committee Clerk or the elected Chairman.

6. Meetings of the SYC will take place during the late afternoon or early evening or at a mutually agreed time.

**Voting**

1. All decisions should be reached by a majority of those present and eligible to vote.
2. Decisions can only be reached if a quorum of one-third of SYC is present for the vote.
3. In the event of a vote being equal, the Chairman will have the casting vote.
4. Both secret and open voting will be used as and when required.
5. A two-thirds majority must agree any changes to the constitution at an AGM. Proposals for changes to the constitution must be given to the Town Clerk at least 14 days before the AGM so that they can be included in the Agenda.

**Not for Profit Making Organisation.**

1. SYC will be a not for profit making organisation.
2. No member will personally benefit from SYC funds.
3. Should the SYC dissolve all funds would be returned to Sevenoaks Town Council and ring fenced for youth purpose

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MAY 2023		
Mon 01	Bank Holiday – May Day	
Tues 02	Planning	
Thu 04	COUNCIL ELECTIONS & STNP REFERENDUM	
Mon 08	Bank Holiday – King’s Coronation	
Tues 09	Informal Meeting of New Council	
Mon 15	Annual Council & Mayor Making	
Mon 22	Planning	
Mon 29	Bank Holiday – Spring	
Weds 31	Stag Trustees	
JUNE 2023		
Mon 05	Planning	
Mon 12	Finance & GP	Town Council
Mon 19	Planning	
Weds 21	Sevenoaks Town Team	
Mon 26	Community Infrastructure	
Wed 28	Youth Council	Youth Services
JULY 2023		
Mon 03	Planning	
Mon 10	Open Spaces & Leisure	
Mon 17	Planning	
Mon 24	Town Council	Finance & GP
Mon 31	Planning	
AUGUST 2023		
Wed 02	Sevenoaks Town Team	
Thu 03	Stag Trustees	
Mon 07	No meeting	
Mon 14	Planning	
Mon 21	No meeting	
Mon 28	Summer Bank Holiday	
Tues 29	Planning	
SEPTEMBER 2023		
Mon 04	No meeting	
Weds 06	Youth Services	
Mon 11	Planning	
Wed 13	Youth Council at HitB	
Mon 18	Open Spaces & Leisure	
Mon 25	Planning	
Thu 28	Stag Trustees	
OCTOBER 2023		
Mon 02	Town Council	Finance & GP
Mon 09	Planning	
Wed 11	Sevenoaks Town Team AGM	
Mon 16	No meeting	
Wed 18	Bat & Ball Centre Users Group	
Mon 23	Planning	
Mon 30	Community Infrastructure	Personnel
NOVEMBER 2023		
Mon 06	Planning	
Wed 08	Youth Council	Youth Services

Mon 13	Open Spaces & Leisure	
Mon 20	Planning	
Mon 27	Town Council	Finance & GP
Tues 28	Stag Trustees	
DECEMBER 2023		
Mon 04	Planning	
Wed 06	Sevenoaks Town Team	
Mon 11	Town Council - Christmas	
Mon 18	Planning	
Mon 25	Bank Holiday - Christmas	
Tues 26	Bank Holiday – Boxing Day	
Monday 25 <sup>th</sup> Dec to Mon 1st Jan – STC Closed		
JANUARY 2024		
Mon 01	Bank Holiday -New Year	
Mon 08	Planning	
Mon 15	Finance & GP	
Wed 17	Youth Council at HitB	
Mon 22	Planning	
Wed 24	Youth Services	
Mon 29	Community Infrastructure	
Tues 30	Stag Trustees	
FEBRUARY 2024		
Mon 05	Planning	
Mon 12	Open Spaces & Leisure	
Mon 19	Planning	
Wed 21	Sevenoaks Town Team	
Mon 26	Town Council	Finance & GP
MARCH 2024		
Mon 04	Planning	
Wed 06	Bat & Ball Centre Users Group	
Mon 11	Annual Town Meeting – B&B Centre	
Mon 18	Planning	
Wed 20	Youth Council	Youth Services
Mon 25	Personnel	
Tues 26	Stag Trustees	
Fri 29	Bank Holiday – Good Friday	
APRIL 2024		
Mon 01	Bank Holiday – Easter Monday	
Tues 02	Planning	
Mon 08	No meeting	
Wed 10	Sevenoaks Town Team	
Mon 15	Planning	
Mon 22	Town Council	Finance & GP
Mon 29	Planning	
MAY 2024		
Mon 06	Bank Holiday – May Day	
Mon 13	Annual Council & Mayor Making	
Wed 15	Youth Council at HitB	
Mon 20	Planning	
Wed 22	Youth Services	
Mon 27	Bank Holiday - Spring	
Thu 30	Stag Trustees	

F&amp;GP Meetings commence at conclusion of Town Council Meetings (or vice versa as agenda items require)

Sevenoaks Town Team commences at 6.30pm Youth Council commences at 6pm All other meetings commence at 7pm

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## Sevenoaks Town Council Standing Orders

### *Historic*

*11.01.2016*

*22.02.2016*

*Adopted Resolution 410*

*15.05.2016*

*Adopted Resolution 61*

*15.05.2017*

*Adopted Resolution 64*

*14.05.2018*

*Adopted Resolution 70*

*13.05.2019*

*Adopted Resolution 62*

*04.05.2021*

*Adopted Resolution 57*

*09.05.2022*

*Adopted Resolution 78*

*15.05.23*

*Adopted Resolution 81*





## SEVENOAKS TOWN COUNCIL STANDING ORDERS 2021

(ADAPTED FROM NALC MODEL STANDING ORDERS 2018 FOR ENGLAND (REVISED 2020))

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*NB: standing orders in bold type contain legal and statutory requirements.*

**1. Rules of debate at meetings**

- a Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chairman of the meeting.
- b A motion (including an amendment) shall not be progressed unless it has been moved and seconded or presented by the Chairman.
- c A motion on the agenda that is not moved by its proposer may be treated by the chairman of the meeting as withdrawn.
- d If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- e An amendment is a proposal to remove or add words to a motion. It shall not negate the motion and shall not have effect of rescinding original or substantive motion.
- f If an amendment to the original motion is carried, the original motion (as amended) becomes the substantive motion upon which further amendment(s) may be moved.
- g An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the chairman of the meeting, is expressed in writing to the chairman.
- h A councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- i If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chairman of the meeting.
- j Subject to standing order 1(k), only one amendment shall be moved and debated at a time, the order of which shall be directed by the chairman of the meeting.
- k One or more amendments may be discussed together if the chairman of the meeting considers this expedient but each amendment shall be voted upon separately.
- l A councillor may not move more than one amendment to an original or substantive motion.
- m The mover of 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) either at the end of debate on the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.

- o Unless permitted by the chairman of the meeting, a councillor may speak once in the debate on a motion except:
  - i. to speak on an amendment moved by another councillor;
  - ii. to move or speak on another amendment if the motion has been amended since he last spoke;
  - iii. to make a point of order;
  - iv. to give a personal explanation; or
  - v. to exercise a right of reply.
- p During the debate on a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.
- q A point of order shall be decided by the chairman of the meeting and the decision shall be final.
- r When a motion is under debate, no other motion shall be moved except:
  - i. to amend the motion;
  - ii. to proceed to the next business;
  - iii. to adjourn the debate;
  - iv. to put the motion to a vote;
  - v. to ask a councillor or person to be no longer heard or to leave the meeting;
  - vi. to refer a motion to a committee or sub-committee for consideration;
  - vii. to exclude the public and press;
  - viii. to adjourn the meeting; or
  - ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.
- s Before an original or substantive motion is put to the vote, the chairman of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply. (The adjournment of a debate or of the meeting shall not prejudice the

mover's right of reply at the resumption).

- t Excluding motions moved under standing order 1(r), the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 3 minutes without the consent of the chairman of the meeting.

## 2. Disorderly conduct at meetings

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chairman of the meeting shall request such person(s) to moderate or improve their conduct.
- b If person(s) disregard the request of the chairman of the meeting to moderate or improve their conduct, any councillor or the chairman of the meeting may move that the person be no longer heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- c If a resolution made under standing order 2(b) is ignored, the chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

## 3. Meetings generally

Full Council meetings	●
Committee meetings	●
Sub-committee meetings	●

- a **Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.**
- b **The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**
- c **The minimum three clear days' public notice of a meeting does not include the day on which the notice was issued or the day of the meeting**
- d **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**
- e Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.

- f The period of time designated for public participation at a meeting in accordance with standing order 3(e) is normally 15 minutes and shall not exceed 30 minutes, unless directed by the chairman of the meeting.
- g Subject to standing order 3(f), a member of the public shall not speak for more than 3 minutes.
- h In accordance with standing order 3(e), a question shall not require a response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a written or oral response be given.
- i At Council meeting person shall stand when requesting to speak and when speaking (except when a person has a disability or is likely to suffer discomfort). At Committee meeting 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 of the meeting may at any time permit a person to be seated when speaking.
- j A person who speaks at a meeting shall direct his comments to the Chairman of the meeting.
- k Only one person is permitted to speak at a time. If more than one person wants to speak, the chairman of the meeting shall direct the order of speaking.

- l **Subject to standing order 3(m), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To “report” means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.**

(Those exercising their right to report on the proceedings of a meeting are required to comply with Sevenoaks Town Council's Protocol for the recording of meetings)

- m **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**
- n **The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**
- o **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in his absence be done by, to or before the Vice-Chairman of the Council (if there is one).**

- p **The Mayor of the Council, if present, shall preside at a Council meeting. If the Mayor is absent from a meeting, the Deputy Mayor of the Council (if there is one) if present, shall preside. If both the Mayor and the Deputy Mayor are absent from a Council meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.**
- q **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors and non-councillors with voting rights present and voting.**
- 
- r **The chairman of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote.**
- *See standing orders 5(h) and (i) for the different rules that apply in the election of the Mayor of the Council at the annual meeting of the Council.*
- s **Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave his vote for or against that question.** Such a request shall be made before moving on to the next item of business on the agenda.

(A member dissenting from a committee decision may, on request, have their name recorded as dissenting therefrom)
- t The minutes of a meeting shall include an accurate record of the following:
  - i. the time and place of the meeting;
  - ii. the names of councillors who are present and the names of councillors who are absent;
  - iii. interests that have been declared by councillors and non-councillors with voting rights;
  - iv. the grant of dispensations (if any) to councillors and non-councillors with voting rights;
  - v. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
  - vi. if there was a public participation session; and
  - vii. the resolutions made.
- u **A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and**
-

- vote on that matter.
- v **No business may be transacted at a meeting unless at least one-third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three.** In the case of the Planning Committee and the Finance and General Purposes Committee, the quorum shall be six members.  
  
See standing order 4d(viii) for the quorum of a committee or sub-committee meeting.
- w **If a meeting is or becomes inquorate no business shall be transacted** and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting. 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.
- x A meeting 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 to 11.00pm on the same day.
- y Questions
  - i. 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.
  - ii. 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.
  - iii. Every question shall be put and answered without discussion.
- 4. **Committees and sub-committees**
  - a **Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**
  - b **The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.**
  - c **Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**
  - d The Council may, at its annual meeting, appoint standing committees or may at any other time appoint such other committees as may be necessary, and:

- i. shall determine their terms of reference;
- ii. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of the Council;
- iii. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
- iv. *shall, subject to standing orders 4(b) and (c), appoint and determine the terms of office of 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)*
- v. may, subject to standing orders 4(b) and (c), appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer by noon on the day of the meeting that they are unable to attend;

An ordinary member of a committee who has been replaced at a meeting by a substitute member 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. shall, after it has appointed the members of a standing committee, appoint the chairman of the standing committee;
- vii. shall permit a committee other than a standing committee, to appoint its own chairman at the first meeting of the committee;
- viii. Shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which, in both cases, shall be no less than three. In the case of the Planning Committee and the Finance and General Purposes Committee, the quorum shall be six members
- ix. shall determine if the public may participate at a meeting of a committee;
- x. shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;
- xi. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
- xii. may dissolve a committee or a sub-committee.

## **5. Ordinary council meetings**

- a **In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take**



office.

- b In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.
- c If no other time is fixed, the annual meeting of the Council shall take place at 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 decides.
- e The first business conducted at the annual meeting of the Council shall be the election of the Mayor and Deputy Mayor of the Council.
- f The Mayor of the Council, unless they have resigned or becomes disqualified, shall continue in office and preside at the annual meeting until the successor is elected at the next annual meeting of the Council.
- g The Deputy Mayor of the Council, if there is one, unless they resign 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.
- h In an election year, if the current Mayor of the Council has not been re-elected as a member of the Council, they shall preside at the annual 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 shall give a casting vote in the case of an equality of votes.
- i In an election year, if the current Mayor of the Council has been re-elected as a member of the Council, they shall preside at the annual meeting until a new Mayor of the Council has been elected. They may exercise an original vote in respect of the election of the new Mayor of the Council and shall give a casting vote in the case of an equality of votes.
- j Following the election of the Mayor of the Council and Deputy Mayor of the Council at the annual meeting, the business shall include:
  - i. In an election year, delivery by the Mayor of the Council and councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Mayor of the Council of his acceptance of office form unless the Council resolves for this to be done at a later date;
  - ii. Confirmation of the accuracy of the minutes of the last meeting of the Council;
  - iii. Receipt of the minutes of the last meeting of a committee;

- iv. Consideration of the recommendations made by a committee;
- v. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;
- vi. Review of the terms of reference for committees (and the number of members);
- vii. Appointment of members to existing committees (including, if appropriate, substitute members);
- viii. Appointment of any new committees in accordance with standing order 4;
- ix. Review and adoption of appropriate standing orders and financial regulations;
- x. Review of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses.(and review of contributions made to expenditure incurred by other local authorities);
- xi. Review of representation on or work with external bodies and arrangements for reporting back;
- xii. In an election year, to make arrangements with a view to the Council becoming eligible to exercise the general power of competence in the future;

**(The General Power of Competence**

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.)

- xiii. Review of inventory of land and other assets including buildings and office equipment;( *to be reviewed at first meeting of Finance and General Purposes Committee following the annual meeting of the Council*)
- xiv. Confirmation of arrangements for insurance cover in respect of all insurable risks; (to be reviewed at first meeting of Finance and General Purposes Committee following the annual meeting of the Council)
- xv. Review of the Council's and/or staff subscriptions to other bodies;
- xvi. Review of the Council's complaints procedure; (*to be reviewed at first meeting of Finance and General Purposes Committee following annual meeting of the Council*)

- xvii. Review of the Council's policies, procedures and practices in respect of its obligations under freedom of information and data protection legislation (*see also standing orders 11, 20 and 21*); (to be reviewed at first meeting of Finance and general Purposes Committee following annual meeting of the Council)
- xviii. Review of the Council's policy for dealing with the press/media; (*to be reviewed at first meeting of Finance and General Purposes Committee following annual meeting of the Council*)
- xix. Review of the Council's employment policies and procedures;
- xx. Review of the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the general power of competence.
- xxi. Determining the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council.

**6. Extraordinary meetings of the council, committees and sub-committees**

- a **The Mayor of the Council may convene an extraordinary meeting of the Council at any time.**
- b **If the Mayor of the Council does not call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting shall be signed by the two councillors.**
- c The chairman of a committee [or a sub-committee] may convene an extraordinary meeting of the committee [or the sub-committee] at any time.
- d If the chairman of a committee [or a sub-committee] does not call an extraordinary meeting within 7 days of having been requested to do so by (no less than a quarter of the) members of the committee [or the sub-committee], those members of the committee [or the sub-committee] may convene an extraordinary meeting of the committee [or a sub-committee]. (The public notice giving the time, place and agenda for such a meeting shall be signed by councillors calling the meeting.)

**7. Previous resolutions**

- a A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least 4 councillors to be given to the Proper Officer in accordance with standing order 9, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.
- b When a motion moved pursuant to standing order 7(a) has been disposed of, no similar motion may be moved for a further six months.
- c Every plan/amended plan which is validated by Sevenoaks District Council is

considered by Sevenoaks Town Council on its own merits and does not recommend Approval or Refusal based on prior recommendations to previous applications and the recommendations which were provided.

**8. Voting on appointments**

- a Where more than two persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exercisable by the chairman of the meeting.

**9. Motions for a meeting that require written notice to be given to the proper officer**

- a A motion shall relate to the responsibilities of the meeting for which it is tabled and in any event shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.
- b No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least 5 clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- c The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9(b), correct obvious grammatical or typographical errors in the wording of the motion.
- d If the Proper Officer considers the wording of a motion received in accordance with standing order 9(b) is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it so that it can be understood, in writing, to the Proper Officer at least 5 clear days before the meeting.
- e If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the 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 in the agenda or rejected.
- f The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- g Motions received shall be recorded and numbered in the order that they are received.
- h Motions rejected shall be recorded with an explanation by the Proper Officer of the reason for rejection.

**10. Motions at a meeting that do not require written notice**

- a The following motions may be moved at a meeting without written notice to the Proper Officer:
- i. to correct an inaccuracy in the draft minutes of a meeting;
  - ii. To dispose of business, if any, remaining from the last meeting
  - iii. to move to a vote;
  - iv. to defer consideration of a motion;
  - v. to refer a motion to a particular committee or sub-committee;
  - vi. to appoint a person to preside at a meeting;
  - vii. to approve the absence of councillors;
  - viii. to change the order of business on the agenda;
  - ix. to proceed to the next business on the agenda;
  - x. to close or adjourn debate
  - xi. to refer by formal delegation a matter to a committee, sub-committee or an employee
  - xii. to require a written report;
  - xiii. to appoint a committee or sub-committee and their members;
  - xiv. to receive nominations to a committee or sub-committee;
  - xv. to dissolve a committee or sub-committee;
  - xvi. to note the minutes of a meeting of a committee or sub-committee;
  - xvii. to consider a report and/or recommendations made by a committee or a sub-committee or an employee;
  - xviii. to consider a report and/or recommendations made by an employee, professional advisor, expert or consultant;
  - xix. to authorise legal deeds to be sealed by the council's common seal;
  - xx. to authorise the payment of monies;
  - xxi. to amend a motion relevant to the original or substantive motion under consideration which will not have the effect of nullifying it;
  - xxii. to extend the time limits for speaking;
  - xxiii. to exclude the press and public from a meeting in respect of confidential

- or other information which is prejudicial to the public interest;
  - xxiv. to not hear further from a councillor or a member of the public;
  - xxv. to exclude a councillor or member of the public for disorderly conduct;
  - xxvi. to give the consent of the Council if such consent is required by standing orders;
  - xxvii. to temporarily suspend the meeting;
  - xxviii. to suspend a particular standing order (unless it reflects mandatory statutory or legal requirements);
  - xxix. to adjourn the meeting; or
  - xxx. to close the meeting.
  - xxxi. To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies
  - xxxii. 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

## **11. Management of information**

See also standing order 19.

- a **The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.**
- b **The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (e.g. the Limitation Act 1980).**
- c **The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.**
- d Councillors, staff, the Council's contractors and agents shall not disclose

confidential information or personal data without legal justification.

- e Councillors and employees shall not disclose information given in confidence or which they believe, or ought to be aware is of a confidential nature.
- f A councillor in breach of the provisions of standing order 11(d) above may be removed from a committee or a sub-committee by a resolution of the Council.
- d Recordings of meetings shall remain in the public domain until the Minutes have been accepted at a Council meeting.

## 12. Draft minutes

Full Council meetings	●
Committee meetings	●
Sub-committee meetings	●

- a If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- b There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 10(a)(i).
- c The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d If the chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:

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

- e **If the Council's gross annual income or expenditure (whichever is higher) does not exceed £25,000, it shall publish draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place.**
- 
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- f Subject to the publication of draft minutes in accordance with standing order 12(e) and standing order 20(a) and following a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the

meeting for which approved minutes exist shall be destroyed.

### 13. Code of conduct and dispensations

See also standing order 3(u).

- a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.
- b All councillors shall where possible undertake training in the code of conduct within 6 months of the delivery of their declaration of acceptance of office.
- c Unless they have been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which they have a disclosable pecuniary interest. They may return to the meeting after it has considered the matter in which he had the interest.
- d Unless they have been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which they have another interest if so required by the Council's code of conduct. They may return to the meeting after it has considered the matter in which they had the interest.
- e **Dispensation requests shall be in writing and submitted prior to the meeting to the Proper Officer** to enable participation in discussion and voting on items for which the Member has a Disclosable Pecuniary Interest (s.31 & s.33 of the Localism Act 2011).
- f A decision as to whether to grant a dispensation shall be by the Council, or committee or sub-committee for which the dispensation is required and that decision is final.
- g A dispensation request shall confirm:
  - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
  - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
  - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
  - iv. an explanation as to why the dispensation is sought.
- h **A dispensation may be granted in accordance with standing order 13(e) if having regard to all relevant circumstances any of the following apply:**
  - i. **without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the**



transaction of the business;

- ii. **granting the dispensation is in the interests of persons living in the Council's area; or**
- iii. **it is otherwise appropriate to grant a dispensation.**

**14. Code of conduct complaints**

- a On receipt of an alleged breach of the Council's code of conduct, the Monitoring officer at the District Council to be advised.
- b Upon notification by the District Council that it has found that a complaint that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Proper Officer shall, subject to standing order 11, report this to the Council.
- c Where the notification in standing order 14(a) relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Mayor of Council of this fact, and the Mayor shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Council has agreed what action, if any, to take in accordance with standing order 14(d).
- d The Council may:
  - i. provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement;
  - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
- e **Upon notification by the District Council that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.**

**15. Proper Officer**

- a The Proper Officer shall be either (i) the clerk or (ii) other staff member(s) nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent.
- b The Proper Officer shall:
  - i. **at least three clear days before a meeting of the council, a committee or a sub-committee,**
    - **serve on councillors by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda**

(provided the councillor has consented to service by email), and

- **Provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**

*See standing order 3(b) for the meaning of clear days for a meeting of a full council and standing order 3(c) for the meaning of clear days for a meeting of a committee;*

- ii. subject to standing order 9, include on the agenda all motions in the order received unless a councillor has given written notice.
- iii. **convene a meeting of the Council for the election of a new Mayor of the Council, occasioned by a casual vacancy in his office;**
- iv. **facilitate inspection of the minute book by local government electors;**
- v. **receive and retain copies of byelaws made by other local authorities;**
- vi. hold acceptance of office forms from councillors;
- vii. hold a copy of every councillor's register of interests; ( and any changes to it) and keep copies of same available for inspection and forward to the Monitoring officer;
- viii. *keep proper records required before and after meetings;*
- ix. assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
- x. liaise, as appropriate, with the Council's Data Protection Officer (if there is one);
- xi. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- xii. assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980);
- xiii. arrange for legal deeds to be executed (*and sealed using the Council's common seal*)  
(*see also standing order 23*);

- xiv. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
- xv. record every planning application notified to the Council and the Council's response to the local planning authority;
- 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 the 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;
- xvii. manage access to information about the Council via the publication scheme; and
- xviii. retain custody of the seal of the Council (if there is one) which shall not be used without a resolution to that effect;  
(see also standing order 24).
- xix. Action or undertake activity or responsibilities instructed by resolution or contained in standing orders

**16. Responsible financial officer**

- a The Council shall appoint appropriate staff member(s) to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

**17. Accounts and accounting statements**

- a "Proper practices" in standing orders refer to the most recent version of "Governance and Accountability for Local Councils – a Practitioners' Guide".
- b All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial regulations.
- c The Responsible Financial Officer shall supply at each Finance & General Purposes Committee a statement to summarise:
  - i. the Council's income and expenditure for the most recently closed month, and any months that have closed since the previous Finance & General Purposes Committee;
  - ii. the Council's aggregate receipts and payments (or income and

expenditure) for the year to date;

- iii. the year to date balances held at the end of the month being reported and which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
- d. As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide at the Finance & General Purposes Committee:
  - i. each councillor with a statement summarising the Council's receipts and payments (or income and expenditure) for the final month and the year to date for information; and
  - ii. to the Council the accounting statements for the year in the form of Section 2 of the annual governance and accountability return, as required by proper practices, for consideration and approval.
- e. The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council (receipts and payments, or income and expenditure) for the year to 31 March. A completed draft annual governance and accountability return shall be presented to all councillors at least 14 days prior to anticipated approval by the Council, currently 5 days in line with agenda deadline. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30 June.
- f. **Estimates/precepts**

The Council shall approve written estimates for the coming financial year at its meeting before the end of January.

Any committee (other than Finance & General Purposes 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.

## **18. Financial controls and procurement**

- a. The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
  - i. the keeping of accounting records and systems of internal controls;
  - ii. the assessment and management of financial risks faced by the Council;
  - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
  - iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments; and

- v. whether contracts with an estimated value below **£25,000** due to special circumstances are exempt from a tendering process or procurement exercise.
  - b. Any expenditure incurred by the Council shall be in accordance with the Council's financial regulations.
  - c. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
  - d. 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.
  - 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 18(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 Government Contracts Finder website (or equivalent) 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 £189,330 for a public service or supply contract or in excess of £4,733,252 for a public works contract; or £663,540 for a social and other specific services 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 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 £378,660 for a supply, services or design contract; or in excess of £4,733,252 for a works contract; or £663,540 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.**
- 19. Handling staff matters**
- a. A matter personal to a member of staff that is being considered by any meeting is subject to standing order 11.

- b Subject to the Council's policy regarding absences from work, the Council's most senior member of staff shall notify the Personnel Committee of absence occasioned by illness or other reason.
- c The chairman of the Personnel Committee and Finance and General Purposes Committee or in their absence, the vice-chairman shall upon a resolution conduct a review of the performance and annual Personal Development Plan (appraisal) of the work of the Town Clerk. It should be reported to the Personnel Committee that this has taken place.
- d Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior member of staff (or other members of staff) shall contact the chairman of the Personnel Committee or in their absence, the vice-chairman of the Personnel Committee in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Personnel committee.
- e Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised relates to the chairman or vice-chairman of the Personnel Committee, this shall be communicated to another member of the Personnel Committee, which shall be reported back and progressed by resolution of the Personnel Committee.
- f Any persons responsible for all or part of the management of staff shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters.
- g 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 In accordance with standing order 11(a), persons with line management responsibilities shall have access to staff records referred to in standing order 19(f).

**20. 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.

## **21. Responsibilities to provide information**

See also standing order 22.

- a **In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.**
- b *[If gross annual income or expenditure (whichever is the higher) exceeds £200,000]* **The Council, shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.**
- c Inspection of documents

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 of the Council.

## **22. Responsibilities under data protection legislation**

Below is not an exclusive list. See also standing order 11.

- a The Council may appoint a Data Protection Officer.
- b **The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his personal data.**
- c **The Council shall have a written policy in place for responding to and managing a personal data breach.**
- d **The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.**
- e **The Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.**
- f **The Council shall maintain a written record of its processing activities.**
- d 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.

- e The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (e.g. the Limitation Act 1980).
- f 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.
- g Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.

**23. Relations with the press/media**

- a Requests from the press or other media for an oral or written comment or statement from the Council, its councillors or staff shall be handled in accordance with the Council's policy in respect of dealing with the press and/or other media.
- b In accordance with the Council's policy in respect of 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.

**24. Execution and sealing of legal deeds**

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

- a A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.
- b **Subject to standing order 24(a), the 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 who shall sign the deed as a witness.**
- c Delegated authority is provided to the Mayor and Town Clerk to 'seal' personal documents as required subject to a separate register of records being maintained.

**25. Communicating with district and county councillors**

- a An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the ward councillor(s) of the District and County Council representing the area of the Council.



- b Unless the Council determines otherwise, a copy of each letter sent to the District and County Council shall be sent to the ward councillor(s) representing the area of the Council.

**26. Restrictions on councillor activities**

- a. Unless duly authorised no councillor shall:
  - i. inspect any land and/or premises which the Council has a right or duty to inspect; or
  - ii. issue orders, instructions or directions.

**27. Casual Vacancy**

Following the death of a Councillor, Casual Vacancy notices will be placed the day after the funeral.

**28. Standing orders generally**

- a All or part of a standing order, except one that incorporates mandatory statutory or legal requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b A motion to add to or vary or revoke one or more of the Council's standing orders, except one that incorporates mandatory statutory or legal requirements, shall be proposed by a special motion, the written notice by at least 3 councillors to be given to the Proper Officer in accordance with standing order 9.
- c 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 thirds of the councillors at a meeting of the council vote in favour of the same.*
- d The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible upon delivery of his declaration of acceptance of office.
- e The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final.
- f A councillors 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

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## **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.***

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			Prices are without VAT	
	Body	Due Date	2022/23	2023/24
<b>a</b>	Institute of Groundsmanship	April	164	164
<b>b</b>	Institute of Cemetery and Crematorium Management	April	190	190
<b>c</b>	Kent Association of Local Councils	April	1,655	1,655
<b>d</b>	South East Employers	June	356	356
<b>e</b>	Parish Online	May	350	350
<b>f</b>	Information Commissioner's Office	June	35	35
<b>g</b>	Local World - Sevenoaks Chronicle	Monthly	106	106
<b>h</b>	Institute of Chartered Accountants in England and Wales	December	415	415
<b>i</b>	Sevenoaks District Chamber of Commerce	January	290	290
<b>j</b>	Kent Farmer's Market Association	March	60	60
<b>k</b>	Society of Local Council Clerks	June	552	552
<b>l</b>	Amazon Prime	September	79	79
<b>m</b>	National Allotment Society	August	55	55
<b>n</b>	National Association of British Markets	March	384	384
<b>o</b>	Association of Town Centre Management	Sept	570	570
<b>p</b>	Countryside charity	March	60	60
<b>q</b>	Local Government chronicle	March	385	385
<b>r</b>	AAT (Accounting Technicians)	May/ August	256	256
<b>s</b>	Friends of Rhinebach	January	30	30
<b>t</b>	Zoom	April	240	240
<b>u</b>	Sevenoaks Parish advertising	March	19	19
<b>v</b>	Chartered Institute of Horticulture	April	-	233