

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 13<sup>th</sup> May 2024.

**Meeting Commenced: 7:00pm**

**Meeting Concluded: 7:40pm**

**PRESENT**

**THE MAYOR, CLAIRE SHEA, IN THE CHAIR**

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

**Also Present**

Town Clerk, Responsible Finance Officer & Deputy Town Clerk, Deputy Town Clerk, Senior Committee Clerk, Planning Committee Clerk and Open Spaces Committee Clerk.  
Goretti Efthimiou, Tim Williams, James Ball, Caroline Berry, POC Scarlet Burgess and Cpl Roy Newman.

Cllr Richard Streatfeild, Sevenoaks District Council & Kent County Council.

40 members of the public.

Livestreamed and available to view on YouTube until minutes approved by Council:

<https://youtube.com/live/-5PhibusYc8?feature=share>

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

**AWARD PRESENTATIONS**

Prior to the commencement of the meeting, Mayor Claire Shea made the following presentations:

**1) Presentation of Cheques to Mayor's Charities: Sevenoaks Larder and Sevenoaks Welcomes Refugees**

The Mayor's chosen charities for her fundraising during her year of office were Sevenoaks Larder and Sevenoaks Welcomes Refugees.

The Mayor thanked Sevenoaks Larder for their invaluable work supporting people of Sevenoaks who found themselves in hard times, and presented them with a cheque for £2,665.50.

The Mayor thanked Sevenoaks Welcomes Refugees for their work and presented them with a cheque for £12,665.50 reflecting the £10,000 raised at their annual fundraising concert and Children's Show which she had been pleased to host at the Stag.

**2) 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 James Ball for his hard work and commitment to improving road safety in the town, including the creation of a petition, supported by 2000 people, for the 20mph scheme.

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

Petty Officer Cadet Scarlet Burgess was presented with a certificate and a glass plaque as a token of appreciation for her service. The Mayor thanked Scarlet for her support and congratulated her on gaining promotion twice during the year.

**4) KALC Community Award**

Kent Association of Local Councils (KALC) Community Awards are presented to acknowledge and recognise those who have made a significant contribution to their community.

The Mayor presented the award for 2023/24 to Caroline Berry in recognition of her work for Sevenoaks Area Youth Trust and as a long serving member of the Town Council's Youth Services Committee

**80 ELECTION OF MAYOR**

The Town Clerk read the notice to convene the meeting.

Mayor Claire Shea invited nominations for the Office of Mayor.

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

**RESOLVED:** that Cllr Libby Ancrum be elected Mayor.

**81 DECLARATION OF ACCEPTANCE OF OFFICE**

Cllr Libby Ancrum 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 Ancrum thanked her fellow councillors for the honour of her election to office, stating that she looked forward to the year ahead. For her chosen charities, she would be continuing with Sevenoaks Welcomes Refugees, a worthwhile charity she had been working with for some years. She would also be supporting the Bradbourne Riding for Disabled Association and looked forward to working with them during the forthcoming year.

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

### **MAYOR LIBBY ANCRUM IN THE CHAIR**

Cllr Shea gave a retiring speech and addressed the Council:

*"I don't imagine that being Mayor appears on many people's life plans. It certainly has never featured on any bucket list of mine, but what a privilege it has been.*

*It's been an honour to participate in the life of the town - Peppercorn Ceremony, Christmas lights switch on, Armistice Day, Remembrance Day, and flags and fairs on the Vine. Less formally, I have recognised the long service of two of our market traders, celebrated new business openings, and presented prizes to young citizens who had done our High Street trails and designed our new Christmas light.*

*I've had the pleasure of being invited to a variety of events at almost all of the care homes in town and visited many schools. I have spent time with the Youth Council and the House in the Basement and was somehow persuaded onto a skateboard in full regalia at the re-opening of the refurbished skate park.*

*I've attended events from operas to Christmas singalongs, and triathlons to colour runs.*

*It's gone by in a bit of a haze of running from one place to the next. Usually slightly late, of course. But as I look back on the last twelve months, I think there is much for us all to be very proud of.*

*Cllr Varley brought our attention to Longspring Wood very early on in the year, and without quick work from officers to register it as a community asset, we wouldn't have been able to act when it came to market. I still cannot get over the generosity of the town in supporting the purchase, nor the speed with which we raised the funds we needed to make it happen.*

*In June, we were recognised as the UK's first Town of Sanctuary, and work continues to embed the needs of refugees in all the town's work. We were able to mark Refugee Week with a specially commissioned flag in pride of place on the Vine, which we followed shortly after with another new flag to mark Pride month. I know that our new Mayor will continue to champion Sevenoaks as an inclusive, welcoming town.*

*Building on the slow-burn of the Neighbourhood Development Plan over several previous councils, we have started our Masterplan work to set out how to deliver the ambitions of residents for our High Street, thinking about spatial use, the changing face of retail and town centres and the current dominance of motor vehicles in spaces intended for pedestrians. We're looking to the future growth of the town and extending the work to St Johns as well.*

*Greatness Recreation ground will be the focus of much change over the next couple of years, as the Town Council and Sevenoaks Town Football Club secured CIL funding to take forward the new Football Pavillion there. It is the starting point for a wider regeneration of the park, and a working group has been convened to take that forward with stakeholders.*

*Of course, the 20mph consultation took a lot of our energies over the winter, and all councillors spent a lot of time talking to residents about it. It's with KCC designers now to put the flesh on the bones, and I look forward to its delivery in the coming months.*

*Together with the new Car Club and a second successful Climate Fair with Sevenoaks Climate Action Network, our Green Investment Plan is delivering change not just on Town Council assets but for the town as a whole.*

*Tonight's agenda includes a revised committee structure and a new way of working for the Town Council. The ambition is to harness the skills and passions of our councillors and the new series of working groups will allow us to engage with more people and organisations in the business of the Council. New way of working at the Town Council - with more working groups to involve more people. It has taken a lot of imagination and hard work to set up, and I want to thank Cllr Wightman and Linda Larter for putting that together.*

*A few 'thank yous' before I sit down: I want to thank Linda Larter, Ann White and all of the officers for their unfailing energy, support and organisational skills for all things mayoral this year.*

*Thank you to Sevenoaks Welcomes Refugees and Sevenoaks Larder for working with me this year, and I wish you all the best in your endeavours.*

*Thank you to former mayors for words of advice, and to all councillors for supporting me along the way. Especially to Cllr Ancrum, who has been a great support during a year which has had its occasional challenges."*

Cllr Wightman thanked Cllr Shea:

*"Former Mayor, you can't be allowed to leave without a word of thanks from all of us for your incredibly hard work on behalf of the town over the past year.*

*You describe what a busy and successful year it's been, but we all think your contribution to it needs to be highlighted. All Mayors work very hard, it's the nature of the job, but you have been quite extraordinarily busy. I'm told that you have attended over 130 events as Mayor. No fete was left unopened, no opportunity to showcase the town was missed, and no chicken left uneaten! As you discuss, you have visited schools and care homes, you've supported local community groups and organisations, you have been to concerts and exhibitions, you didn't mention that you played a prominent role in the International Women's Day event.*

*We have just seen the presentation of cheques to your very worthwhile charities, Sevenoaks Welcomes Refugees and Sevenoaks Larder, cheques for over £15,000. Clearly raising that money relied on a lot of hard work from many people but particularly you.*

*You also mention the acquisition of Longspring Woods as one highlight of your year, and it certainly was, but you played an absolutely key role in raising the funds by recording not one but two promotional videos. When people got off the train in Sevenoaks they saw, well, you.*

*In everything you did your love for this town was evident, as it must have been on your many, many, travels to meet other mayors and civic groups. Hardly a day went by when we didn't get a message, anyone fancy coming to Canterbury Cathedral, how about the Cutty Sark?*

*I'm sure that when you met your fellow mayors, they all thought if this is the Mayor of Sevenoaks it must be a great place. So, thank you."*

Cllr Gustard was delighted to welcome the new Mayor Ancrum. She wished her every success and confirmed the full support of councillors as she embarked on her year representing the Town.

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

## **82     ELECTION OF DEPUTY MAYOR**

The Mayor invited nominations for the office of Deputy Mayor.

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

**RESOLVED** that Cllr Tony Clayton be elected as Deputy Mayor.

## **83     DECLARATION OF ACCEPTANCE OF OFFICE**

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

The Mayor provided the Deputy Mayor with his badge of office.

## **84     APOLOGIES FOR ABSENCE**

**RESOLVED:** to note and accept apologies received from Cllr Lise Michaelides and Cllr Gareth Willis.

## **85     ELECTION OF LEADER OF SEVENOAKS TOWN COUNCIL**

The Mayor invited nominations for the office of Leader of Sevenoaks Town Council.

It was proposed by Cllr Clayton and seconded by Cllr Shea, that Cllr Nigel Wightman be elected to the office of Leader of Sevenoaks Town Council for the ensuing year. There were no other nominations.

**RESOLVED** that Cllr Nigel Wightman be elected Leader of Sevenoaks Town Council.

**86     ELECTION OF DEPUTY LEADER OF SEVENOAKS TOWN COUNCIL**

The Mayor invited nominations for the office of Deputy Leader of Sevenoaks Town Council.

It was proposed by Cllr Varley and seconded by Cllr Granville, that Cllr Catherine Daniell be elected to the office of Deputy Leader of Sevenoaks Town Council for the ensuing year. There were no other nominations.

**RESOLVED** that Cllr Catherine Daniell be elected Deputy Leader of Sevenoaks Town Council

**87     REQUESTS FOR DISPENSATIONS**

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

**88     DECLARATIONS OF INTEREST**

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

**89     MINUTES OF COUNCIL MEETING – 22<sup>ND</sup> April 2024**

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

**90     MINUTES OF PLANNING COMMITTEE – 29<sup>TH</sup> APRIL 2024**

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

**91     MINUTES OF FINANCE & GENERAL PURPOSES COMMITTEE – 22<sup>ND</sup> April 2024**

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

**92     APPOINTMENT OF STANDING COMMITTEES AND WORKING GROUPS;  
APPOINTMENT OF CHAIRS, VICE CHAIRS AND MEMBERS OF STANDING  
COMMITTEES AND WORKING GROUPS**

- 92.1** The Town Council had reviewed its committee structure and proposed moving from the traditional system of functional committees entirely composed of councillors to a structure of: four standing committees (in addition to the full Town Council meetings) which would make the decisions which councillors were legally accountable for, and nine working groups which would be able to develop ideas involving members of the community and stakeholders with oversight from the committees.

**RESOLVED:** that Sevenoaks Town Council operates and governs under a revised Committee and Working Group system.

**92.2     APPOINTMENT OF STANDING COMMITTEES AND WORKING GROUPS**

**RESOLVED:** that Standing Committees and Working Groups be appointed as follows for the ensuing year (**Appendix A**):

**FINANCE & DELIVERY COMMITTEE**

- Community Asset Working Group
- Communications Working Group
- Town Team/Business Improvement District (BID)

**PLANNING & ENVIRONMENT COMMITTEE**

- Movement & Net Zero Working Group
- STNP/Master Plan Working Group
- Quarry Liaison Working Group

**COMMUNITY & WELLBEING COMMITTEE**

- Youth Services Working Group
- Sports Strategy Working Group
- Arts & Culture Working Group
- Greatness Recreation Ground Working Group

**PERSONNEL COMMITTEE**

**92.3 APPOINTMENT OF CHAIRS, VICE CHAIRS AND MEMBERS OF STANDING COMMITTEES AND WORKING GROUPS**

**RESOLVED:** that the report appointing Chairs, Vice Chairs and Members of Standing Committees and Working Groups for the ensuing civic year be received and adopted. **(Appendix B)**

**93 REPRESENTATION ON OUTSIDE BODIES**

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

**94 APPROVAL OF SEVENOAKS TOWN COUNCIL SCHEME OF DELEGATION, INCLUDING TERMS OF REFERENCE OF STANDING COMMITTEES AND WORKING GROUPS**

**RESOLVED:** that the Sevenoaks Town Council Scheme of Delegation, including Terms of Reference of Standing Committees and Working Groups for the ensuing year be received and adopted. **(Appendix D).**

**95 DRAFT SCHEDULE OF MEETINGS 2024/2025**

**RESOLVED:** that the Draft Schedule of Meetings for 2024/2025 be received and approved in principle, noting that the Chairs of Committees would work with the Town Clerk to finalise. **(Appendix E)**

**96 STANDING ORDERS 2024/2025**

**RESOLVED:** that Sevenoaks Town Council's Standing Orders 2024/2025 be approved and adopted **(Appendix F)**

**97 FINANCIAL REGULATIONS**

**RESOLVED** that: following the publication of updated Model Financial Regulations for local councils by NALC (National Association of Local Councils), this item be deferred to the next meeting.

**98 COUNCILLOR CODE OF CONDUCT**

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

**99      ANNUAL SUBSCRIPTIONS**

**RESOLVED:** that the schedule of Annual Subscriptions for 2024/2025 be received and agreed. **(Appendix H)**.

**100     VARIABLE DIRECT DEBITS**

**RESOLVED:** that the schedule of Variable Direct Debits for 2024/2025 be received and agreed. **(Appendix I)**

**101     GENERAL POWER OF COMPETENCE**

**RESOLVED:** to note 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) has adopted the General Power of Competence. *[Minute 84, 15.05.2023 refers]*

**102     SEVENOAKS TOWN COUNCIL ANNUAL REPORT 2023/24**

**RESOLVED:** that the Town Council Annual Report 2023-24 be received and noted.

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

**RESOLVED:**

- 1) to note that the Town Council continues to adopt GDPR practices as required by statute throughout all its day-to-day business.
- 2) That the following policies be approved and readopted:
  - Information and Data Policy
  - Neighbourhood Plan Privacy Notice
  - Privacy Notice
  - Youth Privacy Notice
  - Social Media and Electronic Communication Policy

**104     POLICY APPROVALS**

**RESOLVED:** that the following policies be approved and readopted:

- Accessibility Statement
- Equalities Policy
- Training, Learning and Development Policy
- Value for Money Policy (as amended and circulated)

**105     APPLICATION FOR RENEWAL OF LOCAL COUNCIL AWARD**

**RESOLVED:** to confirm that Sevenoaks Town Council has met all the relevant criteria to apply for the Local Council Award Scheme Quality Gold; that it publishes online all the necessary documents to comply with the Award Scheme; and that it has all the required documents in place. **(Appendix J)**

**106     APPOINTMENT OF MAYOR'S CADET**

**RESOLVED:** that Cpl Roy Newman, Sevenoaks Air Cadets, be appointed as the Mayor's Cadet for the 2024-2025 Civic Year. The Mayor presented him with the Mayor's Cadet Badge of Office.



**107 50<sup>TH</sup> ANNIVERSARY OF SEVENOAKS TOWN COUNCIL**



Sevenoaks Town Council was created in the reorganisation relating to the Local Government Act 1972. The new Town Council formally came into being in 1974.

Every year the Mayor donates a painting by a local artist of a local scene. This accumulated collection of paintings represents a rich social history of the town in art form. The paintings had been photographed to provide a commemorative record of the collection in the booklet “50 Years in Paintings” which was shared at the meeting.

**RESOLVED:** To receive and note the report setting out the arrangements to celebrate 50 years of Sevenoaks Town Council and its community.

**108 CIVIC EVENTS AND MAYOR’S ENGAGEMENTS 2023-2024**

**RESOLVED:** to note

- 1) the functions attended by the Mayor, Deputy Mayor or representative during 2023-2024.
- 2) the Civic Events held during the 2023-2024 civic year.

**109 PRESS RELEASE**

**RESOLVED:** that press releases be issued in respect of the outgoing Mayor and her fundraising, and the election of Cllr Libby Ancrum as Sevenoaks new Mayor.

The meeting closed at 7:40 pm

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

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**Appointment of Standing Committees and Working Groups:**

**FINANCE & DELIVERY COMMITTEE**

- Community Asset Working Group
- Communications Working Group
- Town Team/Business Improvement District (BID)

**PLANNING & ENVIRONMENT COMMITTEE**

- Movement & Net Zero Working Group
- STNP/Master Plan Working Group
- Quarry Liaison Working Group

**COMMUNITY & WELLBEING COMMITTEE**

- Youth Services Working Group
- Sports Strategy Working Group
- Arts & Culture Working Group
- Greatness Recreation Ground Working Group

**PERSONNEL COMMITTEE**

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**APPOINTMENT OF CHAIRS, VICE CHAIRS AND MEMBERS OF STANDING COMMITTEES AND WORKING GROUPS**

<b>FINANCE &amp; DELIVERY COMMITTEE (F&amp;D)</b>		<b>Members</b>
<b>Chair</b>	Cllr Tony Clayton	1. Cllr Dr Marilyn Canet
<b>Vice Chair</b>	Cllr Nigel Wightman	2. Cllr Catherine Daniell
		3. Cllr Dr Peter Dixon
		4. Cllr David Skinner
		5. Cllr Nicholas Varley
<b>Community Asset Working Group</b>		
<b>Chair</b>	Cllr Dr Marilyn Canet	1. Cllr Lise Michaelides
<b>Vice Chair</b>	Cllr Dr Peter Dixon	2. Cllr Nigel Wightman
		3. Cllr Gareth Willis
<b>Communications Working Group</b>		
<b>Chair</b>	Cllr Nick Varley	1. Cllr Victoria Granville
<b>Vice Chair</b>	Cllr Chloe Gustard	2. Cllr Sally Layne
		3. Cllr Nigel Wightman
<b>Town Team / BID</b>		
<b>Chair</b>	Cllr Tony Clayton	1. Cllr Victoria Granville
<b>Vice Chair</b>	TT Member	2. Cllr Nigel Wightman
		3. Town Clerk

<b>PERSONNEL COMMITTEE</b>		
<b>Chair</b>	Cllr Libby Ancrum	1. Cllr Tony Clayton
<b>Vice Chair</b>	Cllr Lise Michaelides	2. Cllr Nigel Wightman

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<b>PLANNING &amp; ENVIRONMENT COMMITTEE (P&amp;E)</b>		All Councillors
<b>Chair</b>	Cllr Sue Camp	
<b>Vice Chair</b>	Cllr David Skinner	
<b>Movement &amp; Net Zero Working Group</b>		
<b>Chair</b>	Cllr David Skinner	1. Cllr Dr Marilyn Canet
<b>Vice Chair</b>	Cllr Lionel O'Hara	2. Cllr Tony Clayton
		3. Cllr Dr Peter Dixon
		4. Cllr Claire Shea
<b>STNP / Master Plan Working Group</b>		
<b>Chair</b>	Cllr Tony Clayton	1. Cllr Claire Shea
<b>Vice Chair</b>	Cllr David Skinner	2. Cllr Nigel Wightman
		3. Cllr Lise Michaelides
		+ interested external stakeholders
<b>Quarry Liaison Working Group</b> (via Tarmac)		
		1. Cllr Claire Shea
		2. Cllr Dr Marilyn Canet
		3. Cllr Nigel Wightman
		4. Town Clerk
		5. Planning Cttee Clerk
		+ interested external stakeholders

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<b>COMMUNITY &amp; WELLBEING COMMITTEE (C&amp;W)</b>		
<b>Chair</b>	Cllr Claire Shea	1. Cllr Catherine Daniell
<b>Vice Chair</b>	Cllr Victoria Granville	2. Cllr Chloe Gustard
		3. Cllr Lise Michaelides
		4. Cllr Gareth Willis
<b>Youth Services Working Group</b>		
<b>Chair</b>	Cllr Chloe Gustard	1. Cllr Dr Merilyn Canet
<b>Vice Chair</b>	Cllr Catherine Daniell	2. Cllr Gareth Willis
		+ interested external stakeholders
<b>Sports Strategy Working Group</b>		
<b>Chair</b>	Cllr Gareth Willis	1. Cllr Dr Merilyn Canet
<b>Vice Chair</b>	Cllr Dr Peter Dixon	2. Cllr Catherine Daniell
		3. Cllr Victoria Granville
		+ interested external stakeholders
<b>Arts &amp; Culture Working Group</b>		
<b>Chair</b>	Cllr Victoria Granville	1. Cllr Dr Merilyn Canet
<b>Vice Chair</b>	Cllr Lise Michaelides	2. Cllr Sally Layne
		3. Cllr Claire Shea
<b>Greatness Recreation Ground Working Group</b>		
		1. Cllr Dr Merilyn Canet
		2. Cllr Claire Shea
		3. Cllr Victoria Granville
		+ interested external stakeholders
<b>Stag Trustees</b>		
<b>Chair</b>	Cllr Claire Shea	All Town Councillors except Cllr Michaelides.

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<b>Organisation</b>	<b>2023 - 2024</b>	<b>2024- 2025</b>
Age UK (Council & Exec)	Cllr Dr M Canet	Cllr Dr M Canet
Citizens Advice Bureau	Cllr Chloe Gustard	Cllr Chloe Gustard
Dorothy Parrott Trust	Mayor Deputy Mayor	Mayor Deputy Mayor
Friends of Pontoise	Cllr Nick Varley	Cllr Nick Varley
Friends of Rheinbach	Cllr Dr Peter Dixon	Cllr Dr Peter Dixon
KALC (Area & County)	Cllr Tony Clayton Cllr Dr Marilyn Canet	Cllr Tony Clayton Cllr Dr Marilyn Canet
Kentish Opera - Patron	Mayor	Mayor
League of Friends of Sevenoaks Hospital	Mayor	Mayor
Lady Margaret Boswell's Church of England Educational Charity for a <i>period of four years</i>	Cllr Sally Layne	Cllr Sally Layne
Sevenoaks Almshouse Charity	Cllr Dr Marilyn Canet	Cllr Dr Marilyn Canet
Compassion Sevenoaks (formally Sevenoaks Churches Group for Social Concern)	Cllr Lise Michaelides	Cllr Lise Michaelides
Sevenoaks CPRE Committee	Cllr Lise Michaelides	Cllr Lise Michaelides
Sevenoaks District Arts Council	Cllr Sally Layne	Cllr Sally Layne
Sevenoaks Summer Festival	Cllr Sally Layne	Cllr Victoria Granville Cllr Sally Layne
Sevenoaks Wildlife Reserve Working Group	Cllr Libby Ancrum	Cllr Libby Ancrum
Visit Kent	Cllr Libby Ancrum	Cllr Libby Ancrum
Woodside Private Road Ltd	Cllr David Skinner	Cllr David Skinner

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**Appendix D**  
**Resolution 94**



## **Scheme of Delegation (including Council & Committees Terms of Reference)**

Approved by Council: 13<sup>th</sup> May 2024

Review following each election or if change of Committee structure.

## SCHEME OF DELEGATION

**By this Scheme of Delegation, the Council in pursuance of its powers under section 101 of the LGA 1972 Local Government Act and in pursuance of its powers under section 15 of the LGA 2000 Local Government Act, General Power of Competence Localism Act 2011 and to the extent of their respective powers authorising the Proper Officer (Chief Executive / Town Clerk) and Responsible Financial Officer / Deputy Town Clerk, Standing Committees of the Council to act with delegated authority in the specific circumstances detailed.**

**The intention of the Scheme of Delegation is that the Council should act with all reasonable speed. Decisions should be taken at the most suitable level and that Officers are given power over the day to day administration and operation of the Council.**

**Sevenoaks Town Council is accredited with the General Power of Competence and a Local Council Gold Award status, Investor in People and a Civility and Respect Pledge.**

## PROPER OFFICER (CHIEF EXECUTIVE / TOWN CLERK) – DUTIES AND POWERS

The Proper Officer of the Council has statutory duties which are set down in legislation.

The Chief Executive / Town Clerk is the Proper Officer of the Council and as such is specifically authorised to:

- i) Receive Declarations of Acceptance of Office
- ii) Receive and Record notices from Councillors of Disclosing Interests
- iii) Receive, Retain and process plans and documents
- iv) Sign notices or other documents on behalf of the Council
- v) Sign and issue summonses to attend meetings of the Council and Committees
- vi) Give public notice of the time, place, and agenda at least three clear days before a meeting of the Council or Committees (provided that the public notice with agenda of an Extra Ordinary meeting of the Council convened by Councillors is signed by them)
- vii) Convene a meeting of the Council for the election of a new Mayor and Deputy Mayor of the Council.

In addition, the Chief Executive / Town Clerk has the delegated authority to undertake the following matters on behalf of the Council:

- i) The day to day administration and operation of services, together with routine inspection and control.

- ii) Day to day supervision and control of all staff employed by the Council
- iii) Authorisation of routine expenditure within the agreed budget.
- iv) Emergency expenditure up to £10,000 outside of the agreed budget in consultation with the Chair and Vice Chair of Finance & General Purposes Committee.
- v) Project Manage and associated expenditure on projects approved by the Council and up to budget approved.

Delegated actions of the Chief Executive / Town Clerk shall be in accordance with Legislation, Standing Orders, Financial Regulations and this Scheme of Delegation and Committee Terms of Reference with directions given from the Council from time to time.

Delegated Authority is given to Council Officers to make decisions on behalf of the Committees, in the case of the Chief Executive / Town Clerk full Council, **on urgent matters between meetings**. These decisions are to be made after consultation with Councillors.

#### **CHIEF EXECUTIVE / TOWN CLERK EMERGENCY DELEGATED AUTHORITY**

In extreme cases for example the Covid pandemic lockdown Emergency Delegated Authority is required for the Chief Executive / Town Clerk (Deputy Town Clerk) to enable the day to day operation of Sevenoaks Town Council to continue to operate within legislation when the Council cannot meet in person and a legal alternative is not available.

The following is an example of the delegation used in such circumstances.

##### **Council Meeting 23<sup>rd</sup> March 2020 Minute 567 ii)**

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

#### **RESPONSIBLE FINANCE OFFICER**

The Responsible Financial Officer within the meaning of the Accounts and Audit Regulations 1996 and subsequent legislation shall be responsible for the Town Council accounting procedures and financial governance in accordance with the Council's Financial Regulations in force at any given time.

The Responsible Financial Officer as Deputy Town Clerk will also assume the Town Clerk's role if there is an absence and need.

The Responsible Financial Offer has delegated authority for day to day responsibility for:

- Fiscal Governance
- Accounts Management
- Budget & Financial Monitoring / Predictions
- Insurance
- Financial Risk Management
- Internal Financial Controls
- External & Internal Audits
- Payroll & Pensions administration
- VAT
- Performance of Finance Team
- Financial Transparency

## 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 Mayor, Deputy Mayor, Leader, Deputy Leader
- (e) Appointment of Committees, Chairmen and Vice Chairmen thereof
- (f) Appointment of Representatives on Outside Bodies
- (g) Annual Subscriptions
- (h) Standing Orders as to the conduct of the Council's business
- (i) The Committee Structure including terms of reference, membership etc

## **STANDING COMMITTEES & WORKING GROUPS**

Sevenoaks Town Council will operate and govern under a Committee and Working Group system with the following delegated powers.

Councillors shall be members of the Standing Committees and Working Groups of the Council in accordance with Standing Orders.

Standing Committees to meet approximately every 6 weeks, with exception of Planning & Environment which will be every 2 weeks and Personnel which will normally be 2 times per year.

Working Groups will meet approximately every 8 weeks and will be providing recommendations to Standing Committees. Working Groups can invite external representatives as non-voting members to participate on relevant topics. Working Groups with external representatives will not be recorded for Youtube.

The Mayor is Ex Officio of all Committees and Working Groups.

All Councillors regardless of whether they are on a Committee or Working Group will receive all Agendas, Supporting Papers, and Minutes.

A quorum of a Committee is one third.

## **FINANCE & DELIVERY COMMITTEE**

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

- (xii) To consider any general purposes business
  - (xiii) Town Team
  - (xiv) Assets including Bat & Ball Centre, Bat & Ball Station, Business Hub
  - (xv) Christmas Lighting & Town Centre Events/Festivals
  - (xvi) Markets
- (c) To receive reports from the Community Asset Working Group, the Communications Working Group, and the Town Team / BID Working Group.

### **COMMUNITY ASSET WORKING GROUP**

Aim: to pursue relevant objectives in the STNP (in particular objectives 4, 5 & 6) and where appropriate implement policies L1, L2, L3, L4, L5 & L8.

To consider all matters relating to the following items and make recommendations to the Finance & Delivery Committee.

- (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
- (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
- (n) Public Lavatories
- (o)



### COMMUNICATIONS WORKING GROUP

- a) To review the internal and external communication strategy of Sevenoaks Town Council and make recommendations to the Finance & Delivery Committee.
- b) The Working Group can invite external representatives as non-voting members to participate on relevant topics.
- c) Meetings of the Communications Working Group will meet as and when required.

### SEVENOAKS TOWN TEAM

#### 1. Name

The partnership will be called the 'Sevenoaks Town Team' (formally known as Partnership).

The Town Team was 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.

#### 2. Aim

- 2.1. To pursue objectives 10 & 11 of the STNP and where relevant implement Policies E1, E2, E3, E4 & E5.
- 2.2. To develop a Business Improvement District (BID) to referendum stage.

#### 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 businesses and organisations.
- 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. **Membership**

- 4.1 Members should be welcomed from a wide range of different sectors to reflect the diverse aspirations of people in the town.

4.2 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.

- 4.3 The Chair of the Town Team will be an elected member recognising responsibility of public money and national code of conduct.

- 4.4 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.

- 4.5 The Town Team will ensure that it remains a fully representative body;

- 4.6 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`;

- 4.7 The Town Team will comply with the Sevenoaks Town Council Equal Opportunities statement;

- 4.8 The Partnership will operate in an environment which is fully accountable and transparent;

- 4.9 Any alterations to the terms of reference must be agreed by the Town Team.

5 **Meetings and Decision Making**

Sevenoaks Town Team Facilitator, in consultation with the Chair of the Town Team, will timetable at least 4 full Town Team meetings at regular intervals throughout the financial year.

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

- 5.3 Agenda items for such a meeting should be agreed in consultation with the Chair and notice given to the Clerk at least 10 days in advance.

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

- 5.5 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 partnership 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 partnership.

## 6. Administration

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

### PLANNING & ENVIRONMENT COMMITTEE

Aim: To pursue relevant objectives of the STNP (in particular objectives 1, 2, 3, 15, 16 & 17) and implement relevant policies (in particular C1 – C10 and D1 – D6).

- (a) To consider and have executive powers except to address all Town and Country Planning matters.
- (b) To consider all matters relating to redevelopment schemes including the provision of attendant roads and ancillary parking
- (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 Chair of the Committee, or in his/her absence the Vice Chair, 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 Chair of the Committee or in his/her absence the Vice Chair in consultation with one other Committee Member (to be a ward member for the premises concerned) and the Town Clerk to have executive powers to make observations in respect of Licensing Applications referred to the Town Council where it is not possible to convene a meeting of the Committee in time to meet the deadline date for return of observations to the Licensing Authority.

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

- (j) 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

- (k) Conservation Areas and Environmental Improvements except where relating to Town Council land and properties
- (l) Formation of Neighbourhood Plans (& Masterplans)
- (m) Tree Work Applications - The Chair of the Committee or in his/her absence the Vice Chair 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.

- (p) To receive reports and recommendations from the Movement & Net Zero Working Group, the STNP / Masterplan Working Group and the Quarry Liaison Working Group.

#### **MOVEMENT & NET ZERO WORKING GROUP**

To consider matters relating to the following items and make recommendations as necessary to the Finance and Delivery Committee or the Planning and Environment Committee as appropriate:

1. The Town Council's aim to improve sustainable movement with the Town.
2. The Town Council's strategic aims in relation to working towards net zero.
3. The implementation of the sections of the Sevenoaks Town Neighbourhood Plan relevant to movement and achieving net zero. In particular Objectives 7 – 9 and Policies and Aims M1 – M12.
4. Sevenoaks Town Council's Green Community Investment Plan.
5. Initiatives from other organisations relating to movement and or net zero.
6. 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
7. 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
8. To consider all matters relating to:-
  - (1) Car Parks and car parking charges
  - (2) Public Transport Services associated with the Town
  - (3) Any proposed Motorway Interchanges affecting the Town
  - (4) Rail Services
  - (5) Air transport

9. All matters relating to road safety
10. To set out objectives for the Working Group.

**STNP / MASTERPLAN WORKING GROUP**

**Terms of Reference for Sevenoaks Town Neighbourhood Plan Monitoring and Implementation Group – Adopted on 27-09-2023**

**1. Naming and role**

1.1. The Group will be referred to as the “Sevenoaks Town Neighbourhood Plan Monitoring and Implementation Group” – STNP Monitoring & Implementation Group

1.2. The Monitoring and Implementation Group is not a formal Committee of Sevenoaks Town Council. It may make recommendations to the Town Council’s Planning & Environment Committee, which will make the final decision.

1.3. The Group will be responsible for:

- i. The oversight of how the Sevenoaks Town Neighbourhood Plan Policies and Aims are being implemented, and annual review of how policy performance and wording can be improved – via Annual Report. This to include recommendations to be presented to the Planning & Environment Committee for consideration.
- ii. Actively promoting the STNP process to residents, local businesses, Residents Associations, and stakeholders to encourage a participation in the continuing project and the sharing of views.
- iii. The production of the Monitoring and Implementation Strategy document and any subsequent modifications. This will itemise each policy, aim and objective, and provide details of the targets, performance indicators and delivery status. Any iterations to be agreed by the Planning & Environment Committee.
- iv. Provide recommendations on actioning of any further studies or projects as identified in the STNP or later during its review process by the Independent Examiner, to be approved by the Planning & Environment Committee.
- v. Recommending further studies or projects that will improve the evidence base of the STNP – including a Masterplan for Sevenoaks Town Centre. These to be approved by the Planning & Environment Committee.
- vi. The production and analysis of any relevant public consultations on the aforementioned projects or studies.
- vii. Assessing new and existing evidence bases which will impact development in Sevenoaks Town during the plan period.
- viii. Undertaking of a 5 year review of the STNP, as required by the Independent Examiner, and implementation of any improvements to policy wording identified in the aforementioned annual reports.
- ix. Consulting on emerging or amended policies identified and recommended in the 5 year review of the STNP.
- x. Reviewing the STNP in relation to SDC’s expected Local Plan.
- xi. Oversight of any future edits or reiterations of the Plan.

## 2. Membership

2.1. The Monitoring and Implementation Group shall be made up of Local Stakeholders, Residents, and professionals.

2.2. Members of the Group shall be, as far as possible, representative of the demographics within Sevenoaks Town.

2.3. At the Monitoring and Implementation Group meeting held on 27th September 2023, it was agreed that membership would remain fluid and open to new members, to encourage higher engagement and involvement of different stakeholders as relating to the various Themes of the STNP.

2.4. Where members of the Group are representatives of an organisation it is the responsibility of the individual members to ensure that they have obtained the necessary consent of their organisation.

2.5. All meetings of the Monitoring and Implementation Group will be open to members of the public who wish to attend.

2.6. Members of the Public in attendance at the Group meetings shall be free to contribute to the discussions taking place however will not hold voting rights.

2.7. Members of the Group must disclose any personal or financial interests which may conflict or coincide with the topics being considered as part of the Sevenoaks Town Neighbourhood Plan and must sign a document declaring these if applicable.

## 3. Governance and recommendation making

3.1. The Monitoring and Implementation Group will be presided by a Chair or Vice Chair who must be an elected member of Sevenoaks Town Council.

3.2. If the Chair is not able to be present, meetings shall be chaired by the Vice Chair. If neither are present, members shall elect a Chair for the meeting from those present.

3.3. Decisions will be made by the consensus of the formal Monitoring and Implementation Group members present at the meeting. Where a vote is tied the Chair will have the casting vote.

3.4. All decisions must be approved by Sevenoaks Town Council's Planning & Environment Committee before they may be actioned.

## 4. Meetings

4.1. Meetings of the Monitoring and Implementation Group will typically be held from 6:00pm in the Sevenoaks Town Council Chamber where possible.

4.2. Meetings will be structured to focus on one Theme of the STNP at a time, with

relevant stakeholders to be invited as deemed appropriate.

4.3. The Group will aim to meet with a frequency not less than once every 12 weeks.

4.4. Additional meetings may be arranged by Sevenoaks Town Council, subject to at least 5 working days' notice being given prior to the date of the meeting to allow for adequate publicity.

#### 5. Record keeping

5.1. The Town Council will endeavour to have an Officer present at all meetings of the Group who will be responsible for the production of minutes.

5.2. Minutes of meetings will be publically available and will be publicised both on Sevenoaks Town Council's website, and on the Sevenoaks Town Neighbourhood Plan website.

5.3. Agendas for the Monitoring and Implementation Group will be circulated via email to all who have expressed an interest in the Neighbourhood Plan Process. Paper copies will be made available at the meeting.

#### 6. Modifications to Terms of Reference

The Monitoring and Implementation Group shall review its Terms of Reference throughout the project and amend as it deems fit. Any amendments to the Terms of Reference will require the agreement of Sevenoaks Town Council prior to taking effect.

#### 7. General Data Protection Regulation

All General Data Protection Regulation matters will be the responsibility of Sevenoaks Town Council

### **QUARRY LIASON WORKING GROUP**

The Quarry Liaison Group is arranged by Tarmac and Sevenoaks Town Council has representatives from Ward Councillors and the Town Clerk.

### **COMMUNITY & WELLBEING COMMITTEE**

1. To pursue Objective 12 of the STNP (to deliver enhanced community assets for the town) and implement Policy COM1 (promote new health and education provision, faith facilities and other necessary community infrastructure as an integral part of new development)
2. To receive reports and recommendations from three Working Groups - Youth Services, Sports Strategy and Arts & Culture)
3. To identify community groups to support and promote

4. To identify gaps in community support (including healthcare) and lobby for improvement
5. To receive and approve the schedule of annual grants to be made to all community groups (including sports and arts) within budgets approved.

#### **YOUTH SERVICES WORKING GROUP**

To consider all matters relating to the following items and make recommendations to the Community & Wellbeing Committee in respect of:

- (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) The Youth Services Working Group may co-opt non-voting members to the Committee, including two Youth Councillors.
- (f) Meetings of the Youth Services Working Group normally to be held after Youth Council meetings.
- (g) A quorum of the Youth Services Working Group will be three voting (elected) members
- (h) Recommend Youth Grants to the Community & Wellbeing Committee.
- (i) The Youth Services Working Group shall be constructed as follows:-

Town Councillors will be appointed at the Annual Meeting of the Town Council, plus the Chair or Vice-Chair of the Finance & Delivery Committee and the Town Mayor (ex-officio). The Youth Services Working Group can increase its membership with Co-Opted Members from members of other youth related organisations.

- (j) Co-opted members

All Co-Opted members of the Working Group would not be voting members; it is hoped most decisions would be agreed by consensus and will serve for a period of one year but can be re-elected.

#### Finance

- (i) The Youth Services Working Group shall make recommendations on the budgets associated with its activities for:
  - Youth Council



- HitB Youth Café
  - Youth Grants
- (ii) The Youth Services Working Group shall make recommendations to determine grant awards up to and provided the amount is within the allocated Youth Grants annual budget.
- (iii) The Working Group shall not normally support grant 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.

### **SPORTS STRATEGY WORKING GROUP**

#### **Terms of Reference for Sevenoaks Town Sports Strategy (STSS) Working Group – Adopted on 4th October 2023**

Aim: To create a second Sevenoaks Town Sports Strategy and to establish sporting needs within Sevenoaks Town for the next 10 years in line with Objective 14 of the STNP (to deliver enhanced recreational and sports facilities for the town) and Policies S1 & S2.

#### **1. Naming and role**

1.1 The Working Group shall be referred to as the Sevenoaks Town Sports Strategy Group (STSS).

1.2 Topics for consideration by the Working Group may be added, provided that they are within the scope of the Sports Strategy process and do not conflict or duplicate the work being carried out by another Sevenoaks Town Council (STC) Committee or Working Group.

1.3 Any proposed modification to the list of topics to be considered by the Working Group must be approved by the STC Community & Wellbeing Committee before they may take effect.

#### **2. Membership**

2.1 Excluding elected Councillors, members of the STSS shall be limited to representatives of Sports organisations within Sevenoaks Town.

2.2 Members of the STSS shall be, as far as possible, representative of the demographics within Sevenoaks Town.

2.3 The formal list of members of the STSS and all related General Data Protection Regulation (GDPR) matters will be maintained and controlled by the Community & Wellbeing Committee.

2.4 Meetings of the STSS will be open to all members of the public who wish to attend.

2.5 Members of the public in attendance at a STSS meeting shall be free to contribute to the discussions taking place however will not hold voting rights.

2.6 Members of the STSS must disclose any personal or financial interests which may conflict or coincide with the topics being considered by the Sub Committee.

### 3. Governance and decision making.

3.1 The STSS will be presided over by a Chair or Vice Chair who must be an elected member of Sevenoaks Town Council.

3.2 If the Chair is not able to be present, meetings shall be chaired by the Vice Chair. If neither are present, members shall elect a Chair for the meeting from those present.

3.3 Decisions will be made by the consensus of formal members present at the STSS meeting. When a vote is tied the Chair will have the casting vote.

3.4 Recommendations made by the STSS will be considered as purely advisory and hold no weight unless explicitly ratified by Sevenoaks Town Council's Community & Wellbeing Committee.

### 4. Meetings

4.1 It is for the individual STSS to determine frequency of meetings; however, the frequency should be adequate to allow the STSS to meet deadlines set by the Open Spaces & Leisure Committee.

4.2 It is recommended that as soon as possible a schedule of STSS meeting dates is agreed and circulated to members.

4.3 Sevenoaks Town Council must be notified at least 5 working days in advance of any proposed meetings to allow them to be publicised adequately.

### 5. Record Keeping

5.1 Sevenoaks Town Council will endeavour to have an Officer present at meetings of STSS who will be responsible for the production of the minutes.

5.2 Minutes of meetings will be publically available and will be publicised on Sevenoaks Town Council's website.

5.3 Agendas for the STSS will be circulated via email to all who have expressed an interest in the second Sevenoaks Town Sports Strategy process. Paper copies will be made available at the meeting.

### **ARTS & CULTURE WORKING GROUP**

1. To pursue Objective 13 of the STNP (to develop and promote a cultural quarter in the town centre and to enhance the town's cultural offer and improve access to existing cultural assets)
2. To implement Policy COM2 (the Town Council will promote the development of a cultural quarter in the town centre together with an arts and cultural strategy)
3. To liaise with the Sevenoaks Summer Festival and consider all other opportunities to promote the arts in the town.
4. To receive regular reports from the Stag Theatre & Cinema as to its performance and consider all requests from the Stag for funding
5. To recommend to the Community & Wellbeing Committee the priorities for annual grants to all art groups
- 6.

### **GREATNESS RECREATION GROUND WORKING GROUP**

1. To review the responses from the Greatness Recreation Ground public survey and feed into a revised Greatness Recreation Ground Management Plan.
2. To meet as and when required.

### **PERSONNEL COMMITTEE**

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

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

To make recommendations to Council on:-

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

## **MAYOR OF SEVENOAKS TOWN**

Sevenoaks Town Council is a small local authority which does not have the legal powers to operate with a 'portfolio' system as per larger local authorities. Decisions are made in a transparent manner in public by being placed on an agenda and discussed and a decision made within Council or a Committee meeting.

The Mayor is not directly elected and is chosen at the May Annual Meeting from the sixteen elected members. It is normal protocol for the Deputy Mayor to become Mayor Elect.

The Mayor is responsible for Chairing the full Council meetings in a fair and transparent manner and summarising decisions that have been made. If required, the Mayor will have a casting vote.

In addition, the Mayor is a non-voting member of all Committees and will Chair the Annual Town Public Meeting and any other Public Meetings which could be called.

The Mayor does not have any executive powers to instruct staff, and or make decisions between meetings.

The Mayor represents the Council at civic and public events.

## **CHAIR OF COMMITTEES (& WORKING GROUPS)**

Sevenoaks Town Council is a small local authority which does not have the legal powers to operate with a 'portfolio' system as per larger local authorities. Decisions are made in a transparent manner in public by being placed on an agenda and discussed and a decision made within a Committee.

The Chair is responsible for Chairing the Committee or Working Group in a fair and transparent manner and summarising decisions that have been made. If required, the Chair of the Committee or Working Group will have a casting vote.

The Chair does not have any executive powers to instruct staff, and or make decisions between meetings.

## **LEADER & DEPUTY LEADER OF THE COUNCIL PROCESS & PROTOCOL**

In the unusual situation where all councillors on Sevenoaks Town Council are from a single party, to ensure transparency, clarity, and accountability in the way the Council operates, for life of the current Council the following Process & Protocol for Sevenoaks Town Council Leader and Deputy Leader has been adopted and will be reviewed at each Annual Meeting in May.

### **PROCESS**

#### **Leader of the Council**

1. The Annual Council Meeting may elect a Councillor as Leader of the Council, at the same time they may elect a Deputy Leader of the Council.
2. The Leader of the Council may be replaced at any meeting of Full Council. Motion to replace the Leader must be notified in the Agenda.
3. The Leader of the Council will usually be the Leader of the largest political group of Councillors.
4. The Leader is the most senior Councillor of the Council politically. The Leader will lead the decision-making process at Councillor level and liaise with the Town Clerk on those issues, forward plans and matters of policy or strategic direction. The Leader has no legal status or civic and ceremonial responsibilities.
5. The Town Clerk may use the Leader and Chairs of Committees as a 'sounding board' in advance of formal consideration of any matter to assist in gauging likely Councillor reaction to a proposal,
6. The Deputy Leader can deputise for any actions normally carried out by the Leader.

### **LEADER PROTOCOL**

#### **Introduction**

This protocol aims to ensure that the Leader and the Town Clerk are guided by a set of ground rules designed to maintain high standards of public accountability, mutual respect, and an understanding of the Council's decision-making structures. If a Deputy Leader has been elected, this protocol shall also apply when the Deputy is acting in place of the Leader.

#### **1. General Principles**

- i) In accordance with the Statutory Code of Conduct, the Leader must not use Council resources for party political purposes. The Leader must uphold the political impartiality of the Town Clerk, and not ask the Town Clerk to act in any way which would conflict with the Council's Officer Professional Code of Conduct, Protocol on Member / Officer relationships, or Conditions of Service.

- ii) The Leader does not have line management responsibilities for the Town Clerk and should not issue management instructions to the Town Clerk.
- iii) Where a decision is required following discussion between the Leader and the Town Clerk, the matter will be submitted to Council or a Committee for consideration, unless the matter is already delegated to the Town Clerk in consultation with the Leader.
- iv) Matters wholly within the responsibility of the Town Clerk, or which have been delegated to the Town Clerk without consultation requirements, may still be discussed between the Leader and the Town Clerk.
- v) In undertaking their roles, the Leader and Town Clerk should respect the following principles:

**Principle 1** As a 'visible' and accountable elected representative, with defined responsibilities, the Leader will need to be properly briefed on all significant aspects of the work of the Council. The Town Clerk should ensure a proper information flow so as to ensure that the Leader can effectively 'lead'.

**Principle 2** Good communications can be best achieved through planned and programmed meetings and briefing arrangements. On the basis that the Town Clerk should be ensuring that the information needs of the Leader are met. The Leader, should in turn, seek to avoid making requests for unanticipated briefings.

**Principle 3** The Leader (and all the Councillors) should channel significant requests for information, advice, and other support via the Town Clerk (or in absence Deputy Town Clerk – in which case the Town Clerk will be copied into requests). Other arrangements may apply as agreed and established between the Leader and the Town Clerk. The Leader shall not approach other staff directly with requests for information (except in the cases of emergency in the absence of the Town Clerk and Deputy Town Clerk) or seek to commission work from individual staff, as this may confuse day-to-day line management accountabilities.

**Principle 4** The Leader may work with the Town Clerk and or the other senior managers in the development of policies and programmes.

**Principle 5** All Councillors have collective responsibility to the Council for the conduct of employment policy, and the Council acts as the employing body for all Council staff. Employment policies, having been set by the Council, are implemented via the Town Clerk.

**Principle 6** When a report to Committee or Council is being prepared, the Leader is entitled to discuss issues with the Town Clerk and with other officers concerning the contents of such reports and the framing of recommendations. Whilst the Leader may wish to make suggestions on content and drafting, the Leader should not attempt to edit out or override any content of reports which the Town Clerk or other officer feels is important to put before the Council.

**Principle 7** When the Leader (and all Councillors) wish to put forward proposals of their own, it is the responsibility of the Councillor (via the Town Clerk) to produce a report to the relevant Committee for consideration. The Town Clerk may wish, and has a right, to add comments to such reports.

**Principle 8** The Town Clerk, managers and other officers exercise statutory functions and have individual responsibilities. The Leader should understand and respect these roles.

## **2 The Leader and Fellow Councillors**

- i) The distinctive role of the Mayor, Committee Chairs and Councillors are already well established at the Town Council.
- ii) The Leader should ensure to consult as necessary with colleagues in the early stages of formulating proposals. Committee Chairs, in particular, should be consulted on issues relevant to their Committee and the Mayor should be involved in any civic related matters or issues which may affect the conduct of Council meetings.

**Principle 9** nothing in these arrangements shall infringe:

- The right and duty of each individual councillors to speak and vote according to their best judgement
- The right of all councillors to information and guidance from Council officers, or
- The duty of Council officers to support each councillor with equal consideration

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Sevenoaks Town Council  
Minutes of Annual Council Meeting – 13<sup>th</sup> May 2024

**DRAFT Meeting Schedule 2024-25 Committees & Working Groups**

MAY 2024			
Mon 06		Early Spring Bank Holiday	
Mon 13	7pm	Annual Council Meeting	
Wed 15	6pm	Youth Council at HitB	
Mon 20	7pm	Planning & Environment	
Wed 22	2pm	Youth Services WG	
Mon 27		Late Spring Bank Holiday	
Wed 29	2pm	Sports Strategy WG	
JUNE 2024			
Mon 03	6pm	Movement & Net Zero WG	Planning & Environment
Wed 05	6.30pm	Town Team	
Mon 10	7pm	Finance & Delivery Cttee	Council
Wed 12	2pm	Communications WG	
Mon 17	7pm	Planning & Environment	
Wed 19	2pm	Arts & Culture WG	
Mon 24	7pm	Community & Wellbeing	
Wed 26	2pm	Greatness Rec Ground WG	
JULY 2024			
Mon 01	6pm	STNP	Planning & Environment
Mon 08		No meeting	
Wed 10	6pm	Youth Council at CC	Youth Services WG
Mon 15	7pm	Planning & Environment	
Wed 17	2pm	Community Asset WG	
Mon 22	7pm	Finance & Delivery Cttee	Council
Wed 24	2pm	Communications WG	
Mon 29	6pm	Movement & Net Zero WG	Planning & Environment
Wed 31	6.30pm	Town Team	
AUGUST 2024			
Mon 05	7pm	Community & Wellbeing	
Wed 07	2pm	Sports Strategy WG	
Mon 12	7pm	Planning & Environment	
Wed 14	2pm	Arts & Culture WG	
Mon 19	2pm	Greatness Rec Ground WG	
Mon 26		August Bank Holiday	
Tues 27	6pm	STNP	Planning & Environment
SEPTEMBER 2024			
Mon 02	7pm	Council	Finance & Delivery Cttee
Wed 04	2pm	Community Asset WG	
Mon 09	7pm	Planning & Environment	

Wed 11	6pm	Youth Council at CC	Youth Services
Mon 16	7pm	Community & Wellbeing	
Wed 18	2pm	Communications WG	
Mon 23	6pm	Movement & Net Zero WG	Planning & Environment
Wed 25	6.30pm	Town Team	
Mon 30	2pm	Sports Strategy WG	
OCTOBER 2024			
Mon 07	7pm	Planning & Environment	
Wed 09	2pm	Arts & Culture WG	
Mon 14	7pm	Council	Finance & Delivery Cttee
Wed 16	2pm	Greatness Rec Ground WG	
Mon 21	6pm	STNP	Planning & Environment
Mon 28	7pm	Community & Wellbeing	
Wed 30	7pm	Personnel	
NOVEMBER 2024			
Mon 04	7pm	Planning & Environment	
Wed 06	2pm	Community Asset WG	
Mon 11	2pm	Youth Services	
Wed 13	6pm	Youth Council at HitB	
Mon 18	6pm	Movement & Net Zero WG	Planning & Environment
Wes 20	6.30pm	Town Team AGM	
Mon 25	7pm	Council	Finance & Delivery Cttee
Weds 27	2pm	Communications WG	
DECEMBER 2024			
Mon 02	7pm	Planning & Environment	
Wed 04	2pm	Sports Strategy WG	
Mon 09	7pm	Community & Wellbeing	
Wed 11	2pm	Arts & Culture WG	
Mon 16	6pm	STNP	Planning & Environment
Wed 18	2pm	Greatness Rec Ground WG	
Mon 23	7pm	Planning & Environment	
Wed 25		Bank Holiday - Christmas	
Thur 26		Bank Holiday – Boxing Day	
Weds 25 <sup>th</sup> Dec to Thurs 2 <sup>nd</sup> – STC Offices Closed			
JANUARY 2025			
Wed 02		Bank Holiday -New Year	
Mon 06		No meeting	
Mon 13	6pm	Movement & Net Zero WG	Planning & Environment

Sevenoaks Town Council  
Minutes of Annual Town Council Meeting – 13<sup>th</sup> May 2024

**DRAFT Meeting Schedule 2024-25 Committees & Working Groups**

Wed 15	6pm	Youth Council at CC	Youth Services
Mon 20	7pm	Finance & Delivery Cttee	Council
Wed 22	2pm	Community Asset WG	
Mon 27	7pm	Planning & Environment	
Wed 29	2pm	Communications WG	
FEBRUARY 2025			
Mon 03	7pm	Community & Wellbeing	
Wed 05	6.30pm	Town Team	
Mon 10	6pm	STNP	Planning & Environment
Weds12	2pm	Sports Strategy WG	
Mon 17	2pm	Arts & Culture WG	
Mon 24	7pm	Planning & Environment	
Weds 26	2pm	Greatness Rec Ground WG	
MARCH 2025			
Mon 03	7pm	Council	Finance & Delivery Cttee
Wed 05	6pm	Youth Council at HitB	
Mon 10	6pm	Movement & Net Zero WG	Planning & Environment
Wed 12	2pm	Youth Services	
Mon 17	7pm	Annual Town Meeting	
Wed 19	7pm	Personnel	
Mon 24	7pm	Planning & Environment	
Wed 26	2pm	Community Asset WG	
Mon 31	7pm	Community & Wellbeing	
APRIL 2025			
Wed 02	6.30pm	Town Team	
Mon 07	6pm	STNP	Planning & Environment
Wed 09			
Mon 14	7pm	Council	Finance & Delivery Cttee
Wed 16		Sports Strategy WG	
Mon 21		Easter Monday Bank Holiday	
Tues 22	7pm	Planning & Environment	
Wed 23	2pm	Arts & Culture WG	
Mon 28	2pm	Greatness Rec Ground WG	
MAY 2025			
Mon 05		Early May Bank Holiday	
Tues 06	6pm	Movement & Net Zero WG	Planning & Environment
Wed 07	2pm	Youth Services WG	

Mon 12	7pm	Annual Council Meeting	
Mon 19	7pm	Planning & Environment	
Weds 21	2pm	Community Asset WG	
Mon 26		Spring Bank Holiday	
Tues 27	7pm	Community & Wellbeing	
Wed 28	6.30pm	Town Team	
JUNE 2025			
Mon 02	6pm	Planning & Environment	STNP
Mon 09	7pm	Finance & Delivery Cttee	Council

## 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 2024

(ADAPTED FROM NALC MODEL STANDING ORDERS 2018 FOR ENGLAND (updated April 2022))

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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 chair of the meeting.
- b A motion (including an amendment) shall not be progressed unless it has been moved and seconded or presented by the Chair.
- c A motion on the agenda that is not moved by its proposer may be treated by the chair of the meeting as withdrawn.
- d If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- e An amendment is a proposal to remove or add words to a motion. It shall not negate the motion 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 chair of the meeting, is expressed in writing to the chair.
- 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 chair of the meeting.
- j Subject to standing order 1(k), only one amendment shall be moved and debated at a time, the order of which shall be directed by the chair of the meeting.
- k One or more amendments may be discussed together if the chair of the meeting considers this expedient but each amendment shall be voted upon separately.
- l A councillor may not move more than one amendment to an original or substantive motion.
- m The mover of 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 chair of the meeting, a councillor may speak once in the debate on a motion except:
    - i. to speak on an amendment moved by another councillor;
    - ii. to move or speak on another amendment if the motion has been amended since he last spoke;
    - iii. to make a point of order;
    - iv. to give a personal explanation; or
    - v. to exercise a right of reply.
  - p During the debate on a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A 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 chair 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 chair of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.).

- t Excluding motions moved under standing order 1(r), the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 3 minutes without the consent of the chair 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 chair of the meeting shall request such person(s) to moderate or improve their conduct.
- b If person(s) disregard the request of the chair of the meeting to moderate or improve their conduct, any councillor or the chair of the meeting may move that the person be no longer heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- c If a resolution made under standing order 2(b) is ignored, the chair of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

## 3. Meetings generally

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

- a **Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.**
- b **The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**
- c **The minimum three clear days' public notice 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 chair of the meeting.

- g Subject to standing order 3(f), a member of the public shall not speak for more than 3 minutes.
- h In accordance with standing order 3(e), a question shall not require a response at the meeting nor start a debate on the question. The chair of the meeting may direct that a written or oral response be given.
- i 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 chair 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 Chair of the meeting.
- k Only one person is permitted to speak at a time. If more than one person wants to speak, the chair of the meeting shall direct the order of speaking.

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

(Those exercising their right to report on the proceedings of a meeting are required to comply with Sevenoaks Town Council's Proocol 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 Chair of the Council may in his absence be done by, to or before the Vice-Chair 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 chair of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise 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 Delivery 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..
- 
- 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 chair of the standing committee;
- vii. shall permit a committee other than a standing committee, to appoint its own chair 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 Delivery 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, the council to confirm it has in place all of the criteria to remain eligible to exercise the general power of competence in the future;
- xiii. Review of inventory of land and other assets including buildings and office equipment;( *to be reviewed at first meeting of Finance and Delivery 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 Finance and Delivery Committee)
- xv. Review of the Council's and/or staff subscriptions to other bodies;
- xvi. Review of the Council's complaints procedure; (*to be reviewed Finance and Delivery Committee*)
- xvii. Review of the Council's policies, procedures and practices in respect of its obligations under freedom of information and data protection legislation (to be reviewed at first meeting of Finance and Delivery 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 Delivery 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 chair of a committee [or a sub-committee] may convene an extraordinary meeting of the committee [or the sub-committee] at any time.
- d If the chair of a committee [or a sub-committee] does not call an extraordinary meeting within 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 chair of the meeting.

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

- a A motion shall relate to the responsibilities of the meeting for which it is tabled and in any event shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.
- b No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least 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 chair of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
- f The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- g Motions received shall be recorded and numbered in the order that they are received.
- h Motions rejected shall be recorded with an explanation by the Proper Officer of the reason for rejection.

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

- a The following motions may be moved at a meeting without written notice to the Proper Officer:
  - i. to correct an inaccuracy in the draft minutes of a meeting;
  - ii. to move to a vote;
  - iii. to defer consideration of a motion;
  - iv. to refer a motion to a particular committee or sub-committee;
  - v. to appoint a person to preside at a meeting;
  - vi. to change the order of business on the agenda;

- vii. to proceed to the next business on the agenda;
- viii. to require a written report;
- ix. to appoint a committee or sub-committee and their members;
- x. to extend the time limits for speaking;
- xi. to exclude the press and public from a meeting in respect of confidential or other information which is prejudicial to the public interest;
- xii. to not hear further from a councillor or a member of the public;
- xiii. to exclude a councillor or member of the public for disorderly conduct;
- xiv. to temporarily suspend the meeting;
- xv. to suspend a particular standing order (unless it reflects mandatory statutory or legal requirements);
- xvi. to adjourn the meeting; or
- xvii. to close the meeting.

## **11. Management of information**

See also standing order 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 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.



## 12. Draft minutes

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

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

“The chair of this meeting does not believe that the minutes of the meeting of the ( ) held on [date] in respect of ( ) were a correct record but 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.**
- 
- 
- 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 by 12 Noon on the day of the meeting.**
- 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 Subject to standing orders 13(e) and (g), a dispensation request shall be considered by the Proper Officer before the meeting, and agreed by the meeting, or, if this is not possible, at the start of the meeting for which the dispensation is required.
- i **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 at least 4 days before the meeting confirming their withdrawal of it..
- 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; ;
- viii. assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
- ix. liaise, as appropriate, with the Council's Data Protection Officer (if there is one);
- x. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- xi. assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980);
- xii. arrange for legal deeds to be executed *(and sealed using the Council's common seal)*  
*(see also standing order 23);*
- xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
- xiv. record every planning application notified to the Council and the Council's response to the local planning authority;
- xv. Refer a planning application received by the Council to the Chair or in his absence the Vice-Chair 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;

- xvi. manage access to information about the Council via the publication scheme; and
- xvii. 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*).

**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 & Delivery 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 & Delivery 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 & Delivery 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.

#### **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. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c. **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 the "light touch" arrangements under Regulations 109-114 of the Public Contracts Regulations 2015 unless it proposes to use an existing list of approved suppliers (framework agreement).**
- d. **Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum the following steps:**

- A specification for the goods, materials, services of the execution of works shall be drawn up;
- An invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside of the prescribed process.
- The invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate.
- Tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer.
- Tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed.
- Tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub committee with delegated responsibility.

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

- e **Where the value is likely to exceed the threshold specified by the Office of Government Commerce from time to time, the Council must consider whether the Public Contracts Regulations 2015 or the Utilities Contracts Regulations 2016 apply to the contract and, if either of those Regulations apply, the Council must comply with procurement rules. NALC's procurement guidance contains further details.**

#### **19. Handling staff matters**

- a A matter personal to a member of staff that is being considered by 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 chair of the Personnel Committee and Finance and Delivery Committee or in their absence, the vice-chair 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 chair of the Personnel Committee or in their absence, the vice-chair 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 chair or vice-chair 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.

**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.**



**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.**

**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 to dealing with the press and/or other media, councillors shall not, in their official capacity, provide oral or written statements or written articles to the press or other media.

**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 chair 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



## **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	2023/24	2024/25
<b>a</b>	Institute of Cemetery and Crematorium Management	April	£190.00	£190.00
<b>b</b>	Kent Association of Local Councils	April	£1,655.00	£1,695.00
<b>c</b>	South East Employers	April	£356.00	£371.00
<b>d</b>	NLA Media Access Limited	April	-	£333.00
<b>e</b>	Zoom	April	£240.00	£240.00
<b>f</b>	Survey Monkey	April	-	£565.00
<b>g</b>	Chartered Institute of Horticulture	April	£233.00	£233.00
<b>h</b>	Institute of Groundsmanship	April	£164.35	£164.35
<b>i</b>	Parish Online	June	£378.00	£350.00
<b>j</b>	Information Commissioner's Office	June	£35.00	£35.00
<b>k</b>	City of Sanctuary	June	-	£150.00
<b>l</b>	Association of Town Centre Management	June	£570.00	£595.00
<b>m</b>	National Allotment Society	July	£55.00	£55.00
<b>n</b>	AAT (Accounting Technicians)	October	£256.00	£161.00
<b>o</b>	Local World - Sevenoaks Chronicle	September	£106.00	£131.00
<b>p</b>	Amazon Prime	September	£79.00	£95.00
<b>q</b>	Institute of Chartered Accountants in England and Wales	December	£415.00	£400.00
<b>r</b>	Sevenoaks District Chamber of Commerce	January	£290.00	£290.00
<b>s</b>	Friends of Rhinebach	January	£30.00	£30.00
<b>t</b>	Kent Farmer's Market Association	February	£60.00	£60.00
<b>u</b>	Local Government Association (via NALC)	Feb	£530.00	£580.00
<b>v</b>	National Association of British Markets	March	£384.00	£434.00
<b>w</b>	Sevenoaks Parish Advertising	March	£19.00	£19.00
<b>x</b>	Local Government chronicle	March	£385.00	£416.00
<b>y</b>	Society of Local Council Clerks	March	£552.00	£991.00
<b>z</b>	CPRE	March	£60.00	£60.00

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**Variable Direct Debits**

American Express	Credit card charges from the cafes
British Gas Business	Gas
B2 Mobility GmbH	Fuel for open spaces vehicles
Connectaphone	Telephones
Countrystyle Recycling	Glass collection
EDF Energy	Electricity
EMAP Publishing Limited	subscription for Local Government Chronicle
Everflow Limited	Water
Go Cardless	Nexadus - Business Hub
Legal & General	Pension
Nest	Pension
ICO	Information Commissioners Office
Natwest One Card	Credit Card
Public Work Loans Board	B&B Centre loan
Reposs Limited	Till at Café
S/Line	Worldpay card machines
Sage Software	Payroll Software
Sevenoaks District Council	Business rates for each site
South East Water	Water
UK Fuels	Fuel Cards
Yu Energy	Streetlighting

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The Foundation Award	
Criteria	
The council confirms by resolution at a full council meeting that it publishes online:	
1) Its standing orders	
2) Its financial regulations	
3) Its Code of Conduct and a link to councillors' registers of interests	
4) Its publication scheme	
5) Its last annual return	
6) Transparent information about council payments	
7) A calendar of all meetings including the annual meeting of electors	
8) Minutes for at least one year of full council meetings and (if relevant) all committee and sub-committee meetings	
9) Current agendas	
10) The budget and precept information for the current or next financial year	
11) Its complaints procedure	
12) Its accessibility statement	
13) Its privacy notice	
14) Council contact details and councillor information in line with the transparency code	
15) Its action plan for the current year	
16) Evidence of consulting the community	
17) Publicity advertising council activities	
18) Evidence of participating in town and country planning	

The Foundation Award	
Criteria	
The council also confirms by resolution at a full council meeting that it has:	
19) A risk management scheme	
20) A register of assets	
21) Contracts for all members of staff	
22) Up-to-date insurance policies that mitigate risks to public money	
23) Disciplinary and grievance procedures	
24) A policy for training and development of staff and councillors	
25) A record of all training undertaken by staff and councillors in the last year	
26) A clerk who has achieved 12 CPD points in the last year	

The Quality Award	
Criteria	
The council confirms by resolution at a full council meeting that it meets all requirements for the Foundation Award and that it also publishes on its website:	
1) Draft minutes of all council and committee meetings within four weeks of the last meeting	
2) A Health and Safety policy	
3) Its policy on equality	
4) Councillor profiles	

The Quality Award	
<b>Criteria</b>	
5) A community engagement policy involving two-way communication between council and community	
6) A grant awarding policy	
7) Evidence showing how electors contribute to the Annual Parish or Town Meeting	
8) An action plan and related budget responding to community engagement and setting out a timetable for action and review	
9) Evidence of community engagement, council activities and the promotion of democratic processes in an annual report, online material and at least four news bulletins a year	
10) Evidence of helping the community plan for its future	
The council also confirms by resolution at a full council meeting that it has:	
11) A scheme of delegation (where relevant)	
12) At least two-thirds of its councillors who stood for election	
13) An annual report that is actively shared with the community	
14) Evidence of a customer service in how the council handles correspondence with the public	
15) A qualified clerk	
16) A formal appraisal process for all staff	
17) A training policy and record for all staff and councillors	

The Quality Gold Award	
<b>Criteria</b>	
The council confirms by resolution at a full council meeting that it meets all requirements for the Foundation and Quality Awards and also publishes on its website:	
1) A business plan covering a financial forecast for at least three years linked to revenue and capital plans for the council and its community	
2) An annual report, online material, news bulletins and other council communications with evidence of:	
a) engaging with diverse groups in the community using a variety of methods	
b) community engagement influencing council activity and priorities	
c) a wide range of council activities, including innovative projects, that produce positive outcomes for the community	
d) co-operating constructively with other organisations	
The council also confirms by resolution at a full council meeting, that it has prepared statements (of no more than one page each) to be presented to the accreditation panel showing how it:	
3) Ensures that the council delivers value for money	
4) Provides leadership in planning for the future of the community	
5) Engages with the community on issues related to the environment and climate change	
6) Manages the performance of the council as a corporate body	
7) Manages the performance of each individual staff member to achieve its business plan	