

**Notice of Meeting: FULL COUNCIL**

**Date and Time: Wednesday 11<sup>th</sup> January 2023 19.00**

**Venue: The Old Courthouse**

**Members of the Public are invited to attend in person**

**AGENDA**

**22/01/140 Apologies for absence**

**22/01/141 To receive any declarations of interest** under the provisions of sections 27-34 and Schedule 4 of the Localism Act 2011

**22/01/142 Approval of Minutes of previous meeting**

**142.1** Full Council Meeting 16<sup>th</sup> November 2022 – previously circulated

**142.2** Matters Arising (not covered in the agenda) – for information only

**22/01/143 Opportunity to hear questions or statements from members of the public**

**22/01/144 County Councillor Report**

**22/01/145 District Councillors Report** – previously circulated

**22/01/146 Chairs Report and Announcements**

**22/01/147 Finance**

**147.1** Draft Income/Expenditure to 31<sup>st</sup> December 2022 – previously circulated

**147.2** Draft Reserves to 31<sup>st</sup> December 2022 – previously circulated

**147.3** Bills for Payment – previously circulated

**147.4** Late bills for payment (to be circulated)

**22/01/148 To review and accept recommendation from Governance & Finance Committee – Precept, Draft Budget, and Reserves 2023/2024-** previously circulated

**22/01/149 Adopt the following policies** – previously circulated

**149.1** Councillor Code of Conduct

**149.2** Dignity at Work

**22/01/150 Proposal to sign the Civility and Respect Pledge** -previously circulated

**22/01/151 Proposal to accept the tree report** – previously circulated

- 22/01/152 Cil Funding and agreed projects paper approved at Governance and Finance – Previously circulated**
- 22/01/153 Discussion and agreement on possible project for Grant applications from the Shared Prosperity Fund**
- 22/01/154 Review of the consultation evening – previously circulated**
- 22/01/155 Agree request from the Fair trade Association – previously circulated**
- 22/01/156 Review of Kings Street Closure paper – previously circulated**
- 22/01/157 To receive and note the most recent committee meeting minutes from the following standing committees that have taken place since the last Full Council meeting**  
**136.1 Planning & Highways Meeting – 7<sup>th</sup> December 2022 – previously circulated**  
**136.2 Governance & Finance Meeting 14<sup>th</sup> December 2022 – previously circulated**
- 22/01/158 Items for discussion at next meeting**
- 22/01/159 Items for Communication**
- 22/01/160 To resolve on whether the Council will move into closed session in accordance with the Public Bodies (admission to meetings) Act 1970 as amended by Section 100 of the Local Government Act 1972 for the following confidential items:**  
  
**160.1 Tree Works Tender**  
**160.2 HR Update**
- 22/01/161 Date of next meeting – 15<sup>th</sup> February 2023**

Lesley Wright  
Clerk to Southwell Town Council

05/01/2023

**Minutes of Meeting:** FULL COUNCIL  
**Date and Time:** Wednesday 16<sup>th</sup> November 2022 19.00  
**Venue:** The Old Courthouse

**Presentation from PAN (Pesticides Action Network) at 18.30 via Zoom**

**Present:** Cllrs Stott (Chair), Brock (Vice Chair), L Harris, P Harris , Lightwood, Martin, Perry, Rainbow, Reynolds, Scorer, Thompstone, Roberts.

**In Attendance:** Clerk, Deputy Clerk. 3 members of the public

**22/11/118 Apologies for absence**

Cllrs Blaney, Handley, Jeffrey and NCC Cllr Jackson  
Reasons were approved

**22/11/119 To receive any declarations of interest** under the provisions of sections 27-34 and Schedule 4 of the Localism Act 2011 - None

Standing orders suspended and subsequently re-instated for Agenda item 130 moved to discussed after 119

Proposed Cllr Roberts      Seconded      Cllr Lightwood

**22/11/120 Approval of Minutes of previous meeting**

**120.1** Full Council Meeting 19<sup>th</sup> October 2022

**Proposed**      Cllr Rainbow      **Seconded Cllr Roberts**

**120.2** Matters Arising (not covered in the agenda) – none

**22/11/121 Opportunity to hear questions or statements from members of the public- None**

**22/11/122 County Councillor Report** – in Cllr Jacksons absence the Clerk reported the A612 has now been classified as the C32. Cllr Harris asked for Cllr Jackson to facilitate the work on the cycle paths via Share Prosperity fund

**22/11/123 District Councillors Report** – noted. Cllr Rainbow also suggested the Church Street improvement also be added to the application for a grant from the Shared Prosperity fund. Cllr Roberts to liaise with Cllr Harris in the applications

**22/11/124 Chairs Report and Announcements**

It was agreed to invite the Police and Crime Commissioner to a Full Council meeting and for the Clerk to collate questions from Councillors

Cllr Stott explained the Share Prosperity fund application for the cycle path on Harvey's and Minster Field

**22/11/125 Finance**

- 125.1 Draft Income/Expenditure to 31<sup>st</sup> October 2022 –
- 125.2 Draft Reserves to 31<sup>st</sup> October 2022 –
- 125.3 Bills for Payment – previously circulated
- 125.4 Late bills for payment (to be circulated)
- 125.5 Internal Auditors Interim Report

To approve agenda items 125.1 – 125.5

**Proposed Cllr Harris, Cllr Lightwood**

Agree unanimously by those present at the meeting

Cllr Perry and the councillors thanked the office for flawless Internal Auditor Report

**22/11/126 Review and Approve grant funding application from MHA –**

**Proposed Cllr Martin                      Seconded Cllr Roberts**

Agreed by majority 11 for 2 against

**22/11/127 Review of Project quotes received to date –**

The CIL working group to meet to discuss to level of CIL reserves and report to the Governance and Finance Committee meeting in December

**22/11/128 EV Charging Points Update – All paperwork has now been completed and NSDC are awaiting an installation date**

**22/11/129 Update from Meeting with Brackenhurst –**

Cllr Martin is to draft a letter with the Clerk explaining the history of the sign on Nottingham Road which is to be sent to the Dean of Brackenhurst and the Estates manager of NTU

**22/11/130 Agreement on the new Football Lease –**

**Proposed Cllr Roberts Seconded Martin**

**Agreed unanimously including the following:**

- the lease only covered the land which the Clubhouse stands on
- a working party to discuss the extension to the Workshop and Clubhouse
- the old toilet block is to be used on a temporary basis

**22/11/131 King Street Closure – The working group is meeting next Tuesday to agree the final proposal to be submitted to NCC/Via**

**22/11/132 Review of the consultation evening – Councillors to review the comments and to agree at the next Full Council meeting the items to be progressed**

**22/11/133 Proposal to Defer decision on the Tree Works Quotation to Governance & Finance Committee in December –**

**Proposed Cllr Martin Seconded Cllr Reynolds**

Agreed by majority 1 abstain

**22/11/134 Agreement on the lighting maintenance of council owned land –**

Council were informed by the Clerk that a contractor had been appointed to inspect and test all lights on Southwell Town Council land, the report to be circulated to Councillors .

**22/11/135 Proposal to change the following Meeting Dates**

- 135.1 11th January Planning & Highways Meeting to Wednesday 4<sup>th</sup> January 2023**
- 18<sup>th</sup> January Full Council Meeting to 11<sup>th</sup> January 2023**

**135.2 To reschedule of April/ May meeting due to Elections 2023**  
**10<sup>th</sup> May Town Environment Meeting to 24<sup>th</sup> May 2023**  
**25<sup>th</sup> April Annual Town Meeting to 31<sup>st</sup> May 2023**  
**Proposed Cllr Stott Seconded K Roberts**  
Agreed unanimously

**22/11/136 To receive and note the most recent committee meeting minutes from the following standing committees that have taken place since the last Full Council meeting**  
**136.1 Planning & Highways Meeting – 2<sup>nd</sup> November 2022 – noted**  
**136.2 Town Environment – 9<sup>th</sup> November 2022 – noted**  
**136.3 HR Meeting – 31<sup>st</sup> October 2022 – noted**

**22/11/137 Items for discussion at next meeting.**  
CIL funding and agreed Projects  
Response from the Brackenhurst letter

**22/11/138 To resolve on whether the Council will move into closed session in accordance with the Public Bodies (admission to meetings) Act 1970 as amended by Section 100 of the Local Government Act 1972 for the following confidential items:**

**Proposed Cllr Reynolds    Seconded Cllr Rainbow**  
Unanimous

**138.1 HR**

To approve HR recommendations for staff grading and hours all within the current budget

To approve the employment of an extra Market Operator, the cost to be contained within the present budget

**Proposed Cllr Stott Seconded L Harris**

**Agreed by Majority 1 abstention**

**22/11/139 Date of next meeting – 11<sup>th</sup> January 2023**

**Meeting Closed      20.40**

**Signed**

**Chair of Southwell Town Council**

**Date**

## WARD MEMBERS' (PH & MB) REPORT FOR JAN 23

There have been few matters relating to Southwell over the past two months.

GOVERNANCE REVIEW However, it was agreed to review the new system of governance (Cabinet) some six months following its introduction. Two sessions were held to this end. To date 5 Cabinet meetings have been held covering 43 items of business, many leading to key decisions. There were 16 Portfolio Holder decisions. The Chief Executive reminded members that the key purposes of the new system were to permit swift decision making where necessary and cut down on bureaucracy. Key observations from Councillors involved were that it was relatively early to draw major conclusions. The key role of published forward plans was mentioned but that in 'scrutiny', the role of the Council's Policy and Performance Improvement Committee (15 members; 4 meetings to date), there had been appreciably more attention given to policy than performance review.

It was pointed out that whilst better than the last Cabinet system at N&SDC the current system is still not as effective, as a local member, as the previous whole Council system.

One of the promised advantages of the new system, was the increased 'speed of decision making'. There has been little evidence of this. Whilst committee papers do not go around and around as previously, with two or more cycles often being taken up, this is better. However, it was not necessary for the previous round-a-about, as this could have been simplified and reduced. This was not offered as an alternative.

There have been some decisions by Cabinet members that affect a ward that have not been communicated to us as Ward members, so have had little input. This is disappointing and needs review.

There is certainly a feeling that local members are not engaged by the Cabinet in ward issues - and this is regrettable. It was pointed out that split political wards, such as Southwell, but we are not the only one, needs further careful consideration as each Ward member must be engaged not just listening to one member.

The P&PI Committee is ineffective. We were told that the selection of the Chair of P&PI would be very carefully made so that the Committee would scrutinise the Cabinet decisions. I can see no evidence of this at present. I would argue that this problem is inevitable - given the apparent lack of challenge within the leading group. Furthermore involvement on the working groups is subject to decision making by the Chair of the Committee and so could display prejudice.

With the Audit and Governance Committee reservations were expressed about this committee, especially when compared with the former Councillors' Commission. It was pointed out that the previous Councillors' Commission was an informal review of the Council with all four group leaders involved that the more informal approach of the latter had merit. This worked well and cooperatively. Its replacement has not worked at all well and the replacement Committee needs ending and a return to the previous system returned to.

The Chief Exec 'word-slipped' when he referred to 'group discussions'. This may have been a mistake - but certainly reflects how the Council now works. Whilst the current leading group has a significant majority, this may not, probably will not, continue indefinitely. The council should be very aware of how the current system could be operated by an alternative political complexion - and this will not be well received!

There was discussion on the impact of the new governance on individual wards. and it was accepted that related training will be necessary of members of the new council from May '23

UK SHARED PROSPERITY FUNDING [UKSPF]. NSDC has been allotted a further £3.28m of 'UK shared prosperity funding' over a period of 3 years (part of Levelling Up agenda.) The declared priorities are 1. Communities/Place 2. People/skills 3. Support for local business. Local organisations can apply for funding 'over the next few weeks' and the Town Council has been briefed on how and when to apply for this funding.

FULL COUNCIL A motion requesting a delay in the implementation of Voter ID - where every voter, apart from postal voters - will have to present a Government issued photo ID to vote was defeated on party lines. The Government Act is going ahead despite the very low level - if any - prosecutions of voter impersonation in previous elections. This will be now required for the elections in May 2023.

CABINET. The impact of the ceasing trading by Woodhead Construction Ltd who were involved in building the new social housing properties behind Coghill Court is being reviewed.

At the Cabinet meeting the now anticipated overspend this year of nearly £1.5m will be taken from reserves [p4 Cabinet Papers Dec 20 2022]

The Town Council did not apply for a grant funding under the N&SDC's recent c£100,000 Parish and Town Council Initiative Fund. There are likely to be further grant schemes. The Council needs to be active in ensuring that funding sources are applied for to meet the STC's objectives.

## Agenda Item 145

District Council Report January 2023

### **Future First Careers Expo 2022**

The 5<sup>th</sup> annual Future First Careers Expo was held at the Lady Eastwood Centre at Newark Showground on Tuesday 22<sup>nd</sup> November.

The first Expo was held in 2017 and built on its success during 2018 and 2019. The Expo aimed to give the young people attending the chance to discover more about the options available to them for their future.

The event ran from 9:30am to 3pm.

27 businesses from Newark and Sherwood and Lincoln attended. These included

John Deere Limited

Motorfinity

Aarsleff Engineering

Richmond Plant Hire Ld

Back to Life – Osteopath

Lincolnshire Co op

Viridis Building Services

Future Cloud Accounting

Gusto Group

Duncan and Toplis Solicitors

Brand Newark

Kier Construction

Army

RAF

Barcode Warehouse

Bazzoo

Derry Building Services

McDonalds

Faithful and Gould

Lindum Group

Newark Book Festival

Future Prospects Group

Newark and Sherwood Heritage and Culture

Nottingham Forest Community Partnership

Newark Community First Aid

Department for Work and Pensions

Care 4 Notts - NHS

19 Colleges and Further Education Providers also attend :

Vision West Notts College

Newark College

ASI

Inspire College

National Horseracing College

SMB College Group

Nottinghamshire College

Nottingham University

JTL Training



Hull University  
Bishop Grosseteste University  
De Montford University  
Academy Transformation Trust Further Education College  
You can do Sport  
LAGAT College Lincoln  
Riseholme College  
Nottingham Trent University  
The Minster School 6<sup>th</sup> form  
The Magnus Academy 6<sup>th</sup> form

In delivering an inclusive and cost-effective event, sponsorship packages of varying amounts were made available to the exhibitors to help cover the cost of the transport to and from the venue for schools attending from within the Newark and Sherwood District. The popularity of the expo has grown with schools close to the Lincolnshire border now attending .

1,456 students attended throughout the day including from Newark and Sherwood

The Minster School : 241 students

The Dukeries Academy : 150 students

Toot Hill : 150 students

The Magnus Academy : 321

Newark Academy: 173

The Suthers School: 131

From Lincolnshire:

The Priory Academy : 130 students

Sir William Robertson Academy : 160 students

Exhibitors are encouraged to take part in the now annual competition to win an award

This year the winners of categories were:

- ★ Best looking stand: SMB Group
- ★ Most Innovative stand: Richmond Plant
- ★ Most interactive: John Deere

These were judged by an external party who visited the event during the day.

It was great to see so many students and young people engage proactively with inspirational exhibitors who endeavoured to raise the aspirations of those attending the Expo.

The 2023 Expo takes place on Thursday November 9th with 100% of the exhibitors from 2022 wishing to attend

Cllr Penny Rainbow

Southwell ward member

[illegible]

[illegible]

## Reserves in 2022-23

## Reserves at 1st April 2022

Transfer to Town Environment Budget 22/23  
 First Part Decorating  
 Safety Surface Under Slingshot (WMRG)  
 New Watering System  
 Extra Hanging Basket Brackets (Install)  
 Old Court House Electrical Works  
 Exterior Painting Old Court House  
 Three Months Project Manager Costs  
 Increase Election Reserve  
 Ground Staff Costs  
 R Covill - Pitch Maintenance  
 New Boiler - Court House Chambers  
 Repairs to Back Office  
 Gabion Wall  
 Works to Lamp Columns  
 Christmas Trees and Lights  
 Welcome Back Fund  
 Interior Decorating

## Reserves at 31st December 2022

## Notes

## Committed Reserves

Norwood Gardens  
 Skatepark  
 Squires & Cludd Pond  
 Electric Works - The Old Courthouse  
 Decorating - The Old Courthouse  
 Community Arts Project  
 Project Co-ordinator  
 Ground Staff Costs  
 Christmas Trees/Lights  
 Bike Racks  
 Total Committed Reserves

## Remaining Reserves

GENERAL RESERVES								RESTRICTED RESERVES			TOTALS		
OTHER SERVICES				DEVOLVED SERVICES									
Emergency Reserve	COMMITTED RESERVES							Infrastructure (CIL) Reserves	Devolution Dudley Doy Reserve	Devolution Adams Row Reserve	Devolution Humberstone Rd Reserve	Total Reserves	
	Election Reserve	Maintenance Reserve	Flood Mitigation Reserve	Markets Reserve	Open Spaces Reserve (incl Norwood Gns)	Toilets Reserve	Car Park Reserves						
310	313	312/334	314	332	321/322	333	316	311	330	331	329		
£ 46,136.94	£ 3,400.56	£ 18,091.14	£ 120,052.68	£ 4,249.34	£ 44,023.04	£ 3,700.00	£ 1,572.56	£ 236,744.28	£ 4,500.00	£ 756.00	£ 31,000.00	£ 514,226.54	
-£ 2,600.00	£ 2,600.00							-£ 2,251.00				-£ 2,521.00	
								-£ 2,340.00				-£ 2,340.00	
								-£ 3,574.50				-£ 3,574.50	
								-£ 9,752.00				-£ 9,752.00	
								-£ 1,690.00				-£ 1,690.00	
								-£ 4,350.00				-£ 4,350.00	
								-£ 2,400.00				-£ 2,400.00	
								-£ 12,750.00				-£ 12,750.00	
								£ -				£ -	
								-£ 3,475.80				-£ 3,475.80	
								-£ 3,350.00				-£ 3,350.00	
								-£ 2,940.00				-£ 2,940.00	
								-£ 2,925.00				-£ 2,925.00	
								-£ 4,090.00				-£ 4,090.00	
								-£ 2,158.76				-£ 2,158.76	
-£ 19,080.00	-£ 19,080.00												
£ 9,999.00	£ 9,999.00												
-£ 5,097.00	-£ 5,097.00												
£ 43,536.94	£ 6,000.56	£ 12,226.14	£ 120,052.68	£ 14,248.34	£ 44,023.04	£ 3,700.00	£ 1,572.56	£ 163,861.02	£ 4,500.00	£ 756.00	£ 27,524.20	£ 442,001.48	£ 441,731.48
								-£ 22,850.87				-£ 22,850.87	
								-£ 30,468.00				-£ 30,468.00	
								-£ 14,650.00				-£ 14,650.00	
								-£ 1,100.00				-£ 1,100.00	
								-£ 1,148.00				-£ 1,148.00	
								-£ 500.00				-£ 500.00	
								-£ 4,250.00				-£ 4,250.00	
								.				-£ 1,158.60	-£ 1,158.60
								-£ 12,485.34				-£ 12,485.34	
								-£ 555.00				-£ 555.00	
£ -	£ -	£ -	£ -	£ -	£ -	£ -	£ -	£ 65,156.34	£ -	£ -	-£ 1,158.60	-£ 89,165.81	-£ 89,165.81
£ 43,536.94	£ 6,000.56	£ 12,226.14	£ 120,052.68	£ 14,248.34	£ 21,172.17	£ 3,700.00	£ 1,572.56	£ 98,704.68	£ 4,500.00	£ 756.00	£ 26,365.60	£ 352,835.67	

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CASH POSITION BEFORE ANY PAYMENTS ARE MADE				£	
CCLA Deposit Account				£ 425,000.00	
NatWest Current Account				£ 28,841.26	
Natwest Direct Saver				£ 16,076.15	
Natwest Car Park Account				£ 8,186.59	
Ref No	Supplier A/c Name	Analysis Description	Amount	VAT	Invoice Total
3270	STC	SALARIES	£ 13,995.46	£ -	£ 13,995.46
3270	STC	PAYE/NIC	£ 5,947.67	£ -	£ 5,947.67
3270	STC	PENSION	£ 5,341.79	£ -	£ 5,341.79
3271	LUCY JOHNSON	NOVEMBER CLEANING	£ 699.00	£ -	£ 699.00
3272	BRAMLEY PUBLICATIONS	HALF PAGE IN BRAMLEY	£ 360.00	£ 72.00	£ 432.00
3273	ARCO	THERMAL BASELAYER - AH	£ 83.31	£ 16.66	£ 99.97
3274	BRANDON HIRE STATION	HERAS FENCING HIRE - SPIDER	£ 51.31	£ 10.26	£ 61.57
3275	SSE	GAS - OLD COURT HOUSE	£ 489.71	£ 97.94	£ 587.65
3276	BRANDON HIRE STATION	HERAS FENCING HIRE - SPIDER	£ 2.65	£ 0.53	£ 3.18
3277	ASHWELL MAINTENANCE	REPAIR TO BIG BERTHA	£ 262.92	£ 52.58	£ 315.50
3278	BE FUEL CARDS	UNLEADED	£ 6.03	£ 1.21	£ 7.24
3279	LESLEY WRIGHT	ZOOM LINK	£ 11.99	£ -	£ 11.99
3280	NSDC	PLAYGROUND INSPECTION	£ 285.00	£ 57.00	£ 342.00
3282	LESLEY WRIGHT	VOLUNTEER EXPENSES	£ 15.83	£ 3.17	£ 19.00
3284	MAPPLEBECK TREE CARE	EMERGENCY WORKS - ASH TREE SPINNEY	£ 125.00	£ 25.00	£ 150.00
3285	PUBLIC WORKS LOAN BOARD	LOAN REPAYMENT	£ 4,580.77	£ -	£ 4,580.77
3286	BE FUEL CARDS	DIESEL	£ 28.38	£ 5.68	£ 34.06
3287	T&M CLEANING	DECEMBER CLEANING	£ 148.00	£ -	£ 148.00
3289	BRANDON HIRE STATION	HERAS FENCING HIRE	£ 192.89	£ 38.58	£ 231.47
3288	BRANDON HIRE STATION	HERAS FENCING HIRE	£ 2.77	£ 0.55	£ 3.32
3290	BRANDON HIRE STATION	HERAS FENCING HIRE	£ 19.64	£ 3.93	£ 23.57
3291	ICO	GDPR/DATA PROTECTION FEE	£ 40.00	£ -	£ 40.00
3292	OPUS ENERGY	THE OLD COURT HOUSE	£ 179.92	£ 35.98	£ 215.90
3293	OPUS ENERGY	BISHOPS DRIVE	£ 13.98	£ 0.70	£ 14.68
3294	OPUS ENERGY	BISHOPS DRIVE	£ 35.22	£ 1.76	£ 36.98
3295	OPUS ENERGY	MARKET PLACE	£ 27.51	£ 1.38	£ 28.89
3296	OPUS ENERGY	CHURCH STREET TOILETS	£ 48.82	£ 2.44	£ 51.26
3297	OPUS ENERGY	KING STREET CAR PARK	£ 12.67	£ 0.63	£ 13.30
3298	OPUS ENERGY	KING STREET CAR PARK	£ 26.21	£ 1.31	£ 27.52
3299	RAINWORTH FENCING	WOOD FOR FENCE REPAIR	£ 217.57	£ 43.52	£ 261.09
3300	SECURITY PLUS+	CASH PROCESSING FEE	£ 17.69	£ 3.53	£ 21.22
3301	SECURITY PLUS+	CASH COLLECTION FEE	£ 110.00	£ 22.00	£ 132.00
3302	BE FUEL CARDS	CARD FEE	£ 2.01	£ 0.40	£ 2.41
3303	CAPITA/PAY 360	CARD FPROCESSING FEE	£ 14.04	£ 2.81	£ 16.85
3304	WATERPLUS	THE OLD COURT HOUSE	£ 188.13	£ -	£ 188.13
3305	WATERPLUS	THE BURGAGE	£ 39.20	£ -	£ 39.20
3306	LESLEY WRIGHT	BLUE/YELLOW RIBBONS MARKET SQUARE TREE	£ 9.58	£ -	£ 9.58
3307	THE JOKER ENTERTAINMENT	CHRISTMAS ENTERTAINERS	£ 500.00	£ 100.00	£ 600.00
3308	HANDICENTRE	QUEEN STREET GOODS	£ 118.92	£ 23.78	£ 142.70
3309	HANDICENTRE	CREW LANE GOODS	£ 29.25	£ 5.85	£ 35.10
3310	WATERPLUS	SCOUT HUT/BISHOPS DRIVE	£ 141.30	£ -	£ 141.30
3311	WATERPLUS	CHURCH STREET TOILETS	£ 80.64	£ -	£ 80.64
	Total		£ 34,502.78	£ 631.18	£ 35,133.96
Signature 1			Date		
Signature 2			Date		

CASH POSITION BEFORE ANY PAYMENTS ARE MADE				£	
CCLA Deposit Account				£ 425,000.00	
NatWest Current Account				£ 51,770.42	
Natwest Direct Saver				£ 6,076.15	
Natwest Car Park Account				£ 3,191.39	
Ref No	Supplier A/c Name	Analysis Description	Amount	VAT	Invoice Total
3312	LUCY JOHNSON	DECEMBER CLEANING	£ 643.00	£ -	£ 643.00
3313	WATERPLUS	SURFACE WATER DRAINAGE	£ 101.82	£ -	£ 101.82
3314	WATERPLUS	CHURCH STREET CAR PARK	£ 171.41	£ -	£ 171.41
3315	BE FUELCARDS	DIESEL	£ 32.44	£ 6.49	£ 38.93
3317	CHRISTMAS PLUS	CREDIT FOR BATTERY LIGHTS	-£ 1,560.00	-£ 312.00	-£ 1,872.00
3318	WATERPLUS	MARKET WATER	£ 11.14	£ -	£ 11.14
3319	PAY BY PHONE	PROCESSING FEE	£ 35.31	£ 7.06	£ 42.37
3320	LESLEY WRIGHT	GUTTERING FOR WORKSHOP	£ 40.23	£ 8.05	£ 48.28
				£ -	£ -
					£ -
	Total		-£ 524.65	-£ 290.40	-£ 815.05
Signature 1			Date		
Signature 2			Date		

[illegible]



[illegible]

[illegible]

[illegible]

## Summary Sheet

### Budget Summary 23/24

EXPENDITURE	E
	Rev 23/24 Bud
Admin	£ 15,125
Staff	£ 205,000
Town Centre	£ 14,437
Parks	£ 24,503
Toilets	£ 10,875
Markets	£ 7,919
Car Parks	£ 22,454
Courthouse	£ 38,571
Tourism & Comms	£ 7,900
Land	£ -
<b>TOTALS</b>	<b>£ 346,784</b>

INCOME	D
	Rev 23/24 Bud
	(+0.0%)
Precept	£ 258,374
Interest	£ 6,000
Staff	£ -
Town Centre	£ 5,450
Parks	£ 8,575
Toilets	£ -
Markets	£ 26,750
Car Parks	£ 27,700
Courthouse	£ 15,800
Tourism & Comms	£ 2,000
Land	£ -
<b>TOTALS</b>	<b>£ 350,649</b>

### Assumptions

Potential underspend 22/23 of

No additional costs for Rates and Unitiles

Elements of salary cost budget already agreed to be covered by CiL and s106

[illegible]

1703	MARKET STAFF		not specifically required		1721	THURSDAY TOLLS
1706	ELECTRICITY	415			1723	SPECIALIST MARKET TOLLS
1707	WATER	460				
1708	RATES FRONT LOADED	2,919				
1709	REPAIRS & MAINTENANCE £9,999 REC'D FROM NSDC	825				
1723	SPECIALIST MARKETS X 4 CONTRACTOR		not required			
	<b>TOTAL MARKETS</b>	<b>7,919</b>				
<b>108</b>	<b>CAR PARKS</b>					
1802	CIVIL ENFORCEMENT OFFICER				1820	TICKET MACHINE SALES CH ST
1803	TRIBUNAL REPRESENTATION				1821	TICKET MACHINE SALES KG ST
1804	METRIC MACHINE MAINTENANCE	2,250			1855	CHURCH STREET PERMITS
1805	CCTV SLA FRONT LOADED	5,796			1823	KING STREET PERMITS
1807	REPAIRS AND MAINTENANCE	250			1824	BRAMLEY STREET SALES
1809	ELECTRICITY	600			1825	BRAMLEY STREET PERMITS
1810	RATES FRONT LOADED	8,733				
1811	SEWAGE AND WATER CHARGES	3,000				
1812	COST OF TICKETS ADDNL TICKETS ORDERED	500				
1814	Collection charges	1,325				
	<b>TOTAL CAR PARKS</b>	<b>22,454</b>				
<b>109</b>	<b>THE OLD COURTHOUSE</b>					
1901	RATES FRONT LOADED	10,859			1977	ROOM HIRE
1902	GAS, ELECTRICITY & REFUSE	9,000	increased costs		1978	RENT FROM POLICE
1903	WATER	2,000			1979	COURTHOUSE CHAMBERS
1904	STATUTORY INSPECTIONS	1,750			1980	GARAGE
1905	MAINTENANCE	3,000	reduced expenditure			
1906	CLEANING	2,000				
1907	PUBLIC WORKS LOAN BOARD	9,162				
1908	SUNDRY OFFICE COSTS	800	reduced expenditure			
	<b>TOTAL COURTHOUSE</b>	<b>38,571</b>				
<b>110</b>	<b>TOURISM &amp; COMMICATIONS</b>					
2001	TIC RENT	1,000			2021	EVENT GRANT AID
2002	COMMUNICATIONS BRAMLEY MONTHLY ARTICLE	5,000			2022	EVENT INCOME
2003	OFFICE COSTS		budget elsewhere		2023	THEATRE INCOME
2004	CIVIC CHAMPIONS		not required			
2005	VOLUNTEER EXPENSES		not required			
2006	PROMOTIONS & ADVERTISING CORRECT JULY		budget elsewhere			
2007	TOWN EVENTS	1,900	to include Coronation			
2009	TOURISM SAT COVER		not required			
	<b>TOTAL TOURISM &amp; COMMS</b>	<b>7,900</b>	increased activity			
<b>111</b>	<b>LAND</b>					
2301	CONTRACTOR MOWING		not required			
2302	HUMBERSTONE ROAD		not required			
2303	DUDLEY DOY		not required			
2304	ADAMS ROW		not required			
	<b>TOTAL LAND</b>					
	<b>TOTAL EXPENDITURE</b>	<b>346,784</b>	dependent on tax base			<b>Total Income</b>

[illegible]

3500	additional mkts		
3250			
26,750			
19000			
3500			
400			
2300			
2500			
	none known		
27,700			
2000	additional sales		
1800			
12000			
15,800			
500	addit applications		
1500			
0	none known		
2,000			
350,649			



## Summary Sheet

Budget Summary 22/23 versus Actual Outturn and 23/24 Budget

EXPENDITURE	E
	Rev 23/24 Bud
Admin	£ 15,125
Staff	£ 205,000
Town Centre	£ 14,437
Parks	£ 24,503
Toilets	£ 10,875
Markets	£ 7,919
Car Parks	£ 22,454
Courthouse	£ 38,571
Tourism & Comms	£ 7,900
Land	£ -
<b>TOTALS</b>	<b>£ 346,784</b>

INCOME	D
	Rev 23/24 Bud
	(+0.0%)
Precept	£ 258,374
Interest	£ 6,000
Staff	£ -
Town Centre	£ 5,450
Parks	£ 8,575
Toilets	£ -
Markets	£ 26,750
Car Parks	£ 27,700
Courthouse	£ 15,800
Tourism & Comms	£ 2,000
Land	£ -
<b>TOTALS</b>	<b>£ 350,649</b>

## Assumptions

Potential underspend 22/23 of

No additional costs for Rates and Unitiles

Elements of salary cost budget already agreed to be covered by CiL and s106



## **Councillor Code of Conduct**

### **Introduction**

All councils are required to have a local Councillor Code of Conduct. Southwell Town Council has adopted this Code of Conduct pursuant to Section 27 of the Localism Act

### **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 subcommittee 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 your 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 authority 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 the financial interest or wellbeing of 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 or close associate; or
- c. a financial interest or wellbeing of a body included under Other Registrable Interests asset 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 (referred to in paragraph 8 above) affects the 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 an Other Registerable Interest or Non-Registerable 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]

**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.

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	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.
Contracts	Any contract made between 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 (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 — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land and Property	Any beneficial interest in land which is within the area of the council. '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.
Licenses	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer
Corporate tenancies	Any tenancy where (to the councillor's knowledge)— (a) the landlord is the council; and (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.
Securities	Any beneficial interest in securities* of a body where— (a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and (b) either— (i) ) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or (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 spouses/civil partners have a beneficial interest exceeds one hundredth of the total issued share capital of that class.

\* '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 must register as an Other Registerable Interest:

- a) any unpaid directorships
  - b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority
  - c) any body
    - (i) exercising functions of a public nature
    - (ii) 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)
- of which you are a member or in a position of general control or management

## 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
- 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.

# MODEL COUNCILLOR-OFFICER PROTOCOL

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## INTRODUCTION

The purpose of this Protocol is to guide councillors and officers of the council in their relations with one another. The Protocol's intention is to build and maintain good working relationships between councillors and officers as they work together. Employees who are required to give advice to councillors are referred to as "officers" throughout.

A strong, constructive, and trusting relationship between councillors and officers is essential to the effective and efficient working of the council.

This Protocol also seeks to reflect the principles underlying the Code of Conduct which applies to councillors and the employment terms and conditions of officers. The shared objective is to enhance and maintain the integrity (real and perceived) of local government.

The following extract from the Local Government Association guidance on the 2020 Model councillor Code of Conduct states that:

*"Both councillors and officers are servants of the public and are indispensable to one another. Together, they bring the critical skills, experience and knowledge required to manage an effective local authority."*

*At the heart of this relationship, is the importance of mutual respect. councillor-officer relationships should be conducted in a positive and constructive way. Therefore, it is important that any dealings between councillors and officers should observe reasonable standards of courtesy, should show mutual appreciation of the importance of their respective roles and that neither party should seek to take unfair advantage of their position or seek to exert undue influence on the other party.*

*councillors provide a democratic mandate to the local authority and are responsible to the electorate whom they represent. They set their local authority's policy framework, ensure that services and policies are delivered and scrutinise local authority services.*

*[Councillors of the executive,] Chairs and vice chairs of committees have additional responsibilities. These responsibilities will result in increased expectations and relationships with officers that are more complex. Such councillors must still respect the impartiality of officers and must not ask them to undertake work of a party-political nature or compromise their position with other councillors or other officers.*

*Officers provide the professional advice and managerial expertise and information needed for decision making by councillors and to deliver the policy framework agreed by councillors. They are responsible for implementing decisions of councillors and the day-to-day administration of the local authority.*

*The roles are very different but need to work in a complementary way.*

*It is important for both sides to respect these differences and ensure that they work in harmony. Getting that relationship right is an important skill. That is why the code requires councillors to respect an officer's impartiality and professional expertise. In*

*turn officers should respect a councillor's democratic mandate as the people accountable to the public for the work of the local authority. It is also important for a local authority to have a councillor-officer protocol which sets out how this relationship works and what both councillors and officers can expect in terms of mutual respect and good working relationships."*

This Protocol covers:

- The respective roles and responsibilities of the councillors and the officer;
- Relationships between councillors and officers;
- Where/who a councillor or an officer should go to if they have concerns;
- Who is responsible for making decisions.

## **BACKGROUND**

This Protocol is intended to assist councillors and officers, in approaching some of the sensitive circumstances which arise in a challenging working environment.

The reputation and integrity of the council is significantly influenced by the effectiveness of councillors and the officer working together to support each other's roles.

The aim is effective and professional working relationships characterised by mutual trust, respect and courtesy. Overly close personal familiarity between councillors and officers is not recommended as it has the potential to damage this relationship

## **ROLES OF COUNCILLORS AND OFFICERS**

The respective roles of councillors and officers can be summarised as follows:

- Councillors and officers are servants of the public and they are indispensable to one another, but their responsibilities are distinct.
- Councillors are responsible to the electorate and serve only for their term of office.
- Officers are responsible to the council. Their job is to give advice to councillors and to the council, and to carry out the council's work under the direction and control of the council and relevant committees.

### **Councillors**

Councillors have four main areas of responsibility:

- To determine council policy and provide community leadership;
- To monitor and review council performance in implementing policies and delivering services;
- To represent the council externally; and
- To act as advocates for their constituents.

All councillors have the same rights and obligations in their relationship with the officer, regardless of their status and should be treated equally.

Councillors should not involve themselves in the day to day running of the council. This is the officer's responsibility, and the officer will be acting on instructions from the council or its committees, within an agreed job description.

In line with the councillors' Code of Conduct, a councillor must treat others with respect, must not bully or harass people and must not do anything which compromises, or is likely to compromise, the impartiality of those who work for, or on behalf of, the council.

Officers can expect councillors:

- to give strategic leadership and direction and to seek to further their agreed policies and objectives with the understanding that councillors have the right to take the final decision on issues based on advice
- to act within the policies, practices, processes and conventions established by the council
- to work constructively in partnership with officers acknowledging their separate and distinct roles and responsibilities
- to understand and support the respective roles and responsibilities of officers and their associated workloads, pressures and reporting lines
- to treat them fairly and with respect, dignity and courtesy
- to act with integrity, to give support and to respect appropriate confidentiality
- to recognise that officers do not work under the instruction of individual councillors or groups
- not to subject them to bullying, intimidation, harassment, or put them under undue pressure.
- to treat all officers, partners (those external people with whom the council works) and members of the public equally, and not discriminate based on any characteristic such as age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.
- not to request officers to exercise discretion which involves acting outside the council's policies and procedures
- not to authorise, initiate, or certify any financial transactions or to enter into any contract, agreement or undertaking on behalf of the council or in their role as a councillor without proper and lawful authority
- not to use their position or relationship with officers to advance their personal interest or those of others or to influence decisions improperly
- to comply at all times with the councillors' Code of Conduct, the law, and such other policies, procedures, protocols and conventions agreed by the council.
- respect the impartiality of officers and do not undermine their role in carrying out their duties
- do not ask officers to undertake work, or act in a way, which seeks to support or benefit a particular political party or gives rise to an officer being criticised for operating in a party-political manner
- do not ask officers to exceed their authority where that authority is given

## Chairs and vice-chairs of council and committees

Chairs and vice-chairs have additional responsibilities as delegated by the council. These responsibilities mean that they may have to have a closer working relationship with employees than other councillors do. However, they must still respect the impartiality of officers and must not ask them to undertake work or anything else which would prejudice their impartiality.

## Officers

The primary role of officers is to advise, inform and support all members and to implement the agreed policies of the council.

Officers are responsible for day-to-day managerial and operational decisions within the council, including directing and overseeing the work of any more junior officers. Councillors should avoid inappropriate involvement in such matters.

In performing their role officers will act professionally, impartially and with neutrality. Whilst officers will respect a councillor's view on an issue, the officer should not be influenced or pressured to make comments, or recommendations which are contrary to their professional judgement or views.

Officers must:

- implement decisions of the council and its committees which are lawful, which have been properly approved in accordance with the requirements of the law and are duly recorded. This includes respecting the decisions made, regardless of any different advice given to the council or whether the decision differs from the officer's view.
- work in partnership with councillors in an impartial and professional manner
- treat councillors fairly and with respect, dignity and courtesy
- treat all councillors, partners and members of the public equally, and not discriminate based on any characteristic such as age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.
- assist and advise all parts of the council. Officers must always act to the best of their abilities in the best interests of the authority as expressed in the council's formal decisions.
- respond to enquiries and complaints in accordance with the council's standards protocol
- be alert to issues which are, or are likely to be, contentious or politically sensitive, and be aware of the implications for councillors, the media or other sections of the public.
- act with honesty, respect, dignity and courtesy at all times
- provide support and learning and development opportunities for councillors to help them in performing their various roles in line with the council's training and development policy

- not seek to use their relationship with councillors to advance their personal interests or to influence decisions improperly
- to act within the policies, practices, processes and conventions established by the council

Officers have the right not to support councillors in any role other than that of councillor, and not to engage in actions incompatible with this Protocol.

In giving advice to councillors, and in preparing and presenting reports, it is the responsibility of the officer to express his/her own professional views and recommendations. An officer may report the views of individual councillors on an issue, but the recommendation should be the officer's own. If a councillor wishes to express a contrary view they should not pressurise the officer to make a recommendation contrary to the officer's professional view, nor victimise an officer for discharging his/her responsibilities.

There are exceptional circumstances where a councillor can fulfil the role of officer, for example where there is a vacancy. This can only be done if the councillor is not paid for the role and should only ever be short-term while the council seeks to fill a vacancy. There will need to be a particular clear understanding of when the councillor is acting as a councillor and when acting as the Proper Officer.

### The Relationship: General

Councillors and officers are indispensable to one another. However, their responsibilities are distinct. Councillors are accountable to the public, whereas officers are accountable to the council as a whole.

At the heart of this Protocol is the importance of mutual respect and also of civility. councillor/officer relationships are to be conducted in a positive and constructive way. Therefore, it is important that any dealings between councillors and officers should observe standards of courtesy and that neither party should seek to take unfair advantage of their position nor seek to exert undue influence on the other party.

Individual councillors should not actively seek to undermine majority decisions of the corporate body, as this could then bring them into conflict with officers who have been charged with promoting and implementing the council's collectively-determined course of action.

Councillors should not raise matters relating to the conduct or capability of an officer, or of officers collectively, in a manner that is incompatible with this Protocol at meetings held in public or on social media. This is a long-standing tradition in public service. An officer has no means of responding to criticisms like this in public.

A councillor who is unhappy about the actions taken by, or conduct of, an officer should:

- avoid personal attacks on, or abuse of, the officer at all times
- ensure that any criticism is well founded and constructive
- ensure that any criticism is made in private

- take up the concern with the chair

Neither should an officer raise with a councillor matters relating to the conduct or capability of another councillor or officer or to the internal management of the council in a manner that is incompatible with the objectives of this Protocol.

Potential breaches of this Protocol are considered below.

### Expectations

All councillors can expect:

- A commitment from officers to the council as a whole, and not to any individual councillor, group of councillors or political group;
- A working partnership;
- Officers to understand and support respective roles, workloads and pressures;
- A timely response from officers to enquiries and complaints;
- Officer's professional and impartial advice, not influenced by political views or personal preferences;
- Timely, up to date, information on matters that can reasonably be considered appropriate and relevant to their needs, having regard to any individual responsibilities or positions that they hold;
- Officers to be aware of and sensitive to the public and political environment locally;
- Respect, courtesy, integrity and appropriate confidentiality from officers and other councillors;
- Training and development opportunities to help them carry out their role effectively;
- Not to have personal issues raised with them by officers outside the council's agreed procedures;
- That officers will not use their contact with councillors to advance their personal interests or to influence decisions improperly.

Officers can expect from councillors:

- A working partnership;
- An understanding of, and support for, respective roles, workloads and pressures;
- Leadership and direction;
- Respect, courtesy, integrity and appropriate confidentiality;
- Not to be bullied or to be put under undue pressure;
- That councillors will not use their position or relationship with officers to advance their personal interests or those of others or to influence decisions improperly;
- That councillors will at all times comply with the council's adopted Code of Conduct.

### Some general principles

Close personal relationships between councillors and officers can confuse their separate roles and get in the way of the proper conduct of council business, not least by creating a perception in others that a particular councillor or officer is getting preferential treatment.



Special relationships with particular individuals are not recommended as it can create suspicion that an employee favours that councillor above others.

The Proper Officer (usually called the Clerk) is the head of paid services and has a line-management responsibility to all other staff. Communications should be made directly with the Proper Officer, unless it is agreed by the Proper Officer that such communications may take place directly with other officers over a particular matter. Councillors should not give instructions directly to the Proper Officer's staff without the express approval of the Proper Officer.

### **COUNCILLORS' ACCESS TO INFORMATION AND TO COUNCIL DOCUMENTS**

Councillors are free to approach officers to provide them with such information, explanation and advice as they may reasonably need in order to assist them in discharging their role as members of the council. This can range from a request for general information about some aspect of the council's activities to a request for specific information on behalf of a constituent. Such approaches should normally be directed to the Officer.

The legal rights of councillors to inspect council documents are covered partly by statute and partly by the common law.

The common law right of councillors is based on the principle that any member has a prima facie right to inspect council documents so far as their access to the documents is reasonably necessary to enable the member properly to perform their duties as a member of the council. This principle is commonly referred to as the "need to know" principle.

The exercise of this common law right depends therefore upon the councillor's ability to demonstrate that they have the necessary "need to know". In this respect a member has no right to "a roving commission" to go and examine documents of the council. Mere curiosity is not sufficient. The crucial question is the determination of the "need to know". This question must be determined by the officer.

In some circumstances (e.g. a committee member wishing to inspect documents relating to the functions of that committee) a councillor's "need to know" will normally be presumed. In other circumstances (e.g. a councillor wishing to inspect documents which contain personal information about third parties) a councillor will normally be expected to justify the request in specific terms. Any council information provided to a councillor must only be used by the councillor for the purpose for which it was provided i.e. in connection with the proper performance of the councillor's duties as a member of the council.

For completeness, councillors do, of course, have the same right as any other member of the public to make requests for information under the Freedom of Information Act 2000.

### **CORRESPONDENCE**

Correspondence between an individual councillor and an officer should not normally be copied (by the officer) to any other councillor. Where exceptionally it is necessary to copy

the correspondence to another councillor, this should be made clear to the original councillor. In other words, a system of “silent copies” should not be employed.

Acknowledging that the “BCC” system of e-mailing is used, it should be made clear at the foot of any e-mails if another councillor has received an e-mail by adding “CC councillor X.”

Official letters or emails on behalf of the council should normally be sent out under the name of the officer, rather than under the name of a councillor. It may be appropriate in certain circumstances (e.g. representations to a Government Minister) for a letter or email to appear over the name of the chair, but this should be the exception rather than the norm. Letters or emails which, for example, create obligations or give instructions on behalf of the council should never be sent out in the name of a councillor.

Correspondence to individual councillors from officers should not be sent or copied to complainants or other third parties if they are marked “confidential”. In doing so, the relevant officer should seek to make clear what is to be treated as being shared with the councillor in confidence only and why that is so.

## **PRESS AND MEDIA**

Councils are accountable to their electorate. Accountability requires local understanding. This will be promoted by the council, explaining its objectives and policies to the electors and customers. Councils use publicity to keep the public informed and to encourage public participation. The council needs to tell the public about the services it provides. Good effective publicity should aim to improve public awareness of the council’s activities. Publicity is a sensitive matter in any political environment because of the impact it can have. Expenditure on publicity can be significant. It is essential to ensure that decisions on publicity are properly made in accordance with the Code of Recommended Practice on Local Authority Publicity and the council’s Media Protocol.

The officer may respond to press enquiries but should confine any comments to the facts of the subject matter and the professional aspects of the function concerned. On no account must an officer expressly or impliedly make any political opinion, comment or statement.

Any press release that may be necessary to clarify the council's position in relation to disputes, major planning developments, court issues or individuals’ complaints should be approved by the officer.

The chair (or chair of a committee) may act as spokespersons for the council in responding to the press and media and making public statements on behalf of the council but should liaise with the officer on all forms of contact with the press and media. The council may also appoint individual councillors as spokespeople where there is an area of particular expertise but this should only be done with the agreement of the council.

The council must comply with the provisions of the Local Government Act 1986 (“the Act”) regarding publicity. All media relations work will comply with the national Code of Practice

for Local Government Publicity. The Code is statutory guidance and the council must have regard to it and follow its provisions when making any decision on publicity.

The LGA has produced useful guidance on the Publicity Code -

<https://www.local.gov.uk/publications/short-guide-publicity-during-pre-election-period>

For more detailed information and guidance regarding the role of councillors in connection with the use of social media, reference should be made to the council's Social Media Protocol where there is one in place.

## **IF THINGS GO WRONG**

### **Procedure for officers:**

From time to time the relationship between councillors and the officer (or other employees) may break down or become strained. Whilst it is always preferable to resolve matters informally, it is important that the council adopts a formal grievance protocol or procedure.

The principal council's monitoring officer may be able to offer a mediation/conciliation role or it may be necessary to seek independent advice. The chair of the council should not attempt to deal with grievances or work related performance or line management issues on their own. The council should delegate authority to a small group of councillors to deal with all personnel matters.

The law requires all employers to have disciplinary and grievance procedures. Adopting a grievance procedure enables individual employees to raise concerns, problems or complaints about their employment in an open and fair way.

Where the matter relates to a formal written complaint alleging a breach of the councillors' Code of Conduct the matter must be referred to the principal council's monitoring officer in the first instance in line with the Localism Act 2011. The council may however try to resolve any concerns raised informally before they become a formal written allegation.

### **Procedure for councillors:**

If a councillor is dissatisfied with the conduct, behaviour or performance of the officer or another employee, the matter should be reported to the chair and then raised with the officer in the first instance. If the matter cannot be resolved informally, it may be necessary to invoke the council's disciplinary procedure.



## DIGNITY AT WORK POLICY

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**Southwell Town Council believes that civility and respect are important in the working environment, and expect all councillors, officers, and the public to be polite and courteous when working for, and with the council.**

### **Purpose**

Southwell Town Council is committed to creating a working environment where all council employees, councillors, contractors, and others who come into contact with us in the course of our work, are treated with dignity, respect and courtesy. We aim to create a workplace where there is zero tolerance for harassment and bullying

In support of this objective, Southwell Town Council has signed up to the Civility Pledge, as a commitment to civility and respect in our work, and politeness and courtesy in behaviour, speech, and in the written word. Further information about the Civility and Respect Pledge is available [NALC](#) & [SLCC](#)

We recognise that there is a continuum where unaddressed issues have the potential to escalate and become larger, more complex issues and this policy sets out how concerns will be managed however the emphasis of this policy is on resolution and mediation where appropriate, rather than an adversarial process.

This document:

- explains how we will respond to complaints of bullying or harassment;
- ensures that we respond sensitively and promptly; and,
- supports our employees in ensuring their behaviour does not amount to bullying and/or harassment by giving examples.

### **Scope**

This policy covers bullying and harassment of and by clerks and all employees engaged to work at Southwell Town Council. Should agency staff, or contractors have a complaint connected to their engagement with Southwell Town Council this should be raised to their nominated contact, manager, or the Chair of the Council, in the first instance. Should the complaint be about the chair of the council the complaint should be raised to the deputy chair.

Agency staff, or contractors are equally expected to treat council colleagues, and other representatives and stakeholders with dignity and respect, and the council may terminate the contract, without notice, where there are suspicions of harassment or bullying.

Complaints about other employment matters will be managed under the council's grievance policy.

It is noted that the management of a situation may differ depending on who the allegations relate to (e.g. employees, contractor, councillor), however, the council will take appropriate action if any of its employees are bullied or harassed by employees, councillors, members of the public, suppliers or contractors.

### **The position on bullying and harassment**

All staff and council representatives are entitled to dignity, respect and courtesy within the workplace and to not experience any form of discrimination. Southwell Town Council will not tolerate bullying or harassment in our workplace or at work-related events outside of the workplace, whether the conduct is a one-off act or repeated course of conduct, and whether harm is intended or not. Neither will we tolerate retaliation against, or victimisation of, any person involved in bringing a complaint of harassment or bullying. You should also be aware that, if you have bullied or harassed someone (e.g. physical violence, harassment), in some circumstances the treatment may amount to a crime punishable by a fine or imprisonment.

We expect all representatives of the council to treat each other with respect and uphold the values of the code of conduct, [civility and respect pledge], equality opportunities policy, and all other policies and procedures set by the Council.

We expect you to demonstrate respect by listening and paying attention to others, having consideration for other people's feelings, following protocols and rules, showing appreciation and thanks, and being kind.

Allegations of bullying and harassment will be treated seriously. Investigations will be carried out promptly, sensitively and, as far as possible, confidentially. See the grievance policy for further details regarding the process. Employees and others who make allegations of bullying or harassment in good faith will not be treated less favourably as a result.

False accusations of harassment or bullying can have a serious effect on innocent individuals. Staff and others have a responsibility not to make false allegations. While we will assume that all complaints of bullying and harassment are made in good faith, in the event that allegations are found to be malicious or vexatious the person raising the complaint may be subject to action under the council's disciplinary procedure.

## Harassment

- Where a person is subject to uninvited conduct that violates their dignity, in connection with a protected characteristic
- Behaviour that creates a hostile, humiliating, degrading or similarly offensive environment in relation to a protected characteristic

## Bullying

- Behaviour that leaves the victim feeling threatened, intimidated, humiliated, vulnerable or otherwise upset. It does not need to be connected to a protected characteristic.

### **What Type of Treatment amounts to Bullying or Harassment?**

'Bullying' or 'harassment' are phrases that apply to treatment from one person (or a group of people) to another that is unwanted and that has the effect of violating that person's dignity or creating an intimidating, hostile, degrading, humiliating, or offensive environment for that person.

Examples of bullying and harassment include:

- Physical conduct ranging from unwelcome touching to serious assault
- Unwelcome sexual advances
- The offer of rewards for going along with sexual advances e.g. promotion, access to training
- Threats for rejecting sexual advances
- Demeaning comments about a person's appearance
- Verbal abuse or offensive comments, including jokes or pranks related to age, disability, gender re-assignment, marriage, civil partnership, pregnancy, maternity, race, religion, belief, sex or sexual orientation
- Unwanted nicknames, especially related to a person's age, disability, gender re-assignment, marriage, civil partnership, pregnancy, maternity, race, religion, belief, sex or sexual orientation
- Spreading malicious rumours or insulting someone
- Lewd or suggestive comments or gestures
- Deliberate exclusion from conversations, work activities or social activities.
- Withholding information a person needs in order to do their job
- Practical jokes, initiation ceremonies or inappropriate birthday rituals
- Physical abuse such as hitting, pushing or jostling
- Rifling through, hiding or damaging personal property
- Display of pictures or objects with sexual or racial overtones, even if not directed at any particular person
- Isolation or non-cooperation at work
- Subjecting a person to humiliation or ridicule, belittling their efforts, whether directly and / or in front of others

- The use of obscene gestures
- Abusing a position of power

Bullying and harassment can occur through verbal and face to face interactions, but can also take place through sharing inappropriate or offensive content in writing or via email and other electronic communications and social media.

It is important to recognise that conduct which one person may find acceptable, another may find totally unacceptable and behaviour could be harassment when the person had no intention to offend. We all have the right to determine what offends us. Some behaviour will be clear to any reasonable person that it is likely to offend – for example sexual touching. Other examples may be less clear, however, you should be aware that harassment will occur if behaviour continues after the recipient has advised you that the behaviour is unacceptable to them.

Harassment can also occur where the unwanted behaviour relates to a perceived characteristic (such as offensive jokes or comments based on the assumption someone is gay, even if they are not) or due to their association with someone else (such as harassment related to their partner having a disability for example). See the council's equality and diversity Policy.

All employees must, therefore, treat their colleagues with respect and appropriate sensitivity and should feel able to challenge behaviour that they find offensive even if it is not directed at them.

It is important to recognise that bullying does not include appropriate criticism of an employee's behaviour or effective, robust performance management. Constructive and fair feedback about your behaviour or performance from your manager or colleagues/Councillors is not bullying. It is part of normal employment and management routines, and should not be interpreted as anything different.

### **Victimisation**

Victimisation is subjecting a person to a detriment because they have, in good faith, complained (whether formally or otherwise) that someone has been bullying or harassing them or someone else, or supported someone to make a complaint or given evidence in relation to a complaint. This would include isolating someone because they have made a complaint or giving them a heavier or more difficult workload.

Provided that you act in good faith, i.e. you genuinely believe that what you are saying is true, you have a right not to be victimised for making a complaint or doing anything in relation to a complaint of bullying or harassment and the council will take appropriate action to deal with any alleged victimisation, which may include disciplinary action against anyone found to have victimised you.

Making a complaint that you know to be untrue, or giving evidence that you know to be untrue, may lead to disciplinary action being taken against you.

## Reporting Concerns

### **What you should do if you feel you are being bullied or harassed by a member of the public or supplier (as opposed to a colleague)**

If you are being bullied or harassed by someone with whom you come into contact at work, please raise this with your nominated manager in the first instance or, with the clerk/or a councillor. Any such report will be taken seriously, and we will decide how best to deal with the situation, in consultation with you.

**What you should do if you feel you are being bullied or harassed by a councillor:** If you are being bullied or harassed by a councillor, please raise this with the clerk/chief officer or the chair of the council in the first instance. They will then decide how best to deal with the situation, in consultation with you. There are two possible avenues for you, informal or formal. The Informal Resolution is described below. Formal concerns regarding potential breaches of the Councillors Code of Conduct must be investigated by the Monitoring Officer.

The council will consider reasonable measures to protect your health and safety. Such measures may include a temporary change in duties or change of work location, not attending meetings with the person about whom the complaint has been made etc.

**What you should do if you witness an incident you believe to harassment or bullying:** If you witness such behaviour you should report the incident in confidence to the clerk/chief officer or a councillor. Such reports will be taken seriously and will be treated in strict confidence as far as it is possible to do so.

**What you should do if you are being bullied or harassed by another member of staff:** If you are being bullied or harassed by a colleague or contractor, there are two possible avenues for you, informal or formal. These are described below.

### Informal resolution

If you are being bullied or harassed, you may be able to resolve the situation yourself by explaining clearly to the perpetrator(s) that their behaviour is unacceptable, contrary to the council's policy and must stop. Alternatively, you may wish to ask the clerk/chief officer, your nominated manager or a colleague to put this on your behalf or to be with you when confronting the perpetrator(s).

If the above approach does not work or if you do not want to try to resolve the situation in this way, or if you are being bullied by your own nominated manager, you should raise the issue with the chair of the council. (If your concern relates to the chair, you should raise it with the chair of the personnel/staffing committee). The chair (or another appropriate person) will discuss with you the option of trying to resolve the situation informally by telling the alleged perpetrator, without prejudicing the matter, that:

- there has been a complaint that their behaviour is having an adverse effect on a member of the council staff
- such behaviour is contrary to our policy



- for employees, the continuation of such behaviour could amount to a serious disciplinary offence

It may be possible for this conversation to take place with the alleged perpetrator without revealing your name, if this is what you want. The person dealing with it will also stress that the conversation is confidential.

In certain circumstances we may be able to involve a neutral third party (a mediator) to facilitate a resolution of the problem. The chair (or another appropriate person) will discuss this with you if it is appropriate.

If your complaint is resolved informally, the alleged perpetrator(s) will not usually be subject to disciplinary sanctions. However, in exceptional circumstances (such as extremely serious allegation or in cases where a problem has happened before) we may decide to investigate further and take more formal action notwithstanding that you raised the matter informally. We will consult with you before taking this step.

#### Raising a formal complaint

If informal resolution is unsuccessful or inappropriate, you can make a formal complaint about bullying and harassment through the council's grievance procedure. You should raise your complaint to the clerk/chief officer or the chair of the council. A formal complaint may ultimately lead to disciplinary action against the perpetrator(s) where they are employed.

The clerk/chief officer or the chair of the council will appoint someone to investigate your complaint in line with the grievance policy. You will need to co-operate with the investigation and provide the following details (if not already provided):

- The name of the alleged perpetrator(s),
- The nature of the harassment or bullying,
- The dates and times the harassment or bullying occurred,
- The names of any witnesses and
- Any action taken by you to resolve the matter informally.

The alleged perpetrator(s) would normally need to be told your name and the details of your grievance in order for the issue to be investigated properly. However, we will carry out the investigation as confidentially and sensitively as possible. Where you and the alleged perpetrator(s) work in proximity to each other, we will consider whether it is appropriate to make temporary adjustments to working arrangements whilst the matter is being investigated.

Where your complaint relates to potential breaches of the Councillors Code of Conduct, these will need to be investigated by the Monitoring Officer. The council will consider any adjustments to support you in your work and to manage the relationship with the councillor the allegations relate to, while the investigation proceeds.

Investigations will be carried out promptly (without unreasonable delay), sensitively and, as far as possible, confidentially. When carrying out any investigations, we will ensure that individuals' personal data is handled in accordance with the data protection policy.

The council will consider how to protect your health and wellbeing whilst the investigation is taking place and discuss this with you. Depending on the nature of the allegations, the Investigator may want to meet with you to understand better your complaint (see the grievance policy for further information, and details of your right to be accompanied).

After the investigation, a panel will meet with you to consider the complaint and the findings of the investigation in accordance with the grievance procedure. At the meeting you may be accompanied by a fellow worker or a trade union official.

Following the conclusion of the hearing the panel will write to you to inform you of the decision and to notify you of your right to appeal if you are dissatisfied with the outcome. You should put your appeal in writing explaining the reasons why you are dissatisfied with the decision. Your appeal will be heard under the appeal process that is described in the grievance procedure.

#### **The use of the Disciplinary Procedure**

If at any stage from the point at which a complaint is raised, we believe there is a case to answer and a disciplinary offence might have been committed, we will instigate our disciplinary procedure. We will keep you informed of the outcome.

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

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#### **GUIDANCE FOR USING THE DIGNITY AT WORK POLICY**

This is an example of an employment policy designed for a council adhering to statutory minimum requirements and does not constitute legal advice. As with all policies it should be consistent with your terms and conditions of employment.

This guidance is provided to support understanding of the policy, and its application, as well as where local adaptations may be required. The guidance is not part of the policy and should be removed from the policy adopted and shared with council employees.

The Dignity at Work Policy will replace a previous 'Bullying and Harassment' Policy, to create a policy that is focussed on encompassing behaviours beyond simply bullying and harassment, and zero tolerance with the aim of dealing with concerns before they escalate. It is important that any commitment made in the policy is applied in practice.

Wording has been suggested to demonstrate a council's commitment to promoting dignity and respect where they have signed up to the NALC, SLCC and OVV Civility and Respect Pledge. Councils that

have not signed up to this are requested to consider making this pledge which is based on basic behaviours and expectations of all council representatives to create workplaces that allow people to maintain their dignity at all times. If your council has not agreed to the pledge this wording should be removed.

The policy is drafted with consideration of employment language and terminology that is reflective of a modern working environment, setting a tone that is engaging, collaborative and inclusive. A council may want to update references where relevant to reflect local terminology and structure, however should be considerate of equality, diversity and inclusion.

The examples of bullying and harassment are just that – examples. This should not be considered an exhaustive list.

## Notes:

### Protected Characteristics

A 'protected characteristic' is defined in the Equality Act 2010 as age, disability, sex, gender reassignment, pregnancy and maternity, race, sexual orientation, religion or belief, and marriage and civil partnership. It is unlawful to discriminate against an individual because of any of the protected characteristics.

Discrimination includes treating people differently because of a protected characteristic. Employees can complain of harassment even if the behaviour in question is not directed at them. This is because the complainant does not actually need to possess the relevant protected characteristic. An employee can complain of unlawful harassment if they are related someone with a protected characteristic, or because a colleague believes they have a protected characteristic.

Examples of harassment related to a protected characteristic could include;

- Making assumptions about someone's ability due to their **age**, or denying development opportunities to someone based on their age. This could also include assumptions about their lifestyle or making inappropriate jokes related to age.
- Making fun or mimicking impairments related to a health condition, or using inappropriate language about disabilities. Constantly selecting social activities that make it impossible for a colleague with a **disability** to participate in.
- Refusing to treat a person as their new gender, or disclosing information about their gender identity could be harassment on the grounds of **gender reassignment**.
- **Pregnancy/Maternity** harassment could include refusing opportunities due to pregnancy or maternity leave, or inappropriate touching and invasion of personal space such as unwanted touching of a pregnant person's stomach.
- Harassment based on **race** could include derogatory nicknames, or stereotyping based on ethnicity. It could include racist comments or jokes, or assumptions about someone's lifestyle based on their ethnicity.
- **Gender** harassment could include not considering people for a job based on gender stereotyping roles, or implementing practices that disadvantage one gender over another.

Rude, explicit jokes, even if not directed at an individual, or comments on individuals dress or appearance.

- Regularly arranging team meals over periods of fasting or religious occasions or failing to adjust a dress code to accommodate religious dress could be examples of harassment based on **religion/belief**.
- Excluding same sex partners from social events could be both **sexual orientation** and **marriage/civil partnership** discrimination, as could not offering the same work-related benefits.

A person does not need to be employed or have 2 years qualifying service to make a discrimination claim at a tribunal.

- Job applicants who believe they have not been appointed because of a 'protected characteristic' can make a claim.
- New or established employees who are dismissed, or treated unreasonably because of a health condition can make a discrimination claim.
- An employee subjected to harassment can make a discrimination claim at a tribunal.
- An employee asked to retire can make a discrimination claim at a tribunal

### **Legal risks**

Successful unfair dismissal claims are limited to a compensation cap, whereas those for unlawful discrimination have no cap.

A positive employment culture, and swift action if conduct falls beneath acceptable standards will help mitigate the risks. An unhealthy culture will make it difficult to defend claims.

The time to defend and the cost of defending tribunal claims can be significant, irrespective of the outcome.

### **Culture and behaviour**

We work in eclectic communities and working environments, and a positive culture within the council enables employees with different backgrounds and beliefs to share ideas and shape how the council achieves its objectives for their community.

It is important to recognise that different individuals may find different behaviours bullying or harassing so while there is not always intent to offend or cause harm, that does not mean that the effect of the behaviour has not caused harm or offence.

It can take people a period of time to decide to raise their concerns, as they worry about consequences (perhaps from peers by complaining about a colleague who is popular, or they fear victimisation from the perpetrator or others). The council should consider whether there are opportunities (such as 121s to offer opportunity to reflect on relationships/morale) to identify issues earlier and address negative behaviours. Individuals can often mention concerns they are experiencing but not want to take it further. The council should remind the complainant that it has a zero tolerance to bullying and

harassment and remind them of the policy in place to address concerns. If the allegations mentioned are significant, the council may want to suggest that it will need to investigate further, even if a 'grievance' is not raised, so as to ensure that any concerns and risks are managed, and the council is meeting its responsibilities and duty of care as an employer.

Whilst both staff and councillors jointly determine the working culture, councillors are key in demonstrating what is and isn't acceptable behaviour. This is apparent from how councillors behave with each other in council meetings and also in how standards of behaviour are applied through the use of informal discussion and formal policies.

### **Scope**

All council representatives are expected to uphold the values of the Dignity at Work Policy, however this policy sets out how allegations from employees will be managed. As indicated in the policy, concerns from a contractor, agency worker etc. should be raised to the identified person, and an appropriate approach will be considered based on the situation and relationship of the complainant with the council.

Likewise, concerns raised about the behaviour of a contractor or agency worker would not generally be managed via the full process (such as the disciplinary process) but appropriate action would be considered based on the situation. To treat people (such as contractors, or a casual worker) engaged by the council the same as an employee could blur the status of the employment relationship, so consider seeking professional advice if needed.

### **Managers**

Recognising that councils are of varying sizes, where the term manager/nominated manager is used it is recognised this could be the clerk/chief officer, another employee of the council, or a councillor depending on the situation. It is good practice to have a clearly identified person who is the responsible 'line manager' or equivalent contact for an employee so that there is clarity on how the employee should report concerns to, who they notify if they are sick or to request leave etc. More often for council employees this may be the clerk/chief officer, and for the clerk/chief officer this could be the chair/deputy Chair, or possibly chair of a staffing/personnel committee.

### **Bullying and harassment & performance management**

The policy sets out that bullying and harassment does not include appropriate criticism of an employee's behaviour or effective, robust performance management. It is not uncommon for an employee, when receiving critical feedback, to claim that this is bullying and/or harassing. It is the role of the nominated manager to provide effective and constructive feedback to encourage performance at the required standard.

Even when the feedback is not positive it should be fair, communicated in a professional and reasonable manner and shared with the objective of aiding understanding and achieving an improvement to overcome the shortfalls. There is no absolute definition of when the feedback may not be appropriate. Often it will be for the person/panel hearing the dignity at work complaint/grievance to determine whether the performance management has upheld the standards expected in terms of respect and civility and any feedback has been shared in a fair and professional way.

## **Responsibilities**

All staff and representatives of the council are responsible for their own behaviour in the workplace and for taking steps to revise unacceptable behaviour and appropriately challenge that of others.

Leaders – councillors, clerks, chief officers, managers - are responsible for ensuring that these standards of treating people with civility, respect and courtesy are upheld, both through their own example, and by communicating and promoting these expectations to all employees. They are also responsible for ensuring that concerns raised are treated seriously and addressed in line with this policy in a timely manner.

## **During the investigation**

Employers have a duty of care to provide a safe place of work. If a complaint is made, discuss how to manage working relationships whilst the allegation is being investigated and until the outcome is disclosed. This is as much for the protection of the alleged perpetrator as for the aggrieved.

Consider whether a neutral person should be offered as a 'listening ear' for both parties in the investigation. This could be a councillor or nominated manager who is not involved in the investigation or allegations and can be a point of check in as raising, or being subject to allegations can be stressful.

Offer other support that may be appropriate to the situation such as signposting to support groups, time off for counselling etc. If you have suspended a staff member, your duty of care continues and it is important to consider their wellbeing and mental health.

Ensure that you communicate regularly with both parties.

The investigation and any subsequent hearing should be completed in accordance with the grievance policy which sets out a process for dealing with concerns. You should ensure that the grievance policy adopted adheres to any local policies and procedures, with consideration of any timescales and escalation routes in your locally adopted policy.

## **Confidentiality**

It may be possible for concerns to be raised with the perpetrator without disclosing the name of the complainant however in a small council it is likely that it will be clear that the accused will know where the accusation has come from. The council representative (clerk/chief officer/councillor) speaking to the alleged perpetrator must be clear that the discussion is confidential and the individual would be at risk of formal disciplinary action if there is any sort of victimisation or retaliation for the individual raising their concern.

During any formal investigation it may be necessary to disclose the nature of the allegations and where they came from to ensure a fair and balanced investigation and process. This should be discussed with the person raising the concerns to understand any issues and how they may be mitigated. In some situations it may be appropriate to provide anonymised witness statements however this would be a last resort, and could compromise the fairness of the process. Where there is a genuine fear of consequences and this may need to be considered, it is recommended that professional advice is sought. For the same reason it can be difficult for a council to consider an anonymous complaint,

however if the concerns are significant and compromise the council in their duty of care to employees, then consideration of how the deal with the matter may be required.

### **Victimisation**

All employees have the right to raise genuine concerns without the fear of reprisals. If the aggrieved (or a witness) is treated differently / less favourably because they have raised a complaint, then this is victimisation. This would include isolating someone because they have made a complaint, cancelling a planned training event, or giving them a heavier or more difficult workload. Victimisation can lead to a claim to an employment tribunal.

### **False allegations**

If an employee makes an allegation that they know to be untrue, or gives evidence that they know to be untrue, the council should consider the matter under the disciplinary procedure. Such an allegation would be potentially be gross misconduct.

### **Complaints against Councillors**

Following the Ledbury case, the law is clear that any formal complaint about a councillor regarding a breach of the code of conduct must be referred to the Monitoring Officer for investigation (either by the complainant, or the Council with agreement of the complainant). During the investigation, it is critical to ensure that where an employee of the council has made the complaint, that the council agrees reasonable measures with the employee to protect their health and safety. Such measures may include a temporary change in duties, change of work location, not attending meetings with the person about whom the complaint has been made etc.

Careful consideration is required where a grievance is raised against the council as a whole due to lack of support related to councillor behaviours. The specific allegations will need to be considered to determine whether the allegations can be addressed by the council, or require exploration of the councillors behaviour in order to respond, in which case the Monitoring Officer may be required to investigate the alleged behaviours of a/any councillors where this may relate to the code of conduct. It is a matter of fact whether the complaint is against the council and can therefore be dealt with by the council's grievance procedure or against a councillor and can only be dealt with by the Monitoring Officer.

## **Agenda item 24 Civility and Respect Project**

### **History**

Throughout the sector, there are growing concerns about the impact bullying, harassment, and intimidation are having on local (parish and town) councils, councillors, clerks and council staff and the resulting effectiveness of local councils.

The Civility and Respect Pledge is being introduced because there is no place for bullying, harassment and intimidation within our sector. The pledge is easy for councils to sign up for and it will enable councils to demonstrate that they are committed to standing up to poor behaviour across our sector and to driving through positive changes which support civil and respectful conduct.

NALC & SLCC invite all councils to take the pledge

### **Mission Statement**

Civility and respect should be at the heart of public life, and good governance is fundamental to ensuring an effective and well-functioning democracy at all levels.

The intimidation, abuse, bullying and harassment of councillors, clerks and council staff, in person or online, is unacceptable, whether by councillors, clerks, council staff, or public members.

This can prevent councils from functioning effectively, councillors from representing local people, discourage people from getting involved, including standing for election, and undermine public confidence and trust in local democracy.

NALC, county associations and OVW, as the membership organisations representing the first tier of local government in England and Wales, and the SLCC, as the professional body for clerks, are committed to working together to promote civility and respect in public life, good governance, positive debate and supporting the well-being of councillors, professional officers and staff.

To that end, the Civility and Respect Working Group will be working to deliver tangible resources, actions and interventions in four main areas: providing councils with the tools to support good governance; lobbying to strengthen the standards regime and encouraging more people to get involved; training; and processes to intervene to provide support to struggling councils.

### **Signing the Pledge**

By signing the Pledge, your council is agreeing that the council will treat councillors, clerks, employees, members of the public, and representatives of partner organisations and volunteers with civility and respect in their roles and that it:

Has put in place a training programme for councillors and staff

Has signed up to the Code of Conduct for councillors

Has good governance arrangements in place including staff contracts and a dignity at work policy



Will seek professional help at the early stages should civility and respect issues arise

Will commit to calling out bullying and harassment if and when it happens

Will continue to learn from best practices in the sector and aspire to be a role model/champion council through for example the local Council Award Scheme

Supports the continued lobbying for change in legislation to support the Civility and Respect Pledge including sanctions for elected members where appropriate

### **Recommendations**

For Full Council is sign the pledge and ask councillors and staff to attend training programs as required

### **Further information link**

Civility & Respect Project

<https://www.nalc.gov.uk/our-work/civility-and-respect-project>

Podcasts available for councillors

<https://www.youtube.com/playlist?list=PLGiplgXFvZKXM-qL3dcg5-qS4jMuDa4cP>

Courses available

<https://breakthroughcomms.co.uk/civility-respect/> ]

Local Government awards

<https://www.nalc.gov.uk/our-work/local-council-award-scheme#which-award-level-should-we-apply-for>

## Agenda item 150

### Proposal to sign the Civility & Respect Pledge

The HR committee recommend that the Council signs the Civility and Respect Pledge, and that councillors and staff attend the appropriate training courses below:

Personal Resilience and Emotional Intelligence

Leadership in Challenging Situations

Respectful social media

## Civility and Respect Pledge agenda item: 150

### To pass a resolution to sign up to the civility and respect pledge

#### Definition of Civility and Respect

Civility means politeness and courtesy in behaviour, speech, and in the written word.

Examples of ways in which you can show respect are by listening and paying attention to others, having consideration for other people's feelings, following protocols and rules, showing appreciation and thanks, and being kind.

The National Association of Local Councils (NALC), the Society of Local Council Clerks (SLCC), and One Voice Wales (OVW), believe now is the time to put civility and respect at the top of the agenda and start a culture change for the local council sector.

By our council signing up to the civility and respect pledge we are demonstrating that our council is committed to treating councillors, clerks, employees, members of the public, representatives of partner organisations, and volunteers, with civility and respect in their role.

Signing up is a simple process, which requires councils to register and agree to the following statements:

Statement	Tick to agree
Our council has agreed that it will treat all councillors, clerk and all employees, members of the public, representatives of partner organisations, and volunteers, with civility and respect in their role.	
Our council has put in place a training programme for councillors and staff	
Our council has signed up to Code of Conduct for councillors	
Our council has good governance arrangements in place including, staff contracts, and a dignity at work policy.	
Our council will commit to seeking professional help in the early stages should civility and respect issues arise.	
Our council will commit to calling out bullying and harassment when it happens.	
Our council will continue to learn from best practice in the sector and aspire to being a role model/champion council e.g., via the Local Council Award Scheme	
Our council supports the continued lobbying for the change in legislation to support the Civility and Respect Pledge, including sanctions for elected members where appropriate.	

## Agenda item 151

### NWT Site visit – Ash tree spinney Appendix 2

A site visit to Ash Tree spinney was attended on 10/8/2022 by the following people at the request of Helen Dunne (Green Southwell, Friends of the Spinney)

Councillor Martin Stott

Councillor Karen Roberts,

Mark Speck - Senior Conservation Officer (North) Nottinghamshire Wildlife Trust

Chris Kennedy - Reserves Manager (South) Nottinghamshire Wildlife Trust (with responsibility for developing NWT woodland health and safety systems and management)

Everyone attending had previously seen the 4D tree report commissioned on the spinney by the town council earlier this year.

Below is a summary of the main discussion points raised and conclusions reached. It has been agreed that this is a fair representation of comments made by both the Wildlife Trust and councillors.

In relation to the tree report by '4D tree services', it was discussed how it was important to know the identity and qualifications of the person carrying it out as this has not been included in the version received. There is a difference between a qualified arboricultural consultant/ arborist and a tree surgeon. Given the T.P.O status of the area, the district council, who must sanction the work, will need to know this and it would be helpful if town councillors also had this information readily available.

It was also noted that the report would have been done based on 'sight only' at the time of year it was carried out and no information was available in the version of the report received which indicated any objective tests were otherwise done. The best time to look for symptoms of Ash Die back is actually July to September. The initial report done by 4D tree services was carried out on 19<sup>th</sup> May.

#### Findings

There were only 3 Ash trees diagnosed by sight at this NWT visit as likely in a **more advanced stage of Ash die back** and these are:

**176 and 177** which stand away from the path at the back of the spinney but close to a house.

**181** which stands close to the path at the school end of the spinney.

All other **Ash trees 178,179,180 and 175** (mentioned on the previous 4D tree report) were deemed to actually be in good health presently. It was said to be important to monitor the ash trees every year going forwards but no particular works were recommended on these 4 trees given their apparent state of good health and the limited risk that they would drop a branch when someone was walking through on the path. All mature trees will potentially drop boughs when under stress, such as in times of drought, but there was no reason to think these 4 trees were any more likely to do it than others. It is important to leave Ash trees that are unaffected or surviving the presence of Ash Die back to thrive as they represent the future of this tree in this country.

The previous 4D tree report had suggested these trees were all at stage 3 Ash Die back and needed pollarding to 8meters.

Regarding **Ash trees, 176,177 and 181**, it was suggested on this site visit that such trees in this state of health and in these specific locations next to the house and the path would probably be removed completely by NWT if on their land. Although the 4D tree report recommended pollarding of them to 8m, NWT suggest that Ash are actually less likely to survive such pollarding than other species and the pollard would have to be monitored every year for safety as it grew as pollarded trees can themselves grow back in ways that present a risk. They would therefore recommend taking these 3 down to the base.

They also recommended reducing the height of the recently felled tall monolith tree trunk at the path fork by at least a half, as it is subject to the pollarding risks mentioned previously and is close to two paths. Discussions have been had about having a six foot totem carving with a natural theme here.

Regarding the **Sycamores, 174, 182 and 183** which sit at the school end of the path, the earlier tree report suggested crown reduction and various limbs to be removed.

NWT deemed these three trees to be in apparent good health and considered the recommendation for crown reduction was more to do with subjective aesthetics concerning the look of a tree rather than the health of these specific trees or health and safety.

**Sycamore 174** does overhang a garden (Southern lateral canopy) and town council may want to discuss this with the home owner, in terms of preference for work and payment for it. Any work done on this overhanging limb would require the relevant permissions as the tree appears healthy and is specifically protected by the TPO. It is not thought to actually need a crown reduction.

**Sycamore 182** looks healthy and the only recommendation made by NWT was that the bough over the footpath towards Lowes Wong (road) may be usefully removed as it grows down towards the path and in the future may become too low. No crown lift was thought necessary.

**Sycamore 183** was deemed healthy with no crown reduction required. The health of its foliage suggests it has **not** been adversely affected by any damage potentially done to its roots by recent fencing or sloped path work. The limb over the street light mentioned in the previous 4D tree report was not thought to be in need of removal as it does not block the light but one adjacent to it overhanging the path at fence height may be usefully removed as it appears dead.

It was recommended that the following trees could be usefully planted once autumn/winter tree work was completed:

Rowan and Wild Cherry where trees have been removed or there is plenty of light.

Hawthorn and Hazel in more shaded areas.

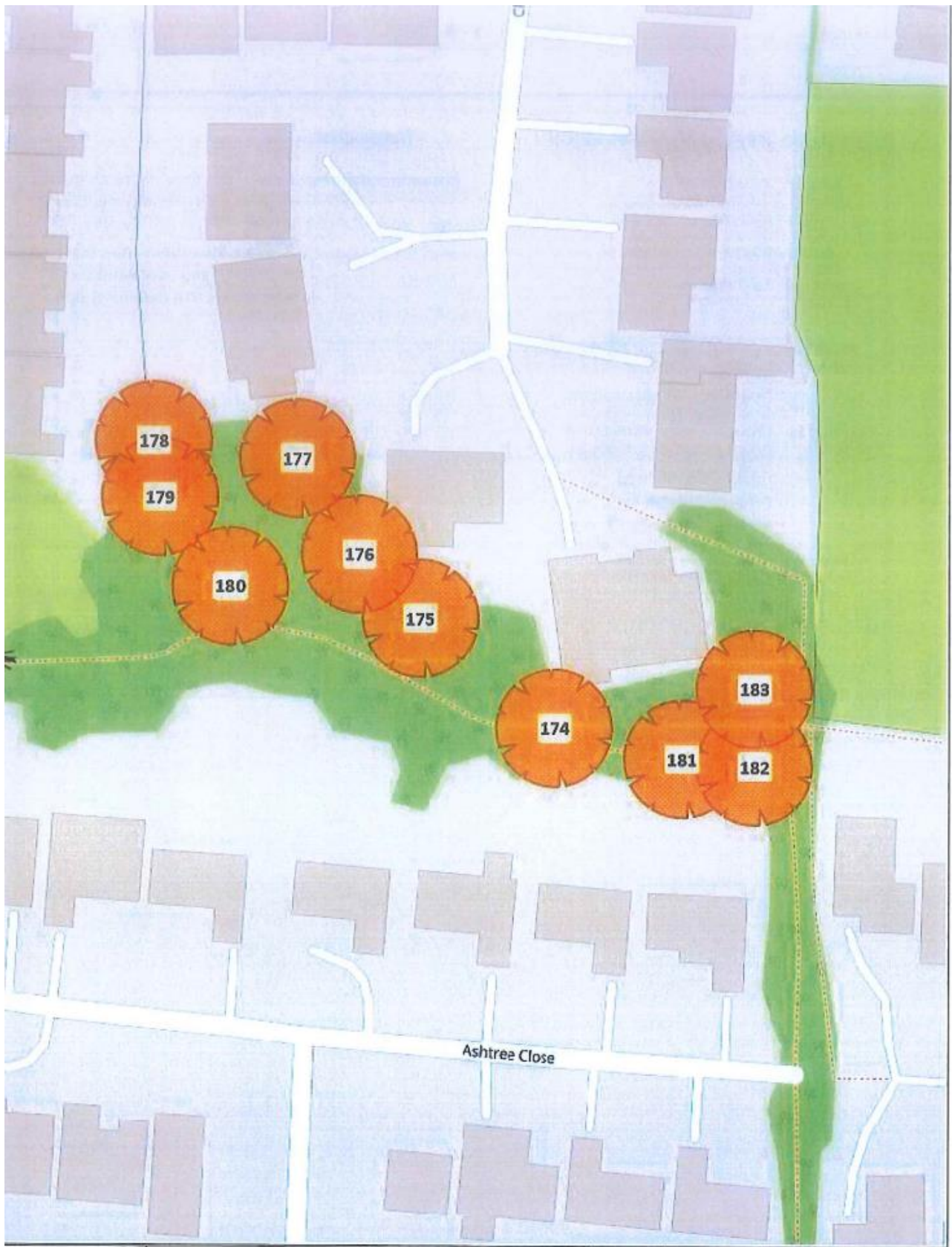
This would diversify the tree portfolio and such trees would be likely to flourish in such an environment without requiring the maintenance of larger trees such as Oak.

NWT usually recommend doing tree work between September and January when foliage has dropped. Consideration needs to be given to the presence of roosting bats or the use of the spinney for bat foraging and commuting. If bats or bat features are present, they ensure work is done in September/October. For further information see 'Micro guide to surveying for bats in trees and woodland; an introduction to BS 8596 for non-specialists'.

NWT have contractors they regularly use for such tree work who are based locally. They recommend ARB Approved Contractors such as:

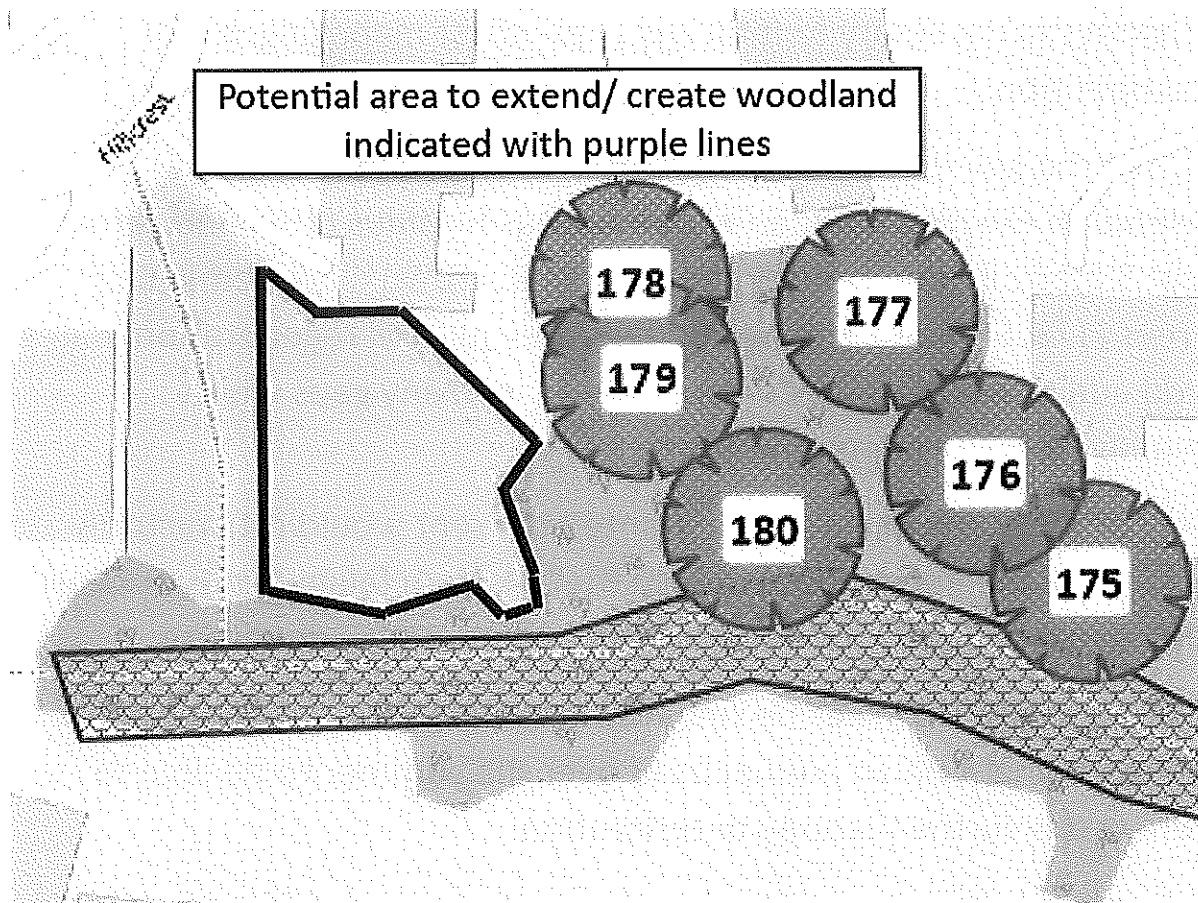
<https://www.allseasonstreecare.co.uk/>

<https://maplebecktreecare.uk/>





New survey 8/11



This would enable a greater diversity of species to be considered and remove the area from intensive grass cutting.

Management plans that include for restocking the site will no doubt also be requested to ensure the legacy of woodland can be maintained either by the LPA or concerned residents.

### **REPORT LIMITATIONS**

Site boundaries worked to were supplied by the client.

This survey does not include a detailed habitat survey. It is recommended that a survey to ascertain whether there is any potential habitat for bats or birds, or other protected species be carried out prior to any Arboricultural works being commenced.

The trees were inspected using Visual Tree Assessment (VTA) methods, which are non-invasive & carried out at ground level only and as an aid to the commissioned purpose of the report.



planting as necessary to infill any gaps whilst managing weed competition.

3, Fell the worst affected trees within area (175,176 and 177) Monolith the tree infected with *Inonotus hispidus* (180) and carry out 3 metre lateral canopy reduction and crown clean remaining trees (178,179) and manage understorey natural regeneration and add additional planting as necessary to infill any gaps whilst managing weed competition.

Any of the above proposals if granted consent would satisfactorily discharge the necessity to reduce the risk from falling limbs or trees but all have slightly different effects on financial expenditure.

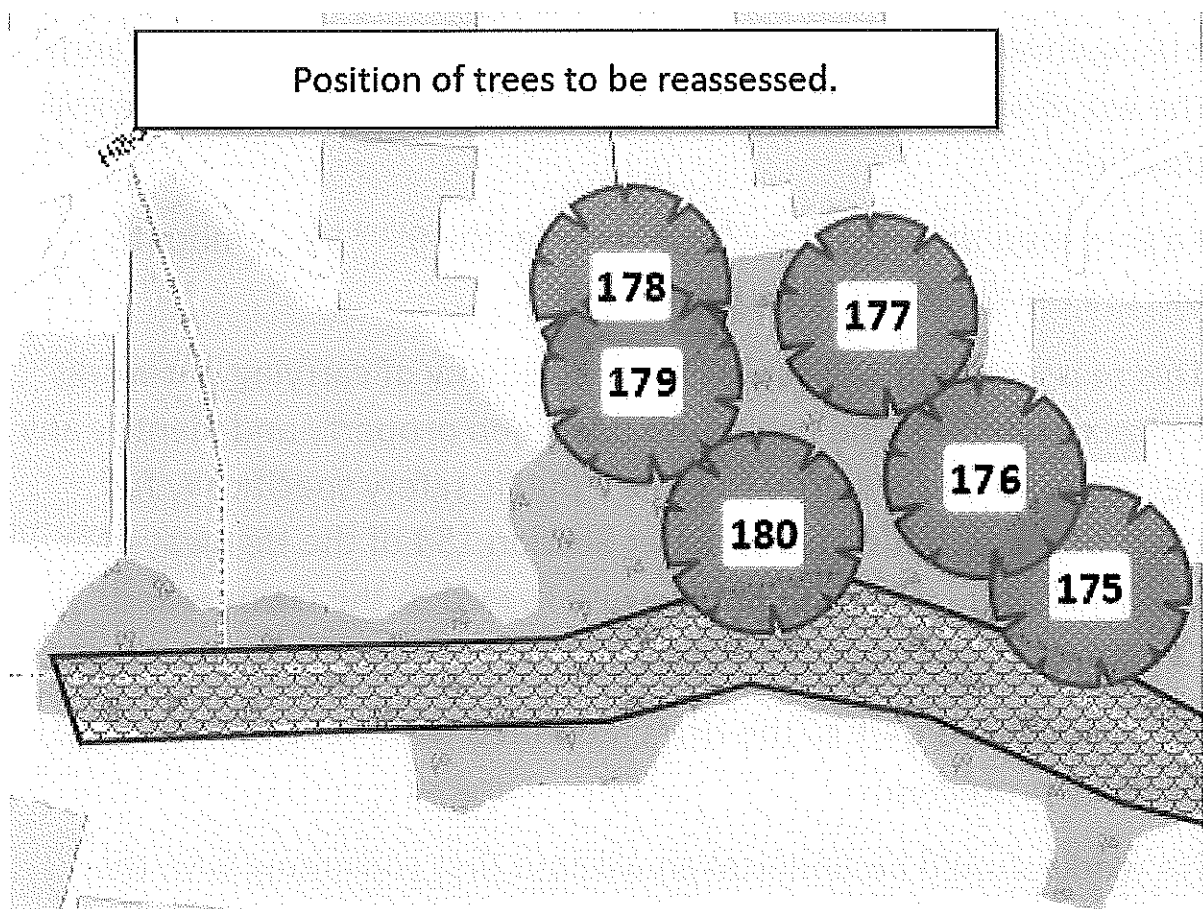
Should any of the trees be retained it would be essential to carry out an assessment on an annual basis over the summer to be able to reflect any further canopy deterioration.

It is strongly recommended that the works to trees 175,176,177 and 180 are carried out within the next 6 months regardless of which management option is considered as appropriate by the town Council

In addition to the above consideration could be given to a proposal to increase the footprint of the woodland by utilising the adjoining grassland area and create a new planting area to offset loss of Ash trees.

### Proposed management options

Clearly several the trees inspected are visually more progressed with Ash Dieback than others and *Innonotus hispidus* has already caused the failure of one of the group of trees concerned and is active on 180.



I therefore offer the following proposals for management of the area.

1, Carry out my initial findings to turn trees 175,176,177,178,179 and 180 to monoliths, manage understorey natural regeneration and add additional planting as necessary to infill any gaps whilst managing weed competition.

2, Fell all mature Ash trees 175,176,177,178,179 and 180 within area manage understorey natural regeneration and add additional

I undertook to reassess the trees and discuss the matter with the Forestry England's Woodlands Officer who deals with woodland management within the area.

The officer agreed with my report and proposals stating as previously mentioned that forming Monoliths from susceptible trees is not recognised as appropriate technique but in this situation was a valid methodology to retain habitat whilst instigating underplanting and management. Equally the trees could be completely removed, and the woodland regenerated through management and replacement planting

I also visited the site with Cllr Roberts on the 9<sup>th</sup> of September to discuss the trees and woodland.

This reassessment will establish the necessity of carrying out works to trees to reduce the risk to site users and property and identify any necessary works required to ensure public safety specifically for users of the public highway under Section 154 of the Highways Act 1980 and under the duty of care with regard to the Owners and Occupiers Liability Act 1957 and 1984.

It is understood that all the trees identified within this survey may be formally protected.

No works should be undertaken without first consulting with the local planning authority for confirmation of the protected status of the trees.

If the trees identified for works are protected this report should be used in its entirety to support any application or notification of works required.

## Context

It is obvious from my assessment that Ash dieback is present within the area concerned as described within my previous report.

I am satisfied that the trees concerned are at stage 3 of the disease i.e., over 50% canopy loss but less than 75%.

Stages of ash dieback are identified in the Tree council's toolkit for dealing with Ash Dieback publication I have previously supplied this to the Town Council.

I met on site with the Newark and Sherwood Tree Officer (NSDC) prior my initial survey being undertaken who expressed the opinion that he would not support the wholesale felling of the trees but would prefer to see the trees to be "monolithed" which in layman's terms is the removal of all upper canopy of the tree leaving a tall standing stump effectively pollarding the tree in question. This technique retains standing deadwood habitat and is a valuable tool in retaining a relict structure whilst reducing liability.

This technique does encourage the formation of epicormic secondary growth which is susceptible to further infection by Ash Die Back and can be seen to shorten the already reduced lifespan of any Ash tree that have susceptibility / or are already showing signs of infection.

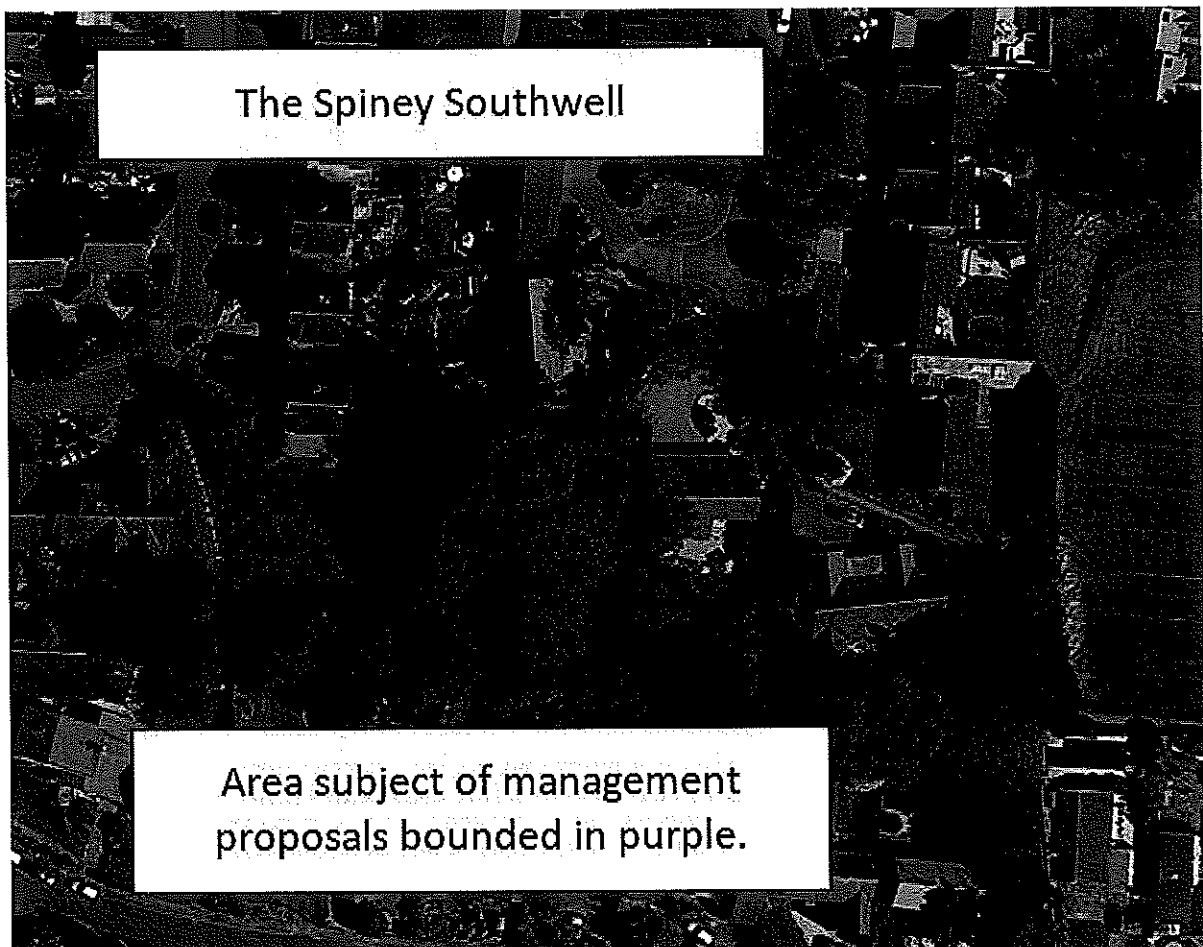
I had previously detailed pollarding on the Ash trees at the Spiney specifically to reduce the likelihood of structural limb and canopy deadwood failure.

With the NSDC tree Officers comments in mind.

After presenting my survey I was contacted by the Parish Clerk about concerns raised by Members and residents about this methodology for managing the risk from the trees in question.



## **Proposed Management plan for The Spiney Southwell.**



**The Spiney Southwell**

**Area subject of management proposals bounded in purple.**

Recent case law has indicated that the maximum survey interlude should be no more than 2 years, to allow for “in leaf and out of leaf” inspection for trees that are deemed to be in high occupancy areas.

However, in this instance given the presence of Ash dieback I suggest that the survey interval is reduced to once a year during the summer.

Any supplied plans are accurate given the available GPS signal and technology however given canopy cover and limited position fixing points some discrepancies may exist.

All works should be carried out in accordance with the 2010 revision of BS 3998.

Canopy reductions of any kind should specifically be undertaken to secondary replacement points leaving as natural or shape optimised form as possible.

Where possible it has been proven that leaving felled or fallen trees or branches in as large a piece as possible as close to the stem or tree have the best environmental benefits and would advocate this practice where site conditions and users permit.

David Simpkin

A.Dip.Arb, M.Arbor. A., N.D.F., L.A.N.T.R.A. Professional Tree Inspector



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Tree Tag: 174

Species: Sycamore

Grid Ref: 469697.31, 353844.04





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**Inspected: 19/05/2022 at: 10:49**

**Inspector: DS**

**Height:** 22.0 metres

**Age:** Mature

**Trunk:** 85 cm

**Spread:** 15.0 metres

**Recommendations:** Crown Lift - Crown lft to create 3 metres clearance from ground level.  
Lateral Canopy Reduction - Reduce southern lateral canopy by 3m to suitable replacement points.

**Features:** Overhangs Public Highway  
Overhangs Private garden

**Conditions:** Crown - Asymmetric Crown  
Crown - Suppressed  
VTA Fibre Buckling Observed

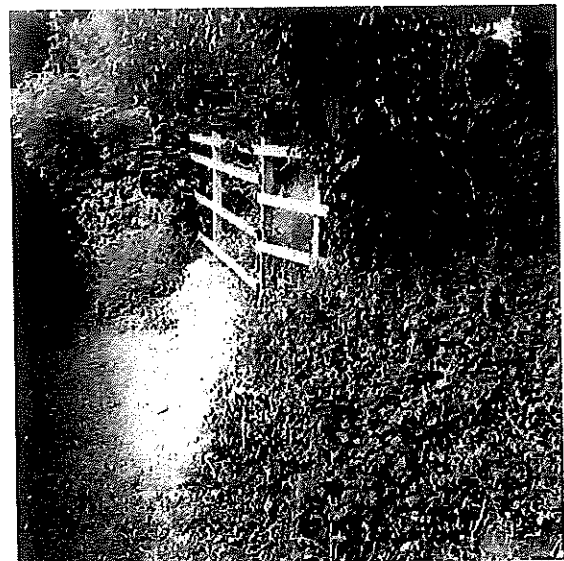
**Priority:** Management Works

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Tree Tag: 181

Species: Ash

Grid Ref: 469713.92, 353840.16



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**Inspected: 23/05/2022 at: 11:59**

**Inspector: DS**

**Height:** 22.0 metres

**Age:** Mature

**Trunk:** 85 cm

**Spread:** 15.0 metres

**Recommendations:** Misc. Operation , inspector defined works. - Pollard tree to 8 metres in height as part of management programme year 1.

**Features:** Building - structure within falling distance

Overhangs Private garden

**Conditions:** Ash Die Back Stage 3

Crown - Asymmetric Crown

Major Deadwood >100mm

Crown - Suppressed

Crown - Twig Dieback

VTA Fibre Buckling Observed

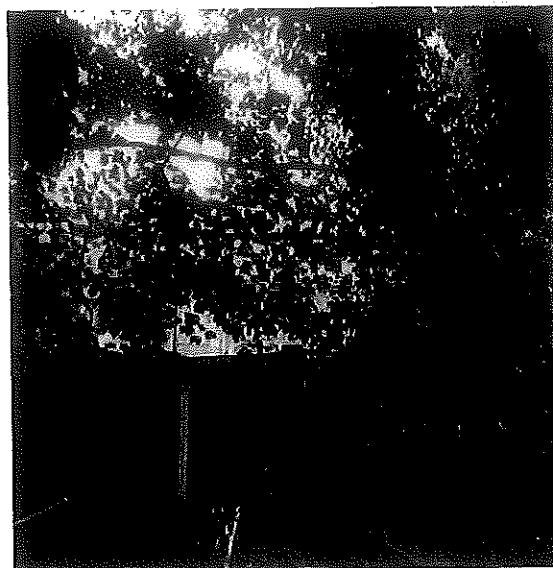
**Priority:** Management Works

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**Tree Tag:** 182

**Species:** Sycamore

**Grid Ref:** 469723.22, 353839.23



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**Inspected:** 23/05/2022 at: 12:01

**Inspector:** DS

**Height:** 22.0 metres

**Age:** Mature

**Trunk:** 85 cm

**Spread:** 15.0 metres

**Recommendations:** Crown Lift - Crown lift to 5 metres to clear path of overhanging limbs.  
Cut Ivy

**Features:** Building - structure within falling distance  
Overhangs Private garden

**Conditions:** Crown - Asymmetric Crown  
Major Deadwood >100mm  
Crown - Suppressed  
Crown - Twig Dieback  
VTA Fibre Buckling Observed

**Priority:** Management Works

---

Tree Tag: 183

Species: Sycamore

Grid Ref: 469723.22, 353849.14



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**Inspected: 23/05/2022 at: 12:09**

**Inspector: DS**

**Height:** 22.0 metres

**Age:** Mature

**Trunk:** 85 cm

**Spread:** 15.0 metres

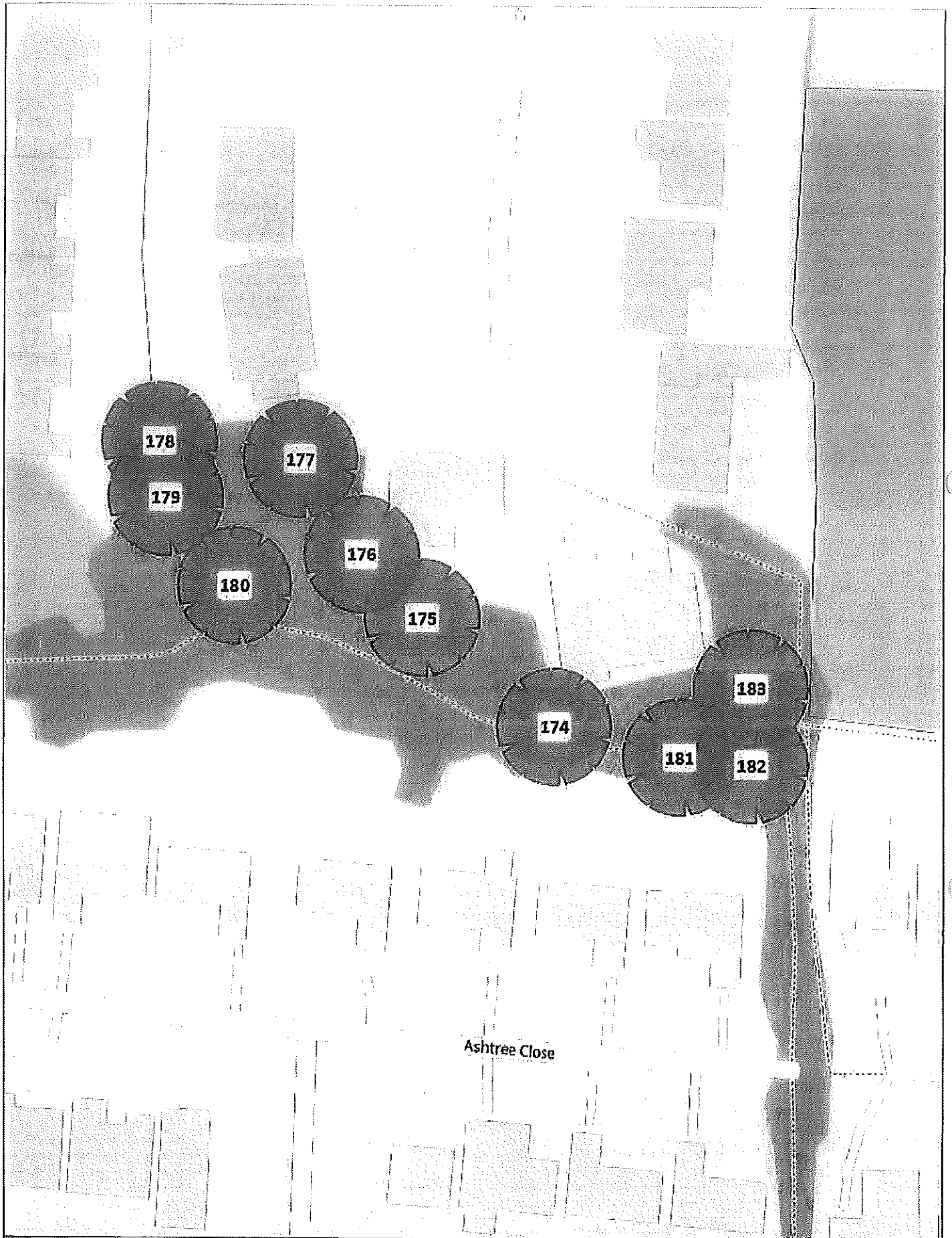
**Recommendations:** Crown Lift - Crown lift to 5 metres to clear path of overhanging limbs.  
Cut Ivy  
Remove Structural limb - Remove structural limb over street light 2  
limb shows VTA delamination ,


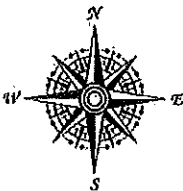
**Features:** Building - structure within falling distance  
Overhangs Private garden

**Conditions:** Crown - Asymmetric Crown  
Major Deadwood >100mm  
Crown - Suppressed  
Crown - Twig Dieback  
VTA Fibre Buckling Observed

**Priority:** Management Works

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 4D TREE SURVEY	The Spiney Southwell	Scale	1: 626	
		Date	14/06/2022	

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**Tree Tag:** 184

**Species:** Alder Spp.

**Grid Ref:** 470866.87, 354263.28



---

**Inspected:** 12/06/2022 at: 18:49

**Inspector:** DS

**Height:** 12.0 metres

**Condition:**

**Age:** Early Mature

**Recommendations:** Remove Tree

**Trunk:** 43 cm

**Spread:** 6.0 metres

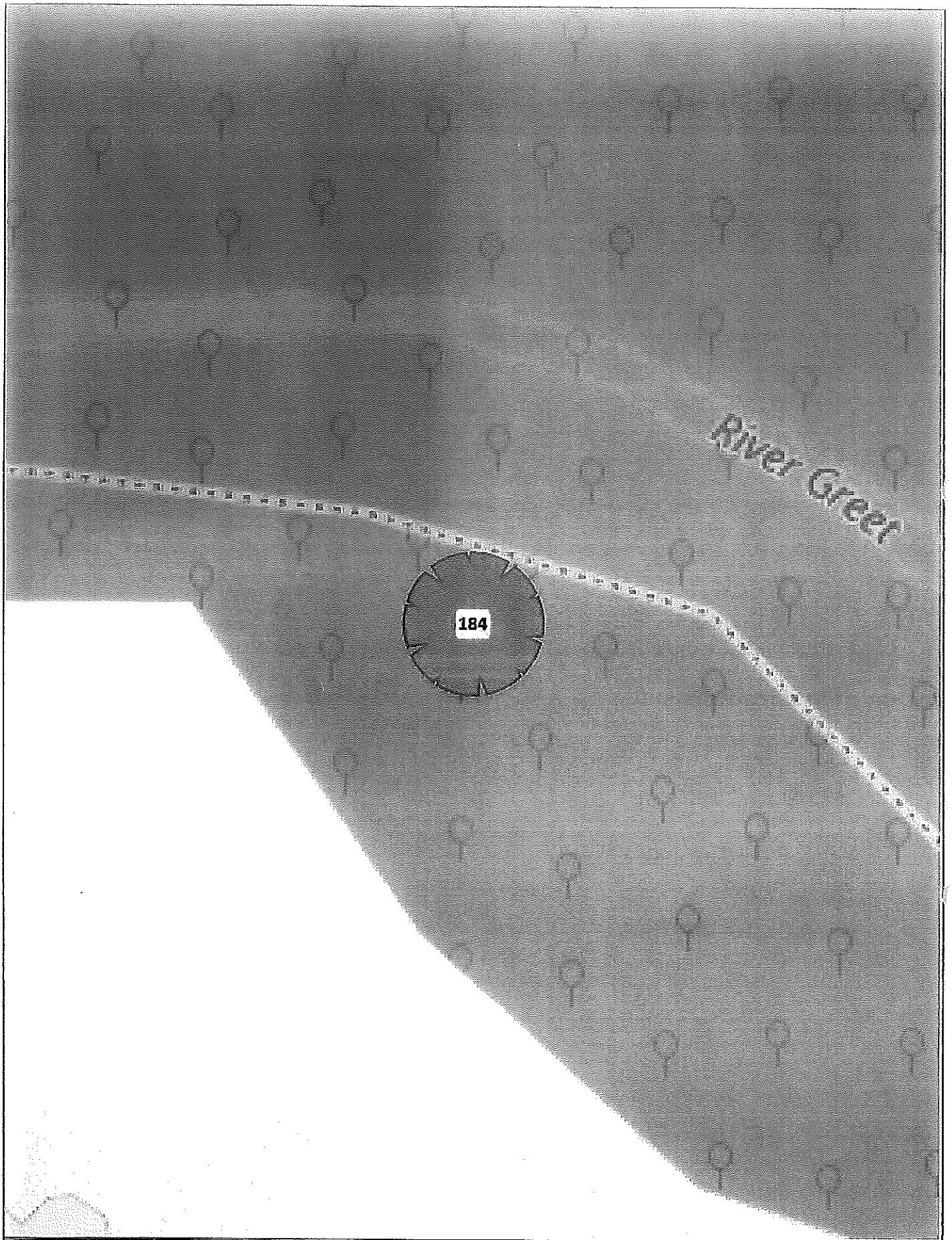
**Features:** Overhangs Public Highway


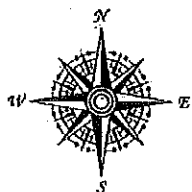
**Conditions:** Dead

**Priority:** Management Works

---





 4D TREE SURVEY	Riverside	Scale	1: 204	
		Date	13/06/2022	

Mrs Lesley Wright, Clerk of Southwell Town Council, on behalf of Southwell Town Council

#### Additional information

Report of final options combining first and subsequent report for Ash Tree Spinney from 4D tree services:

175, 176 177 Ash - Fell the worst affected trees within area – felling licence applied for

Girths of trees – 175 = 2 metres, 176 = 2.55 metres, 177 = 2.70 metres

180 Ash Monolith the tree infected with Inonotus hispidus

178 , 179 – Ash 3 metre lateral canopy reduction and crown clean remaining trees and manage understorey natural regeneration and add additional planting as necessary to infill any gaps whilst managing weed competition.

174 Sycamore Crown Lift - Crown lift to create 3 metres clearance from ground level.

Lateral Canopy Reduction – Reduce southern lateral canopy by 3m to suitable replacement points

181 Ash Die back Stage 3 Pollard tree to 8 metres in height as part of management programme year 1.

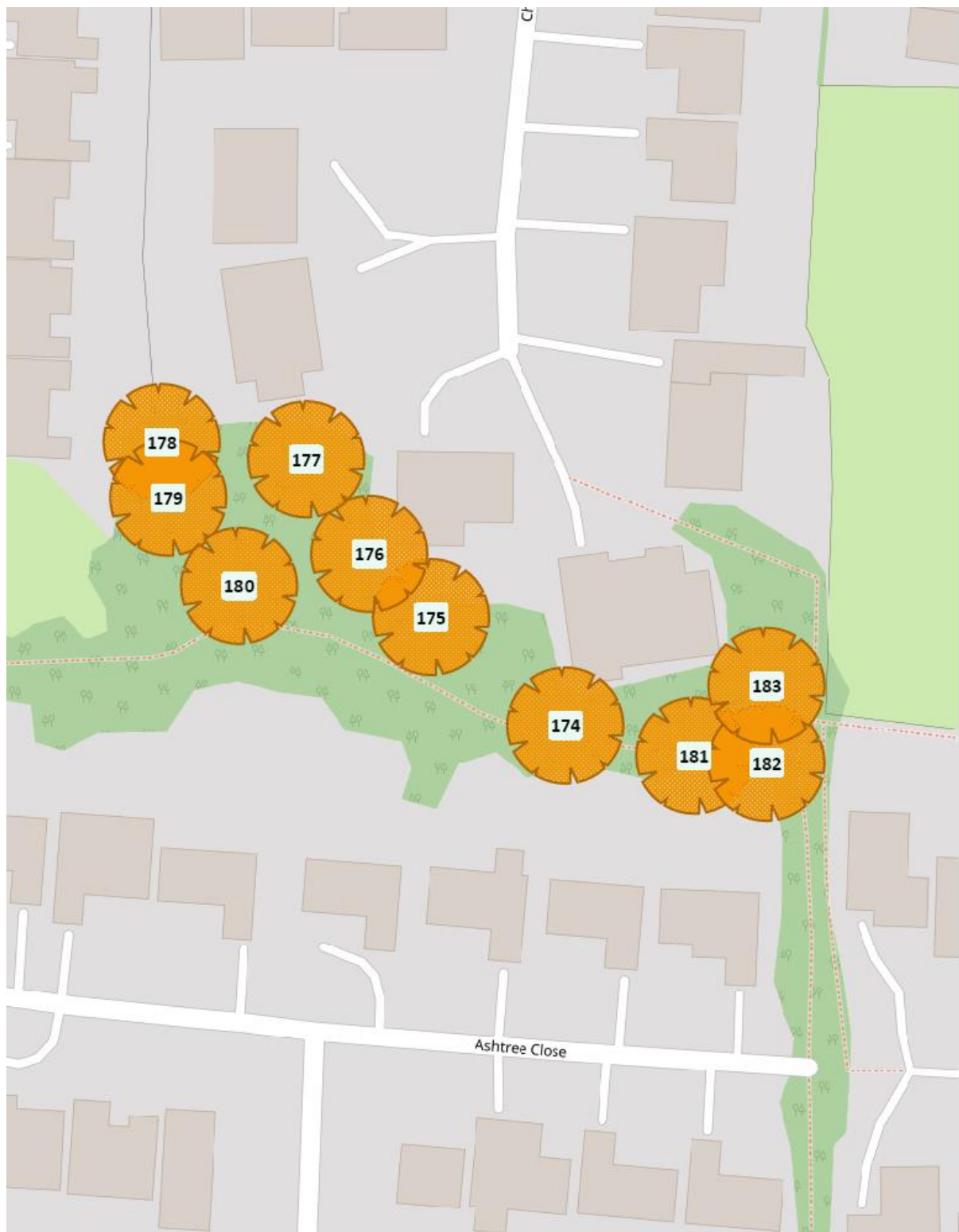
182 Sycamore - Crown Lift - Crown lift to 5 metres to clear path of overhanging limbs. Cut Ivy

183 Sycamore Crown Lift - Crown lift to 5 metres to clear path of overhanging limbs. Cut Ivy

Remove Structural limb – Remove structural limb over street light 2 limb shows VTA delamination

All works to be carried out by May 2023 at the latest

Ecological survey to be carried out by the council



## Agenda item 151

### Southwell Town Council Tree Survey Report

#### **Introduction**

Over the past few years the trees in the town have been maintained on a reactive basis. Southwell Town Council had not had a tree survey completed for the last 12 years and as the recommended time frame is every 2 years with a survey being completed in leaf and out of leaf, 4 Arboricultural Consultants (AC) were contacted for quotes of which two were returned. At Governance & Finance in February 2022 it was agreed to accept quote 2.

#### **Process**

The Arboricultural Consultant(AC) was appointed and started assessing the trees in April 2022. The report was received in June 2022 and a subsequent report for Ash Tree Spinney after the September visit

From the report only 1 tree in the town required immediate work, within 28 days and the remainder of management works are to be completed within 12 months of the report. The emergency work plus one other tree has been removed, the remainder of the work is to be completed.

Concern was expressed about the report on Ash Tree Spinney by the Friends of Ash Tree Spinney (FATS), the Spinney was subsequently revisited by the AC on 2 more occasions, the latter being in September with Cllr K Roberts. (Comments from Residents, (Confidential report) in Appendix 1).

The AC then offered the council 3 options for ATS (included in Appendix 3i & ii)

The Woodland Trust also visited with Cllr Roberts, Cllr Stott and Friends of ATS (appendix 2) and the Forestry commission visited twice with the Clerk and Project manager. Also, the tree officers from NSDC visited ATS.

As ATS is covered by a woodland TPO the forestry commission have to issue a felling licence and in consultation with their officer and in the presence of Cllr Stott and Andy Harper, the groundsman, it was agreed the preferred option was option 3)(appendix 3).

The AC also advised a habitat survey before work is started on ATS.

#### **Actions to date**

A felling licence has been applied for, for 3 trees in Ash Tree Spinney, awaiting approval. All Tree Works orders (TWCA) have been applied for from NSDC. All areas are now in the new conservation area including Cludd Pond and Riverside .

Quotes have been received for a habitat survey (to be discussed in confidential session)  
Quotes have been received for all the trees works from registered Tree Surgeons (TS) (to be discussed in confidential session)

### **Points to consider**

All the recommended works are covered on the AC insurance for the 12 months from the report issue

The Woodland Trust does not provide insurance on their recommendations

If any of the work are not completed by the recommended time, then the onus falls on the Council .

If an accident occurs after this time, the council insurance will be invalid, if the council have not shown a duty of care.

All tree contractors will schedule in the work and complete within the require timescales, input will be required from the ground staff for temporary closures while work is carried out

Any official road closures will be applied for and staffed by the tree contractors (possible the Burgage)

Cut wood will be left in situ where possible as recommended by the AC and as per council policy unless this will cause a potential hazard.

A quote has been received for the removal of the felled trees from ATS (to be discussed on closed session) but the TS has expressed concern over the damage that will potentially be caused to the grassed area in Hillcrest, the cut wood will be to be manually carried out of ATS, as the entrance to is too narrow for vehicles.

### **Proposal**

To accept the Tree Survey and agree for the work to be carried out in the agreed timescales

To accept option for Ash Tree Spinney as agreed with the Forestry Commission (appendix 3)

To agree the Habitat Survey for AST to be paid from the present budget

To agree and appoint the preferred Tree Surgeon in closed session and agree on how it is to be paid

To agree to an annual survey of ATS (Summer 2023)

To agree to further complete survey Autumn/Winter 2023/24 as advised by a AC

Report by Clerk Dec 2022

## Agenda item 152

Approved at December 2022 Governance & Finance Meeting Agenda item 22/12/038

### Community Infrastructure Levy Investment Strategy Working Party for Southwell Town Council Dec 6 2022

The Council needs to agree the investment strategy for the received and expected CIL with a prioritised list for this investment, paying significant regard to the agreed priorities of the STC and the emerging NP but will not be constrained by this.

Our list should include expected costs and timelines for the investments, and look forward a minimum of 5 years ahead, with some indication of future pattern of investment for the life of the NP.

#### Previous income and capital expenditure

Community Infrastructure Levy				
Date	Description	Income	Expenditure	Total
Mar-16	B/fwd	£ 7,173.99		£ 7,173.99
May-16	Received	£ 40,744.91		£ 40,744.91
Jul-16	Trfd		£ 5,375.00	-£ 5,375.00
Nov-26	Friends of Southwell Parks		£ 14,625.00	-£ 14,625.00
Nov-16	Trf to CiL Revenue	£ 10,608.98		£ 10,608.98
Apr-17	Tractor		£ 6,500.00	-£ 6,500.00
May-17	Cardless M/C Software		£ 2,300.00	-£ 2,300.00
Sep-17	Transfer		£ 15,000.00	-£ 15,000.00
Dec-17	Trf to CiL Revenue		£ 5,441.25	-£ 5,441.25
May-18	CiL Receipt	£ 21,586.55		£ 21,586.55
Jul-18	Hanging Basket Brackets		£ 5,767.72	-£ 5,767.72
Jul-18	Road Closures - HB Install		£ 345.00	-£ 345.00
Jul-18	Scout Hut Refurb		£ 500.00	-£ 500.00
Aug-18	Website		£ 1,284.00	-£ 1,284.00
Nov-18	Road Closures - Tree Install		£ 354.00	-£ 354.00
Dec-18	Christmas Trees		£ 5,366.34	-£ 5,366.34
Feb-19	Website		£ 963.76	-£ 963.76
Feb-19	Christmas Trees		£ 1,926.00	-£ 1,926.00
Mar-19	Transfer	£ 4,337.18		£ 4,337.18
Apr-20	CiL Receipt	£ 201,738.87		£ 201,738.87
<b>Totals</b>		£ 286,190.48	£ 65,748.07	£ 220,442.41

#### Current income and capital expenditure

<b>Reserves at 1st April 2022</b>	<b>£ 236,744.28</b>
First Part Decorating	-£ 2,340.00
Safety Surface Under Slingshot (WMRG)	-£ 3,574.50
New Watering System	-£ 9,752.00
Extra Hanging Basket Brackets (Install)	-£ 1,690.00
Old Court House Electrical Works	-£ 4,350.00
Exterior Painting Old Court House	-£ 2,400.00
Three Months Project Manager Costs	-£ 8,500.00
R Covill - Pitch Maintenance	-£ 3,350.00
Gabion Wall	-£ 4,090.00

Works to Lamp Columns	-£ 1,944.66	
Christmas Trees and Lights	-£ 13,725.00	
Welcome Back Fund		
Interior Decorating	-£ 4,462.00	
<b>Reserves at 31st October 2022</b>	<b>£ 176,566.12</b>	
<u>Committed Reserves</u>		
Skatepark	-£ 30,468.00	
Squires & Cludd Pond	-£ 14,650.00	
Electric Works - The Old Courthouse	-£ 1,100.00	
Decorating - The Old Courthouse	-£ 1,148.00	
Project Co-ordinator	-£ 9,500.00	
Ground Staff Costs		
Christmas Trees/Lights	-£ 5,840.34	
Bike Racks	-£ 555.00	
Total Committed Reserves	-£ 63,261.34	
<b>Remaining Reserves Dec 2022</b>	<b>£ 113,304.78</b>	

Further to the above, there have been commissioned requests for over £140,000 received recently and this would remove any flexibility for the new Council.

### **Expected income from development 2023-2025**

One development for which the complete CIL income has not been received as yet is The Rise, south of Halloughton Road. This is estimated to be an additional £30,000 which will probably be achieved in 2023-24

Two significant developments are in the allocated housing plans

north west of Lower Kirklington Road

south west of Lower Kirklington Road and Kirklington Road

It is anticipated that these will generate an income of c£100,000

### **Strategy**

Previously the STC has used [see above] CIL for fairly small capital projects for which it has not generated long term savings into reserves. For this expenditure in the future [such as repairs and maintenance of our facilities [Old Court House, grounds and play equipment]] estimates will have to be made and reserves identified for this.

It is proposed that the office prepare a long term strategy for reserve accumulation for this in the 2024-2025 budget and beyond.

Some major projects requiring considerable capital developments are being suggested. Projects such as the reconstruction of new toilets to reduce long term revenue costs, the redevelopment of new Town Council office space, new workshop or workspace etc. These have not been programmed. How these are taken forward is proposed and be considered by the new Council post May 2023.

Until such time, it is proposed that there is a suspension of further use of the CIL until these have been considered. Urgent work until this time should come from the STC's reserves, these shown below, indicating that emergency issues can be covered until this time.

	GENERAL RESERVES										RESTRICTED RESERVES			
	OTHER SERVICES				DEVOLVED SERVICES								TOTALS	
Reserves in 2022-23		COMMITTED RESERVES												
	Emergency Reserve	Election Reserve	Maintenance Reserve	Flood Mitigation Reserve	Markets Reserve	Open Spaces Reserve (incl Norwood Gns)	Toilets Reserve	Car Park Reserves	Infrastructure (CIL) Reserves	Devolution Dudley Doy Reserve	Devolution Adams Row Reserve	Devolution Humberstone Rd Reserve	Total Reserves	
	310	313	312/334	314	332	321/322	333	316	311	330	331	329		
	£ 43,536.94	£ 6,000.56	£ 12,226.14	£ 120,052.68	£ 14,248.34	£ 44,023.04	£ 3,700.00	£ 1,572.56	£ 176,566.12	£ 4,500.00	£ 756.00	£ 28,682.80	£ 455,865.18	
	£ -	£ -	£ -	£ -	£ -	-£ 22,850.87	£ -	£ -	-£ 63,261.00	£ -	£ -	-£ 2,317.20	-£ 88,429.07	
Remaining Reserves	£ 43,536.94	£ 6,000.56	£ 12,226.14	£ 120,052.68	£ 14,248.34	£ 21,172.17	£ 3,700.00	£ 1,572.56	£ 113,305.12	£ 4,500.00	£ 756.00	£ 26,365.60	£ 367,436.11	

## Proposals to the Governance and Finance Committee

1. that the G&F Committee prepare a long term strategy for reserve accumulation for this in the 2024-2025 budget and beyond.
2. that there is a suspension of further use of the CIL with the exception of a major capital development that may arise before the strategy is agreed, until this have been agreed.



## **Agenda item 154**

**Full Council 11th Jan 2023**

### **Public comments from the Community Consultation Evening 2022 for STC to consider in decision-taking**

**STC to check the draft Neighbourhood Plan in connection with the following:**

- Allocation of the correct proportion of affordable homes
- New developments to take account of adequate water pressure
- New developments to take account of sufficient health, social and education services

#### **Streetlighting**

- Appropriate streetlighting to resolve the dark path beside the library
- Appropriate streetlighting to resolve dark space in the tunnel to the King St. Car Park
- Appropriate streetlighting to resolve overbrightness affecting residents
- Encourage NCC to continue the installation of LED downlights
- Trim tree growth to avoid shadows

#### **Toilets**

- Improve the amenity of the Church St. toilet block
- Provide vandal-proof toilets 24/7 at the Memorial Playing Fields

#### **Footpaths**

- Trim back vegetation overgrowth
- Westgate to Corkhill Court/Becketts/Holy Trinity Church overgrown and with dog fouling
- Riverside Footpath/Bridleway restoration
- Request 'Pedestrians in the Road' warning signs

#### **Parks and Open Spaces**

- Froggatt's Field gate maintenance
- Use alternatives to pesticides/weedkillers

#### **Pavements and Roads**

- Continue the SPEEDWACH deterrent
- Discourage parking on pavements

#### **Tourist information Centre**

- Have a recruitment campaign

#### **Engagement**

- Work with community groups to develop civic leaders and encourage volunteers.
- In schools and clubs to engage the next generation

#### **Community Projects (Environmental)**

- Look at the possibility of facilitating community energy
- Look at the possibility of facilitating electric carpools



Southwell  
Nottinghamshire  
NG25 0HT

December 2022

Dear Martin

I am writing on behalf of Southwell Minster Fairtrade working group. We are a group who are keen on promoting Fairtrade and the Fairtrade Foundation and we work, often together with all the other Churches in Southwell, to promote Fairtrade Fortnight and other FT events.

To launch Fairtrade Fortnight 2023 the Minster will hold a Service celebrating Fairtrade on February 25<sup>th</sup>. We will be inviting people from all the other Churches in Southwell and across the Southwell and Nottingham Diocese, as well as town councillors and our MP Robert Jenrick, and we are inviting other groups of Fairtrade supporters to join us in mounting displays around the Minster to show the work of the Fairtrade Foundation and how it is being supported.

I have also booked the Council's banner display site on the Burgage for the Fortnight, and we are planning on putting banners both there and on the Minster.

I wonder if the town council would consider sponsoring us with provision of the banner(s)? We would be happy to include acknowledgement of your sponsorship in the design of the banner if you are able to help. We will be sending out invitations to the Service to all town councillors nearer the time.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Liz Rose'.

Liz Rose

## Agenda item 156

### PROPOSED CLOSURE OF KING STREET ON SATURDAY MORNINGS.

Following a meeting with DM, RB, JL & MB the following features are recommended.

(i) Times of operation. 9.00 to 15.00. Access for loading/unloading to take place outside closure times.

(ii) Nature/position of barrier. Two bollards sufficient to bar automobile access. In line with existing pavement bollards at north end of King Street, in the vicinity of the Wheatsheaf Pub where the road narrows. This would give ready access to both the undertaker's premises and One Stop Shop. No barrier considered necessary at Market Place end of King Street.

(iii) Remote operation of barrier preferred, as at Newark Market Place. However, willing to consider manual operation, if needs be, using available STC market staff.

(iv) All cyclists to dismount.

(v) No access for King Street/Waterloo Yard residents during closure time. Possibly contentious?

(vi) Emergency services for addresses other than King Street to use alternative routes. This may add very marginally to call out time. Access to King Street addresses for emergencies? Possible 'reverse' access from Market Place? To seek advice regarding this.

(vii) Access for disabled? While accepting such have parking provision at both ends of King Street and wishing to limit access to an absolute minimum, it was felt limiting access for the disabled will be contentious and might be challenged on grounds of discrimination. To seek advice

(viii) Permanent signage required. This should have regard for its the location in the Conservation area and be clear, discrete and relatively unobtrusive. The barrier will require statutory signage. STC would object to the use of temporary diversion signs. Signage likely to be necessary on Burgage Lane, Newark Road, Station Road junction and Halloughton Road.

(ix) Resultant social space. To seek support from NSDC/NCC for cafes/shops etc to use closed pavement areas with non restrictive requirements. Do current NSDC/NCC 'permissions' fit the bill??

(x) STC will consider a CIL funds contribution to the cost of the scheme should such be sought?

24/12/22

**Minutes of Meeting:** **PLANNING & HIGHWAYS COMMITTEE**  
**Date and Time:** **Wednesday 7<sup>th</sup> December 2022 19.00**  
**Venue:** **The Old Courthouse Burgage Southwell NG25 0EP**

**Questions and planning responses from Members of the Public -none**

**Present:** **Councillors D Martin, (Chair), P Scorer, M Jeffrey, M Brock, S Perry**

**In Attendance:** **A Brackenbury (Project Manager), 3 members of public**

**PH22/12/73** **Apologies for absence**  
**Cllr S Reynolds, Cllr L Harris, Cllr K Roberts**

**PH22/12/74** **To receive any declarations of interest**  
*Members are hereby reminded of sections 26-34 and Schedule 4 of the Localism Act 2001,*  
*76.1 Cllr D Martin known to applicant*

**PH22/12/75** **Approval of Minutes of previous meetings:**  
75.1 Planning Committee Minutes 2 Nov 2022  
75.2 Matters arising – for information only  
Proposed Cllr M Jeffery Seconded Cllr P Scorer  
**Agreed**

**PH22/12/76** **Planning applications**

STC Ref	NSDC ref	Location	Details	Decision	Observations
76.1	<a href="#">22/01795/HOUSE</a>	Hardwick House Queen Street	Demolish existing rear first floor extension and two storey side extension. Construct new two storey side/rear extension incorporating existing outbuilding and associated works.	Approve Proposed PS Seconded MJ	Southwell Town Council considered application <a href="#">22/01795/HOUSE</a> Approve – but must take into account the access during construction work, as previously agreed
76.2	<a href="#">21/02043/FULM</a>	Land Off Nottingham Road Southwell	Erection of a new food store (Use Class E) and associated new access, parking, servicing, drainage, landscaping and highway works	Object Proposed PS Seconded DM	Southwell Town Council considered application <a href="#">21/02043/FULM</a> Object – Application outside of the Urban boundary . Breaks NP zone, will cause irreparable damage to historic town, road scheme, destruction of hedgerows, landscape etc

76.3	<a href="#">22/02077/HOUSE</a>	Lamont House 4 Canons Close	Construction of new gates, extension to garden wall, dormers to front elevation, two-storey side extension, demolition of conservatory and construction of two-storey rear extension with balcony, terrace to rear of house	Approve Proposed MJ Seconded PS	Southwell Town Council considered application <a href="#">22/02077/HOUSE</a>
76.4	<a href="#">22/02166/HOUSE</a>	11 Adams Row	Single storey rear/side extension following demolition of existing conservatory	Object Proposed MJ Seconded MB	Southwell Town Council considered application <a href="#">22/02166/HOUSE</a> Over shadowing of neighbours
76.5	<a href="#">22/02150/FUL</a>	Springfield Bungalow Nottingham Road	Erection of Close Boarded Timber Fencing to form an enclosure for 3 Air Source Heat Pump units to the east (side) elevation of the building	Approve Proposed MB Seconded MJ	Southwell Town Council considered application. <a href="#">22/02150/FUL</a>

## PH22/12/77 Planning Applications Decided

### 77.1 Applications Approved

22/01023/FUL	90 Kirklington Road
22/01501/S73M	U C D Crew Lane
22/01638/HOUSE	19 Raysmith Close
22/01905/HOUSE	Clyde House
22/01906/LBC	Clyde House

### STC Decision

No objection
No objection
No objection
No objection
No objection

### 77.2 Applications Refused

### STC Decision

### 77.3 Tree Works Applications

### 77.4 Tree Works Approved

22/01865/TWCA	Jubilee House	Various work to 22 trees
22/01946/TWCA	The Minster centre	Lateral reduction of 2 fruit trees
22/02030/TWCA	Brooklands	Poplar 5-day exemption

PH22/12/78 Consultation on Publication Amended Allocations & Development Management DPD –replies by 30<sup>th</sup> December – Unanimously Supported

PH22/12/79 Highways Report – Proposed MJ  
Seconded PS  
MJ thanks Tom and Paul for all their hard work.

PH22/12/80 Date of next meeting: 4<sup>th</sup> January 2023

PH22/12/81 Items for discussion at next meeting

Signed

Chair Planning & Highways Committee

Date

**Minutes of meeting: GOVERNANCE & FINANCE COMMITTEE**

**Date and Time:** Wednesday 14<sup>th</sup> December 2022 1900hrs

**Venue:** The Old Courthouse

**Present:** Cllrs P Harris (Chair), Blaney, Brock, Martin, Rainbow

**Apologies:** Cllrs L Harris, Thompstone. Cllr Roberts – no apologies

**GF22/12/30 Apologies for absence**

Reasons were approved

**GF22/12/31 Questions from members of the public.** (The positioning of this item on the agenda may be varied by resolution of the Council to facilitate involvement by members of the public) – NONE

**GF22/12/32 To receive any declarations of interest**

*Members are hereby reminded of sections 26-34 and Schedule 4 of the Localism Act 2012.*  
– NONE

**GF22/12/33 Chairperson's Announcements**

NONE

**GF22/12/34 To approve minutes of previous meeting**

34.1 Governance & Finance Wednesday 12<sup>th</sup> October 2022 – previously circulated  
Minutes were approved and signed by the Chair.

**Proposed:** Cllr Blaney **Seconded:** Cllr Rainbow

Approved unanimously

34.2 Matters Arising – for information only.  
NONE

**GF22/12/35 Finance matters**

35.1 Finance Position to end November, reserves to end November – to be circulated

Key points discussed – the projected underspend is anticipated to be around £13k. Salary costs for the Project Manager and part of the ground staff costs are taken from s106 funding.

No information has been received to date concerning the Flood Reserve.

35.2 Bills for Payment – December – previously circulated

35.3 Late Bills for Payment – to be circulated

Invoices discussed – credits have now been received for the disputed ADT invoices; Greenfrog invoice for the snow machine is in dispute

Items 35.1-35.3 approved unanimously.

**Proposed:** Cllr Harris **Seconded:** Cllr Blaney

35.4 Car Park Receipts Comparison – previously circulated

The comparison does not include any staff time to check and repair machines nor the production and monitoring of parking permits – estimated at around 1 hour per week.

Concern was raised about the length of time it has taken to repair faulty machines. This is already being chased up by the Clerk.

Details of when/how long machines are out of order to be prepared for February meeting.

Cost of replacement machines (possibly funded by CiL) to be prepared for February meeting.

35.5 **Budget Working Group – Precept Setting**

The figures for 2023-24 were reviewed with proposals for the expenditure and income tabled. Some concern about the effect of the current inflation rate was raised. The proposal was not to increase the precept for 2023/24. The increased Tax Base is unknown, but it is anticipated that there will be a rise in the Base due to the number of houses newly occupied in the town since Dec 2021.

It was agreed to propose

1. an STC budget for 2023--24 of £349,147
2. with the precept of £258,374
3. and a 0% increase for a Council Tax D Band house set at £85.37 with the proviso that if the tax base is significantly below the anticipated level for 2023-2024 that this is reviewed at the January Full Council Meeting,

**Proposed: Cllr Harris**

**Seconded: Cllr Brock**

Agreed unanimously.

**GF22/12/36 Process for Tree Works Quotations**

The Tree Survey identifies both urgent and less urgent works that need to be completed within recommended timescales. It was proposed for Town Environment Committee to produce a schedule for the recommended tree works.

As this is a large piece of work, it was also proposed to set up a Tree Works Working Group, including staff members, to take this forward.

All tree works orders have been applied for but, to date, no response has been received.

Proposals agreed unanimously.

**GF22/12/37 Skatepark Grant Application**

37.1 Agreement of signatories – Clerk – Lesley Wright and Alison Berwick

37.2 Permission to submit the grant application – the decision to submit the grant application was approved by Cllrs Roberts, P Harris and Stott

Retrospective approval was agreed unanimously.

**GF22/12/38 Proposal from the CiL Working Group – previously circulated**

1. That the G&F Committee prepare a long-term strategy for reserve accumulation for this in the 24.25 budget and beyond.
2. That there is a suspension of further use of the CiL with the exception of a major capital development that may arise before the strategy is agreed, until this has been agreed.

**Proposed: Cllr Harris**

**Seconded: Cllr Blaney**

Approved unanimously.

**GF22/12/39 Date of next meeting – 8<sup>th</sup> February 2023**

Noted

**GF22/12/40 Items for Discussion at next meeting**

- Car Parks – cost of replacement machines/how often machines are out of order



- Tree Works
- Church Street car park layout and interchangeable permit with King Street.

Meeting closed 1930hrs