



## Tollesbury Parish Council

Notice is hereby given that the Meeting of Tollesbury Parish Council will be held on **Tuesday 5<sup>th</sup> July 2022**, in **The Pavilion, Tollesbury Recreation Ground, Elysian Gardens** commencing at **7.30 pm**, to which members of the Council are summoned for the transaction of the under-mentioned business.

*M. Curtis*

Michelle Curtis – Clerk to the Council

28<sup>th</sup> June 2022

Councillors: S Plater (Chairman), T Lowther (Vice-Chairman), M Bell,  
V Chambers, R Clare, A Ferneyhough, L Goldie, S Hawes,  
J Rogers, A St Joseph

**THE PRESS AND PUBLIC ARE CORDIALLY INVITED TO ATTEND**

Photographing, recording, broadcasting, or transmitting the proceedings of a meeting by any means is permitted; however, the privacy of (i) persons who object to the same and (ii) children and vulnerable adults must be respected by anonymising the identities of such.

**1. Co-option**

To co-opt a Parish Councillor for Tollesbury Parish Council.

**2. Apologies for Absence**

To receive apologies for absence.

**3. Declaration of Interest**

Members are reminded that they are required to declare any Disclosable Pecuniary Interests, Other Pecuniary Interests and Non-Pecuniary Interests which they know they might have in items of business on the agenda. They are reminded that they will need to repeat their declarations at the appropriate point in the meeting and leave the room if required under the Code of Conduct. Unforeseen interests must be declared similarly at the appropriate time.

**4. Public Forum**

Members of the public will be given an opportunity to put forward their question(s) or statements to the Council. The Chairman will, at his discretion, then decide if he is able to answer the question(s) or proposes to put the item on the agenda for the next meeting.

**5. County Councillor and District Councillors**

**5.1** To receive a report from County Councillor Durham

**5.2** To receive a report from the District Councillors

**6. Minutes**

To receive and approve the minutes of the Parish Council Meeting held on 21<sup>st</sup> June 2022

**7. Finance**

**7.1** To receive and approve the Monthly Financial Report as of 30<sup>th</sup> June 2022

**7.2** To receive and approve the payment schedule

**8. Planning**

**8.1 Planning Applications**

Applications are circulated to all Councillors with the agenda for study ahead of the meeting. Planning documents are also available for everyone to view on Maldon District Council's website ([www.maldon.gov.uk](http://www.maldon.gov.uk)).

To consider planning applications received from Maldon District Council, including the following:

Application No: FUL/MAL/21/00702 PP-09991099

Proposal: Create residential specialist neighbourhood for older people, consisting of 29 affordable dwellings and community hub building, with associated landscaping and infrastructure.

Location: Land North Of 48 Woodrolfe Road Tollesbury

**8.2 Planning Decisions**

COUPA/MAL/22/00164 - Land Adjacent To Old Hall Farm Old Hall Lane – Refused

FUL/MAL/22/00177 - Carringtons Barn North Road - Refused

**8.3 Planning Appeals**

To receive notification of Planning Appeals from Maldon District Council.

Appeal Ref: APP/X1545/D/22/3300578

Application Ref: 22/00080/HOUSE

Proposal: Two storey side extension

Site Address: 1 Genesta Close Tollesbury Essex CM9 8SY

**8.4 Planning Appeal Decisions**

To note appeal decisions made by the Planning Inspectorate.

**8.5 Tree Preservation Orders for information**

To note TPOs made by Maldon District Council.

**9. Recreation Ground**

- 9.1 To receive a verbal update from the Recreation Ground Committee
- 9.2 To receive an update on the fly-tipping of a sofa at the Recreation Ground
- 9.3 To approve the Agreement between the Parish Council and the Football Teams for use of the Pavilion/Football Pitches
- 9.4 To receive Monthly Inspection Report

**10. Environment & Amenity (Allotments, Burial Ground, Hasler Green, Woodrolfe Green, Streetlight, Dog/Litter Bins, Highways, Footpaths)**

- 10.1 To receive a verbal update from the Environment and Amenity Committee.

**11. Woodrolfe Hard**

- 11.1 To receive a verbal update from the Woodrolfe Hard Committee

**12. Woodup Pool**

- 12.1 To receive a verbal update from the Woodup Pool Committee
- 12.2 To receive correspondence from Frost and Drake regarding access to Woodup Pool and agree on the next steps
- 12.3 To consider quotations for access path and exploratory works for a toilet.
- 12.4 To receive a verbal update on the meeting with FACT following correspondence received from a resident.
- 12.5 To agree on the usage of Woodup Pool by Tollesbury Scouts

**13. Community Initiatives Fund**

To agree on a project to apply for funding from the Essex County Council Community Initiatives Fund.

**14. Environment Agency**

To receive a verbal report on the meeting with David Kemp from the Environment Agency.

**15. Tollesfest**

- 15.1 To receive Risk Assessment and copies of insurance for the Tollesfest event being held on 9<sup>th</sup> July 2022 on the Recreation Ground.
- 15.2 To consider the request from Blackwater Gymnastics to hold a workshop during the Tollesfest event

**16. Code of Conduct**

- 16.1 To receive a copy of the PowerPoint presentation from Maldon District Council for the new Code of Conduct
- 16.2 To consider adopting the new Code of Conduct as recommended by Maldon District Council

**17. Police/Community Protection Officers (CPO)**

- 17.1 To receive the Police Reports (confidential) and discuss policing matters within the village to feedback to Essex Police
- 17.2 To receive the CPO Report for May 2022

**18. Administration**

To receive information from the Clerk – update on current and ongoing matters

**19. Community Concerns**

To receive information only or note future agenda items

**20. Dates of the Next Meetings**

Monday 1<sup>st</sup> August 2022 – Full Council Meeting – 7.30 pm – Pavilion

Wednesday 3<sup>rd</sup> August 2022 – Environment and Amenity Committee – 7.30 pm – Pavilion

Monday 5<sup>th</sup> September 2022 – Woodrolfe Hard Committee – 7.30 pm – Pavilion

Tuesday 6<sup>th</sup> September 2022 – Full Council Meeting – 7.30 pm – Pavilion

Tuesday 13<sup>th</sup> September 2022 – Finance and Policy committee – 7.30 pm – Pavilion

Tuesday 20<sup>th</sup> September 2022 - Full Council Meeting – 7.30 pm – Pavilion

Tuesday 20<sup>th</sup> September 2022 – Recreation Ground Committee – Following the Full Council Meeting

If you would like an item on the agenda at any Parish Council or Committee Meeting, you should write your request to the Parish Clerk at least a week before the meeting.

**Clerk:** Michelle Curtis

**Address:** PO Box 13205, Maldon, Essex CM9 9FU

**Telephone:** 01621 869039. **Email:** tollesburypc@btinternet.com

**Town and Country Planning Act 1990**  
**Weekly List Of Decisions**  
**Week Ending 24 June 2022**



**COUPA/MAL/22/00164 Tollesbury West**

Change of use from 2No.agricultural building to 2No.dwellings.

Land Adjacent To Old Hall Farm Old Hall Lane Tolleshunt D'Arcy Essex

(UPRN - 010094634975)

J Parmenter

**REFUSE** for the following reason

It has not been demonstrated to the satisfaction of the local planning authority that the dwelling houses proposed would not be at unacceptable level of risk in the event of flooding, contrary to Policy D5 of the approved Local Development Plan and the NPPF.

In the absence of a completed legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990, securing a necessary financial contribution towards Essex Coast Recreational disturbance Avoidance and Mitigation Strategy or an appropriate mitigation strategy to overcome the impacts of the development on the European designated nature conservation sites, the development would have an adverse impact on those European designated nature conservation sites, contrary to Policies S1, and I1 of the Maldon District Local Development Plan and the guidance contained within the National Planning Policy Framework.

Officer: Jade Elles

Dated : 21/06/2022

**Town and Country Planning Act 1990**  
**Weekly List Of Decisions**  
**Week Ending 24 June 2022**



**FUL/MAL/22/00177      Tollesbury West**

Section 73A application for the proposed change of use from agricultural land to domestic curtilage.

Carringtons Barn North Road Tollesbury Essex

(UPRN - 010014002553)

Mr T Harding

**REFUSE** for the following reason:-

The dwellinghouse erected on the site significantly deviates from the development as approved under the terms of the prior approval application for the change of use of the agricultural building (ref no 18/01127/COUPA). Therefore, the development does not benefit from a fallback position and it constitutes unauthorised development. As a result, the proposed extension of the amenity space and boundary treatment would result in further domestication of the site that does not benefit from permission to be used as a dwellinghouse contrary to Policies D1 and H4 of the Maldon District Local Development Plan and the guidance contained within the National Planning Policy Framework.

**INFORMATIVE**

The applicant is advised that the dwellinghouse to which this application relates appears to be unauthorised as the development is materially different to that approved under application 18/01127/COUPA and relevant conditions have also not been complied with. It is advised that the development as a whole (e.g., all of the relevant works within the subject site) therefore needs to be regularised. You are reminded of the Council's power to consider taking enforcement action against unauthorised development.

**POSITIVE AND PROACTIVE STATEMENT**

Town and Country Planning (Development Management Procedure) (England)  
Order 2015 - Positive and Proactive Statement:

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant/Agent the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to liaise with the Applicant/Agent to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.

Officer: Jade Elles    Dated : 17/06/2022

22 June 2022



Owner/Occupier

Reference: 22/00080/HOUSE  
Planning Officer: Jade Elles

Dear Sir/Madam

**TOWN AND COUNTRY PLANNING ACT 1990  
APPEAL UNDER SECTION 78**

**Site Address:** 1 Genesta Close Tollesbury Essex CM9 8SY  
**Proposal:** Two storey side extension  
**Application Ref:** 22/00080/HOUSE  
**Appellants Name:** Mr A Birkin  
**Appeal Ref:** APP/X1545/D/22/3300578  
**Appeal Start Date:** 20 June 2022

I refer to the above details. An appeal has been made to the Secretary of State against the Council's decision to refuse to grant planning permission.

The appeal will be determined on the basis of **written representations**. The procedure to be followed is set out in Part 1 of the Town and Country Planning (Appeals) (Written Representations Procedure) (England) Regulations 2009.

As this appeal is proceeding under the **Householder Appeals Service**, there is no opportunity for you to submit comments. However, we have forwarded all the representations made to us on the application to the Planning Inspectorate and the appellant. These will be considered by the Inspector when determining the appeal.

If you wish to withdraw any representations you made on the application, you must make this request to the Planning Inspectorate. You can do this by emailing [RT2@planninginspectorate.gov.uk](mailto:RT2@planninginspectorate.gov.uk). If you do not have access to the internet, you can write (quoting the appeal reference) to:

Ian Aston  
The Planning Inspectorate  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN



The Planning Inspectorate will publish appeal documentation, including copies of representations received, on their website. Information provided in your representation will be published. This may include your name and



address, but personal telephone numbers and email addresses and signatures of individuals will be removed. If you object to publication in this way, please contact the Planning Inspectorate.

The appeal documents can be inspected on the Planning Inspectorate website at <https://acp.planninginspectorate.gov.uk> or our website <http://www.maldon.gov.uk>. Alternatively they may be viewed at the Council Offices, Princes Road, Maldon between 8.30am-5pm Monday-Thursday and 8.30am-4.30pm Fridays.

The Planning Inspectorate aims to deal with appeals following this procedure within 8 weeks of the appeal start date. When made, the decision will be published on their website <https://acp.planninginspectorate.gov.uk>

Yours faithfully

A handwritten signature in black ink, appearing to read 'M Leigh'.

Matt Leigh  
Lead Specialist Place



TOLLESBURY PARISH COUNCIL  
PLAYGROUND CHECKLIST

DATE OF INSPECTION: 27/06/2022

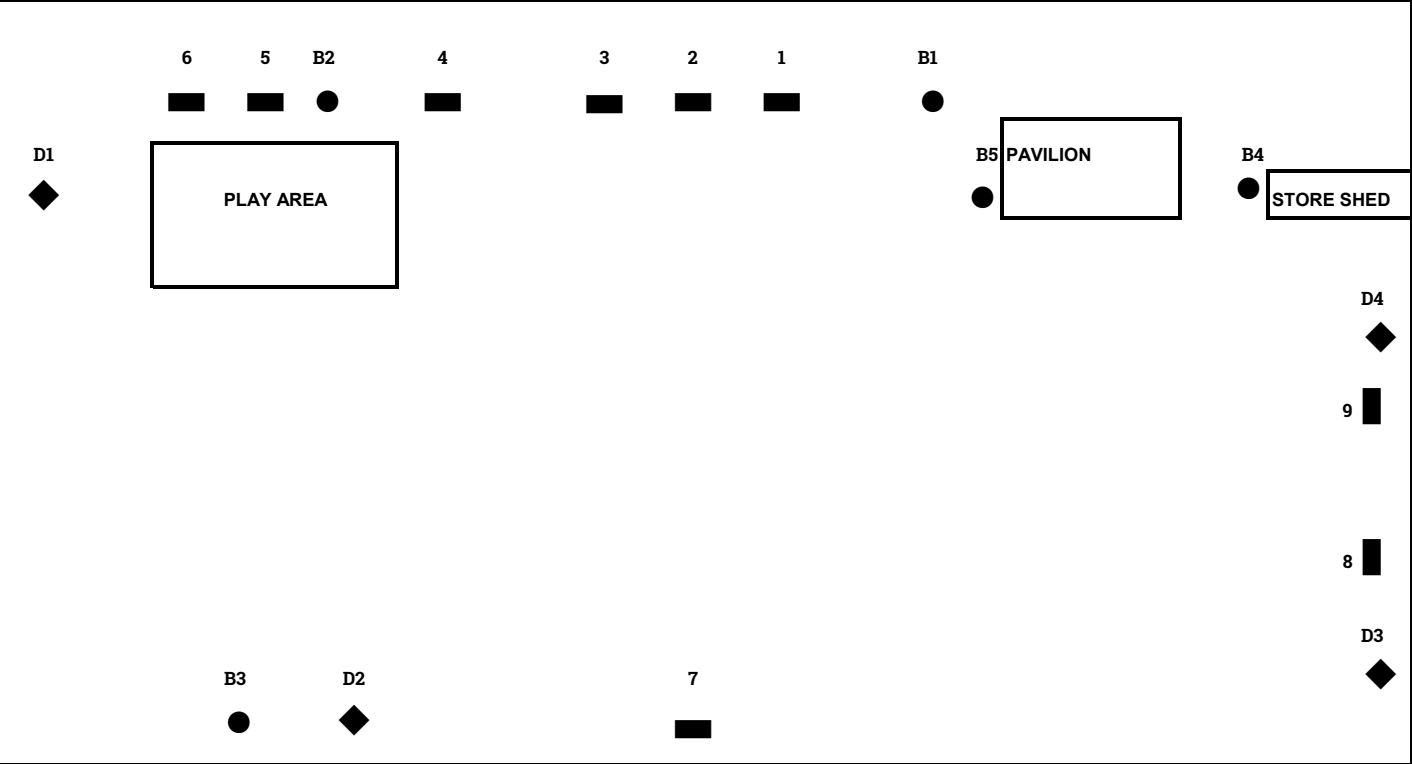
	Checked	Comments
EQUIPMENT	√	
Junior Swing	√	
Toddler Swing	√	
Snake Slide	√	
Wooden Climber Platform	√	
Tower and Slide	√	
Spinning Seasaw	√	
Igloo Climber	√	
Roundabout	√	
Zip Wire	√	
Playship	√	
Chicken and Cow Springer	√	
Youth Shelter	√	New graffiti 24/06/22
Skate Park	√	New good graffiti 17/06/22
Surfer Springer	√	
Fire Engine	√	
Fence	√	
Football Goal Posts	√	

Signed: *S J Curtis*

Sofa dumped on the skate park 18/06/22

**TOLLESBURY PARISH COUNCIL**  
**BENCHES AND BINS**

DATE OF INSPECTION: 27/06/2022



**Benches**

1	Ok
2	Ok
3	Ok
4	Ok
5	Ok
6	Ok
7	Ok
8	Ok
9	Ok

**Dog Bins (D\*)**

1	Ok
2	Ok
3	Ok
4	Ok

**Litter Bins (B\*)**

1	Ok
2	Ok
3	Ok
4	Ok
5	Ok

Signed: *S J Curtis*



12<sup>th</sup> June 2022

Michelle,

May thanks for the letter, please see below my responses in *Blue*.

Dear Nick,

Thank you for your email of 1<sup>st</sup> June 2022, which Parish Councillors discussed at their meeting on Tuesday 7<sup>th</sup> June 2022.

When we met with you, we agreed together about the route for public access along the toe of the sea wall.

*Correct; we did agree on a 5 ft route along the toe of the seawall for access to the Salt Pool and we have kept this clear since the meeting. It should be noted that Simon was to produce a drawing which we could have signed by both parties in order to document this. To date we have not as yet received a drawing for review.*

We also accepted your point about finding alternative means for providing access to maintain the public toilet.

*Noted.*

We explained that we need to work through a number of options, which would take time and money and would not be accomplished in time for this summer season.

*Noted.*

Your response at the time was that you understood the practicalities and would give us a year to sort out the issues. We clearly understood that you had accepted the situation on the understanding that we are proceeding to find a remedy, which we are doing.

*We do understand the situation, and I was clear in my comment (both at the meeting at the Pavilion and at the yard as well as in the email) that although we would endeavour to have the necessary access for cleaning/emptying of the toilets, we could not "Guarantee" that access would be available all the time. And this is and was the purpose of my last mail. Which states that "I cannot guarantee access for a truck to clean/empty the toilets weekly".*

*To date access has been available, and in all likelihood access will be available, but I do not wish for any claims/negative comments if the Let Loos technician can not gain access due to public parking across the entrance and or our customers leaving trailers etc. This can and I would expect will happen on occasions.*

*I would also like to state that I was quite dissatisfied by the use of the access for the Raft race during the Jubilee, the organiser just removing our fencing.. we would have of course obliged had we been asked in advance... it would have also been a good opportunity to notify and educate the villagers and other attendees of the access requirements but not taken.*

*We also had a call from Rob (working for Bonz) who advised that there would be a delivery of sand on the Monday.. (we had not received any notification from the Parish council of this).. however of course obliged and ensured that the relevant access was granted, but it would have been nice and correct for the Parish council to notify/ask.*

*Then the Tuesday, for cleaning of the toilets.. access was the same condition as when the sand was delivered and I trust that the let loos contractor had sufficient access, as he has a substantially smaller truck than that which delivered the sand on the previous day. I would however like to point out that the let loos contractor was observed discarding of some blue liquid on our property (assumed to be some chemical (not good in any circumstances but next to a pool ?...!!..). This was not observed by me personally but notified to me by an upstanding member of the community whom I can assure you would not have mentioned it had it not been seen first hand..*

**It would be in everyone's interest to resolve the matter as soon as possible. We have not found a company that can service toilets at the necessary distance, so we are looking at alternatives. If you know of one, please share the information.**

**If you would like a further discussion, please let me know.**

*I do not think any further discussion is required, but would appreciate if the Parish Council, or any group with the Parish Councils permission is to utilise the access over and above the 5ft they are advise on the conditions of use, and that we are notified in advance.*

**Yours sincerely**

***M. Curtis***

**Michelle Curtis**

**Parish Clerk – Tollesbury Parish Council**

*Further to the above I have a comment to the below which is included in the minutes of the meeting 18th January 2022 published on the Tollesbury PC website.*

*I would like to add a comment to the notes that we did not agree that the term Parish Council applies to every one/members of the public, I commented that I had taken advice from a specialist in land access rights and was more than confident that the easement applied to the Parish Council of Tollesbury, being it's councillors as well as Licensees of*

*the Parish Council, being their contractors. The primary reason for the deed being access for maintenance, (at the meeting Simon Plater disagreed with this). There is sufficient public access via the footpaths and from the public highway. I did however agree that as it is not possible nor practical to police who uses the access we would have to leave as is so long as the Parish Council do not seek to have the access formally raised to a public right of way, and only use the documented 5ft increasing 10 10 ft on specified occasions.*

*– Cllrs Bell, Clare, Rogers, the Parish Clerk had met with Frost and Drake to discuss the access rights across the land at Frost and Drake to Woodup Pool. At the meeting it was agreed: - The Easement states that the Parish Council has 5-foot wide access across the land at Frost and Drake. Parish Council in the Easement does not refer to the Council but the whole of the Parish. - There was no intention by the Parish Council to make the access point a public right of way formally. - Those in attendance were mindful that Frost and Drake was a working boatyard and agreed that the access was demarcated for the safety of all users (general public and workers at the business). - The Chairman will prepare a new area plan showing the 5ft access. The plan is to be agreed upon and signed by the Parish Council and Frost and Drake. - Once the area has been demarcated, the Parish Council will arrange for adequate signage to be displayed. - Quotations to be obtained and considered by the Full Council for surfacing of the access path. The new surface will provide wheelchair access. The surfacing is to take a weight of up to 6 tonnes to ensure there is no damage to the area should Frost and Drake need to drive over it for any reason. - The Parish Council would contact the portaloo suppliers to see if they can empty the toilets via a hose which could run from the roadside across the access to the toilets rather than needing to drive up onto the access point. - The Parish Council will try to complete the works by the start of the season (end of May), but this will be subject to obtaining funding for the path.*

*[REDACTED]*

# Tollsfest 20222

## RISK ASSESSMENT FOR TOLLFEST EVENT 9<sup>th</sup> JULY 2022

NAME OF PERSON COMPLETING RISK ASSESSMENT/UPDATE: JOHN HILL.....

DATE OF RISK ASSESSMENT/UPDATE: .....25/06/2022.....

### Risk assessment

<b>RATIOS</b>	6 members of Tollsfest Team patrolling at an approximate ratio of 90 attendees per person.
<b>CONTROL MEASURES IN FORCE</b>	<ul style="list-style-type: none"> <li>• Qualified First Aiders on site – Primary Ambulance Services Ltd in attendance all day.</li> <li>• Staging and lighting safety check</li> <li>• Local area informed</li> <li>• Food Safety</li> <li>• Crowd Management</li> </ul>



HAZARD	Risk before control Measure	Who is at risk	STEPS TO CONTROL RISK	RISK LEVEL if controls implemented	REVIEW AND DECISION
<b>Injury caused by trip hazards</b>  Inadequate cable covers  Tent/shade guy ropes  Stage cable management  Children running around seating area	High	All	<ul style="list-style-type: none"> <li>• Cables are all covered by safety mesh flooring</li> <li>• Stage area fenced off from direct crowd contact.</li> </ul> <p>Attendees will be asked to keep tents and gazebos to a minimum and to ensure any guy ropes are clearly visible.</p> <ul style="list-style-type: none"> <li>• Regular visual checks will be made by Tollsfest team.</li> <li>• All facilities requiring electric to be placed as close to electrical outlet as possible to prevent cabling across event area.</li> <li>• Parents carers asked to ensure children are aware of hazards.</li> </ul>	Low	
<b>Adverse weather</b>	Medium	All	<ul style="list-style-type: none"> <li>• Stage area protected from rainfall</li> <li>• In the event of a storm, the event may finish early.</li> <li>• shaded areas in bar and food area for hot weather</li> </ul>	Low	

HAZARD	Risk before control Measure	Who is at risk	STEPS TO CONTROL RISK	RISK LEVEL if controls implemented	REVIEW AND DECISION
			<ul style="list-style-type: none"> <li>• attendees advised to prepare for weather.</li> </ul>		
<b>Fire</b>  Ignition of electrical equipment/cooking facilities	Medium	All	<ul style="list-style-type: none"> <li>• All stalls, stage management and bar/food proprietors to have their own fire safety equipment. Tollsfest also has its own extinguisher.</li> </ul>	Low	
<b>Crowd Control</b>	Medium	All	<ul style="list-style-type: none"> <li>• large open space area where attendees encouraged to set out seating.</li> <li>• Live music/dancefloor area and food/drink area to be separated from seating area by temporary fencing.</li> <li>• Event plan shared with Police and Environmental Health Team at MDC consulted and approved.</li> <li>• Event separated into 3 areas of seating, bar/food and stage. Each area limited to accommodate no more than 200. Children are not permitted in bar area.</li> </ul>	Low	
<b>First aid cover</b>	Low	All	<ul style="list-style-type: none"> <li>• First aid equipment on site.</li> <li>• Primary Ambulance Services Ltd qualified first aiders available.</li> </ul>	Low	



HAZARD	Risk before control Measure	Who is at risk	STEPS TO CONTROL RISK	RISK LEVEL if controls implemented	REVIEW AND DECISION
			<ul style="list-style-type: none"> <li>• Mobile phones available</li> </ul>		
Surrounding areas /Neighbours	Low	All	<ul style="list-style-type: none"> <li>• Local area has been informed of the proposed event. Direct Neighbours are aware of the event taking place as in previous years. Posters and social media advertising.</li> <li>• Event will finish at a reasonable time and attendees encouraged to vacate the area quickly.</li> <li>• License for live music has been approved by MDC licensing team. Area/crowd management and site plan approved.</li> </ul>	Low	
Use of field / external areas  Food safety and responsible alcohol consumption.	Low	All	<ul style="list-style-type: none"> <li>• Ensure arrangements are in place for clearing up and safely disposing of any litter left after the event.</li> <li>• Regular litter collections will take place during the event.</li> <li>• All food sales by registered proprietors with appropriate food safety certificates and insurance.</li> <li>• All alcohol sales licensed. All bar areas insured.</li> </ul>	Low	

HAZARD	Risk before control Measure	Who is at risk	STEPS TO CONTROL RISK	RISK LEVEL if controls implemented	REVIEW AND DECISION
Stalls/Inflatables/entertainment	Low	All/Children	Each inflatable will limit participants, have their own marshalls explicitly for the inflatable and all covered with adequate PLI.	Low	

## CHECKLIST

		✓
<b>Named Leader</b>	Running / co-ordinating event	
<b>First Aid</b>	Qualified persons	
	Adequate facilities (indoors, water, etc)	
	Briefed	
	Bucket	
<b>Lighting</b>	Daytime event. Will close before dusk	
<b>Insurance</b>	Checked	
<b>Inflatables</b>	Check marshalls in place and participant numbers	
<b>Fire</b>	Extinguisher on site. All stalls to confirm equipment on arrival.	

# Schedule

## One-Off Event Insurance



Want to contact us?

Protectivity  
Dovetail House  
Wycombe Road  
Stokenchurch  
Bucks  
HP14 3RQ

Tel: 01494 887909

Email: sales@protectivity.com

Date of issue:  
17/06/2022

John Hi



United Kingdom

This is your insurance schedule from Protectivity, thank you for purchasing your insurance from us. This document is a summary of the details you have given us and should be read in conjunction with the wording. Please check carefully and contact us immediately if there are any discrepancies. We recommend that you keep this document safe for future reference.

Policy Details			
Policy Number:	[REDACTED]		
Binding Authority:	This insurance is written by Protectivity (Dovetail House, Wycombe Rd, Stokenchurch, Bucks, HP14 3RQ) under contract number B0334SC3342022377		
Wording:	EVN-C 0422 - WORDING - SCD (Single Event)		
Insured:	To sifest		
Name of Event:	To sifest		
Venue:	Victory recreation ground Elysian gardens To esbury Essex CM98qn		
Event Date(s) / Period of Insurance:	From:	09/07/2022	To: 09/07/2022
	Both dates inclusive local standard time at the <b>Insured's</b> address stated above. This policy will not automatically renew: notice is hereby given that the cover will terminate and not be renewed at the expiry date unless a new agreement is reached between the <b>insurer</b> and the <b>insured</b> .		
Jurisdiction:	United Kingdom		

Contingency Section		
Cancellation and Abandonment	Not Included	
Limit of Indemnity:	Ni	any one <b>Occurrence</b> and in the aggregate
Excess:	Ni	

Material Damage Section					
Business Equipment:	Included				
Sum Insured:	£2,500	Item Limit:	£2,500	Excess:	£250

Liability Section	
Public Liability Sub-Section:	Included

Limit of Liability:	£1,000,000	any one <b>Occurrence</b>
	Subject to the following sub-limits which shall be part of and not in addition to the above limit:	
	£250,000	any one <b>Occurrence</b> and in the aggregate in respect of Cyber
Excess:	£250	Applicable to <b>Injury</b> and <b>Damage</b>
Defence Costs:	Included	
Occurrence Limit:	Combined	
Business Premises:	The Business is carried on from premises in the following territories and no others for the purposes of this Section: <b>United Kingdom</b>	
Employers Liability Sub-Section	Not Included	
Limit of Liability	Ni	any one <b>Occurrence</b>
	Subject to the following sub-limits which shall be part of and not in addition to the above limit:	
	Ni	any one <b>Occurrence</b> in respect of <b>Terrorism</b>
	Ni	any one <b>Occurrence</b> in respect of Asbestos
Excess:	Ni	Applicable to <b>Injury</b> and <b>Damage</b>
Defence Costs:	Ni	
Occurrence Limit:	Ni	

Purchase Information	Ex. IPT	IPT	Total
<b>Initial Purchase</b>			
Premium	£145.39	£17.45	£162.84
<b>Total</b>	<b>£145.39</b>	<b>£17.45</b>	<b>£162.84</b>

Notification of Claims and Circumstances	
To:	Claims Department AXA XL Insurance Company UK Ltd. 20 Gracechurch Street London EC3V 0BG  Email : james.good@axax.com

Endorsements	
<b>Extensions</b> Subject to all other terms and conditions of this policy, cover is extended as follows:	[none]
<b>Additional Exclusions</b> Cover under a individual policy Sections is subject to the following additional exclusions.  This policy does not apply to or include cover for or arising out of or relating to:	[none]
<b>Additional Conditions</b> Cover under a individual policy Sub-Sections is subject to the following additional conditions:	<b>Sub-Contractors (Events)</b> All sub-contractors to the Insured must have employers' liability and public liability insurance in respect of their liability at law and that such insurance shall provide a Limit of Liability not less than that provided by this policy and has been extended to make good the Insured's loss as principal in respect of such liability.  The Insurer will be entitled to refuse to pay in its entirety any Claim under the Public Liability or Employers' Liability Sub-Sections if any sub-contractor does not hold such

employers' liability and public liability insurance.

#### **Inflatable Play Additional Condition**

Cover under the Liability Section is subject to the following additional condition:

It is hereby agreed and understood that the use of inflatable play equipment of any kind must be:

- (a) carried out or arranged on behalf of the Insured by bona-fide Contractor(s) or Sub-Contractor(s) with Public Liability insurance valid for the duration of the event. Such insurance must be to a minimum limit of indemnity of £2,000,000; and
- (b) directly supervised by the bona-fide Contractor(s) or Sub-Contractor(s) for the whole duration of the event

Furthermore, it is the responsibility of the Insured to check that such cover is in force and to obtain and retain a copy of supporting insurance documentation.

Accounting records are to be kept on file by the Insured and made available to the Us at any time on reasonable notice of the Insurer.

In the event of breach of the above Additional Condition(s), We shall have no liability under this policy, unless You show that non-compliance with this condition could not have increased the risk of the loss which actually occurred in the circumstances in which it occurred.

In the event of breach of the above Additional Condition(s), **We** shall have no liability under this policy, unless **You** show that non-compliance with this condition could not have increased the risk of the loss which actually occurred in the circumstances in which it occurred.

#### **Authorisation**

Signed by:



Andy Brownse  
Director  
Protectivity  
Protectivity is a trading name of SportsCover Direct Ltd.

Date:

17/06/2022



# Public Liability Evidence of Insurance



Policy Number [REDACTED] Date of Issue: 03/08/2021 16:36

## INSURED

---

Name Bar Vu Limited T/as Bar Vu

## PERIOD OF INSURANCE

---

Effective	29 July 2021
Expiry	28 July 2022

## COVER

---

Public Liability Limit of Indemnity £2m

Any One Claim or series of claims arising out of Any One Event

Signed on behalf of Accelerant Insurance Limited acting through its agent, Eaton Gate MGU Ltd (Authorised Insurers)

**Frank O'Neill**  
Chief Underwriting Officer  
Authorised Signatory

Public Liability Insurance is provided to the Insured under the above noted Policy Number and is subject to the terms and conditions and exclusions of the Policy

## YOUR INSURERS

---

Insurer: Accelerant Insurance Europe SA

# Public Liability Evidence of Insurance



Registered Number: 0758.632.842  
Registered Office: Bastion Tower, Level 20, Place du Champ de Mars 5, 1050 Brussels  
Website:

FCA Registration Number: 940712  
Complaint Address: The Complaints Manager, 20 St. Dunstan's Hill, London, EC3R 8HL  
Complaints Email: [complaints@egmgu.co.uk](mailto:complaints@egmgu.co.uk)

Accelerant Insurance Europe SA is an insurance company authorised by the National Bank of Belgium and regulated by the Financial Services and Markets Authority (FSMA) (Ref. 3193). Deemed authorised by the Prudential Regulation Authority. Subject to regulation by the Financial Conduct Authority and limited regulation by the Prudential Regulation Authority. The nature and extent of consumer protections may differ from those for firms based in the UK. Details of the Temporary Permissions Regime, which allows EEA-based firms to operate in the UK for a limited period while seeking full authorisation, are available on the Financial Conduct Authority's website.

For further details on how **your personal data** is used by the Insurer, please check its [Privacy Policy](#).



# AFFINITY SOLUTIONS

a member of the Volante Global Group of Companies

Insured

Public and Products Liability

**Policy Number:**

**Broker:**

Arthur J. Gallagher (UK) Ltd

**Broker Address:**

The Walbrook Building 25  
Walbrook, London, , England, EC4N 8AW

**Your Name:**

Nigel Davidson t/a Classique Events

**Your Address:**

7 Harness Close, Chelmsford, Essex, United  
Kingdom, CM1 1SL

**Business Description:**

Event Stage Lighting and Sound Director

**Date of Issue:**

12/7/2021

**Period of Insurance:**

From: 00:00 22/7/2021 To: 23: 59 21/7/2022  
Both dates inclusive, Local Standard Time

**Schedule of Insurers:**

Liberty Mutual Insurance Europe  
SE 100%

**Limit of Indemnity:**

Any one claim or series of claims arising from one Occurrence  
including costs and expenses and limited in the aggregate in respect  
of the Products Extension.

GBP 10,000,000



(1253902094)...



# Public Liability Schedule

Certificate Policy Number: [REDACTED]  
The Insured THE TIPSY GREY SOUTH LTD  
Product Catering Trailer  
Period of Insurance: Commencing 00:00:00 on the 12/09/2021 to 23:59:00 on the 11/09/2022

Liability	Limits of Indemnity
Section B – Public Liability:	£10,000,000
Section C – Products Liability:	£10,000,000

**IMPORTANT NOTICE - Please check this policy very carefully**  
This insurance is subject to the information detailed in this document. The Insured should carefully review the contents of the Certificate (including its attached schedule, endorsements and proposal / statement of facts). If any of the information set out therein is incorrect, the insured must notify the Commercial Express or the insurer. Failure to do so may invalidate the insurance provided.

## Public Liability Schedule

Signed in Brierley Hill, West Midlands for and on behalf of those Underwriters subscribing to this certificate  
Dated this derToday\_5\_(1)





# MALDON DISTRICT COUNCIL



Princes Road  
Maldon  
Essex CM9 5DL



01621 854477

[licensing@maldon.gov.uk](mailto:licensing@maldon.gov.uk)

## Temporary Event Notice: Licensing Act 2003 Acknowledgement number: 22/00148/LATEMP

Name & address of person serving notice	
Mr. John Hill 	
Name & address of premises where the event is to take place	
Victory Recreation Ground Victory Recreation Ground Elysian Gardens Tollesbury Essex CM9 8QN	
Event details	
<b>Start Date:</b> 09.07.2022	<b>End Date:</b> 09.07.2022
<b>Activities permitted:</b> Sale or Supply of Alcohol Saturday 12:00 - 19:30 Regulated Entertainment Saturday 12:00 - 19:30	
Signed on behalf of the Licensing Authority:	
Signature: 	Date: 30.05.2022





**MALDON DISTRICT  
COUNCIL**

Princes Road  
Maldon  
Essex CM9 5DL



01621 854477

[licensing@maldon.gov.uk](mailto:licensing@maldon.gov.uk)**Temporary Event Notice: Licensing Act 2003  
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Name & address of person serving notice	
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Name & address of premises where the event is to take place	
Victory Recreation Ground Elysian Gardens Tollesbury Essex	
Event details	
<b>Start Date:</b> 09.07.2022	<b>End Date:</b> 09.07.2022
<b>Activities permitted:</b> Regulated Entertainment Saturday 12:00 - 19:45	
Signed on behalf of the Licensing Authority:	
Signature: 	Date: 24.05.2022



**From:** Blackwater Gymnastics Club <blackwatergymnastics@gmail.com>  
**To:** tollesburypc@btinternet.com  
**Date:** Jun 27, 2022 10:29:24 PM  
**Subject:** Tollsfest  
**Attachments:** image0.jpeg

Good evening

I was wondering if I could run a gymnastics workshop during the Tollsfest in July.  
The attached program is an example for another event I'm attending with my gym club, which can be amended as needed.

---

Thank you

Silvia Ricchetti  
Blackwater Gymnastics Club

**BLACKWATER GYMNASTICS CLUB**

# **GYMNASTICS WORKSHOP TIMETABLE**

**1.30 - 2.00 FORWARD ROLL for the little ones**

**2.00 - 2.30 spin like a CARTWHEEL**

**2.30 - 3.00 upside down in HANDSTAND**

**3.00 - 3.30 free gym play**



**FREE TRIAL LESSON IF YOU REGISTER TODAY  
TO ONE OF OUR CLASSES!!!**

**To book**

**[WWW.BLACKWATERGYMNASTICS.CO.UK](http://WWW.BLACKWATERGYMNASTICS.CO.UK)**



*Blackwater Gymnastics*



**British  
Gymnastics**  
More than a sport

# The LGA Model Councillor Code of Conduct

Maldon District Council

# Purpose of the training

- To reflect on the importance of standards in public life
- To outline the provisions of the local authority's code of conduct
- To look at the requirements of behaviour and conduct for councillors
- To explore interests, bias and predetermination



# The importance of standards in public life

“Local government impacts the lives of citizens every day, providing essential services to those it serves. Its decisions directly affect the quality of life of local people. High standards of conduct in local government are needed to demonstrate that those decisions are taken in the public interest and to maintain public confidence”

The Committee on Standards in Public Life

**What are the main challenges  
for you as a councillor in  
ensuring high standards of  
conduct?**

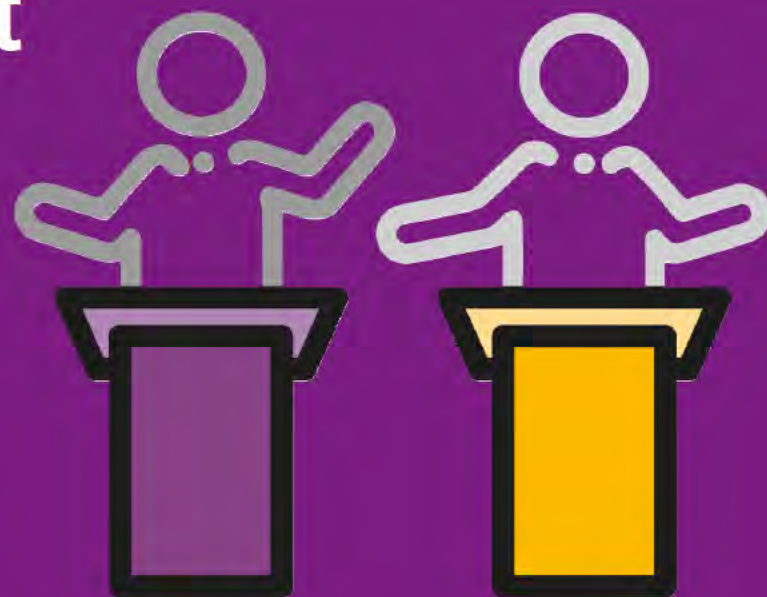
# The LGA Model Code

- The Committee on Standards in Public Life recommended the introduction of an updated model code in January 2019
- The LGA model code was introduced in December 2020 and the Council will bring the Code into effect on the 4<sup>th</sup> July

# Purpose of the code

- To assist councillors in modelling the expected behaviour
- To provide a personal check and balance
- To set out the type of conduct that could lead to action being taken against you
- Also to protect you, the public, your fellow councillors, officers and the reputation of local government

# General principles of councillor conduct



# Principles

- Everyone in public office at all levels who serve the public or deliver public services should uphold the Seven Principles of Public Life, also known as the Nolan Principles
- The Model Code takes into account these Principles which were developed specifically for the role of councillor

# The Nolan Principles

- Selflessness
- Integrity
- Objectivity
- Accountability
- Openness
- Honesty
- Leadership

# General Principles (on all occasions)

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



# General Principles (in undertaking your 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
- I ensure that public resources are used prudently in accordance with the local authority's requirements and in the public interest

# Application of the code of conduct



# The code applies...

- When you are acting in your capacity as a councillor which may include when.....
  - You misuse your position as a councillor or
  - 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

- Face-to-face meetings
- Online or telephone meetings
- Written communication
- Verbal communication
- Non-verbal communication
- Electronic and social media communication, posts, statements and comments

# Examples from the Guidance

- An argument with your neighbour – private
- A councillor and an officer having a personal relationship – covered by the code
- Writing on council notepaper or using council e mail, using councillor business cards or wearing council regalia – covered by the code
- An argument with a taxi driver and a threat to their licence – covered by the code

# Social Media

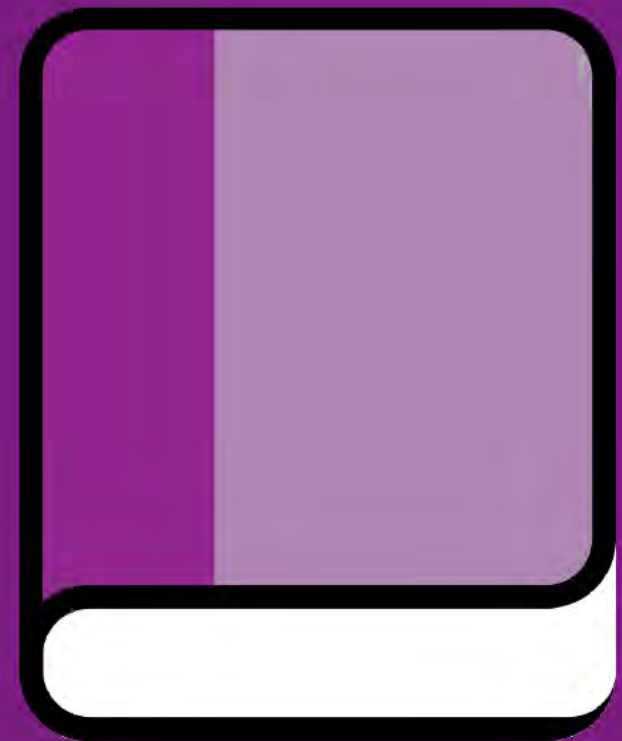
- Now explicitly covered by the code
- Can be the main source of code of conduct complaints in many local authorities

# Examples from the Guidance

- Calling yourself a councillor (or not doing so) is not conclusive
- There must be a link within the posting or thread to your role as a councillor or to local authority business
- Councillor posted on Facebook (as a member of the public) that an officer should be sacked – covered by the code
- Councillor made insulting remarks about the Prime Minister – not covered by the code



# General obligations under the code of conduct



# Which of these do you think generates the most complaints?

1. Treating others with respect
2. Not bullying, harassing or discriminating
3. Not compromising the impartiality of officers
4. Dealing properly with information
5. Not bringing the council or your office into disrepute
6. Improper use of your position
7. Improper use of resources
8. Cooperating with code of conduct issues
9. Registering and disclosing interests
10. Dealing properly with gifts and hospitality

# Standards of Councillor Conduct (1)

- I treat other councillors and members of the public with respect
- I treat local authority employees, employees and representatives of partner organisations and volunteers with respect and respect the role they play

# Examples from the Guidance

- Highly critical comment and offensive caption posted about a councillor who had recently died – disrespect (and disrepute)
- Comments on a blog about nepotism in the award of contracts – disrespect (and disrepute)
- Councillor made abusive insulting and personal remarks to a police officer in his capacity as a ward member – disrespect

# Standards of Councillor Conduct (2)

- I do not bully any person
- I do not harass any person
- I promote equalities and do not discriminate against any person

# Examples from the Guidance on bullying and harassment

- Isolated minor incident unlikely to be bullying, but cumulative minor incidents can be
- Did the councillor know their actions constitute harassment, would a reasonable person consider the actions to be harassment and what was the impact on the victim
- At an official event, a councillor made unwarranted and inappropriate physical contact with councillors and officers and made patronizing and demeaning comments – this was a breach of the code

# Examples from the Guidance on equalities and discrimination

- Councillor “liked” racially discriminatory comments on social media advocating violence against travellers – a breach of the code
- Councillor made a derogatory racist comment about a candidate for a job – a breach of the code



# Standards of Councillor Conduct (3)

- I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority

# Examples from the Guidance

- Councillor became involved in a social care case and inappropriately sought to influence operational decision making. He sent discourteous correspondence to officers
- Councillor sought to influence the decision of council officers dealing with a complaint by his son and daughter-in-law against a tenant
- Both were breaches of the code

# Standards of Councillor Conduct (4)

- I do not disclose confidential information unless...
  - I have the required consent
  - I am required to do so by law
  - I need professional third-party advice
  - The disclosure is reasonable, in the public interest, in good faith, complies with the local authority's requirements and there has been consultation with the Monitoring Officer

# Standards of Councillor Conduct (4) (cont.)

- I do not improperly use knowledge gained as a result of my role
- I do not prevent lawful access to information

# Examples from the Guidance

- Councillor was involved in an adoption case and inadvertently shared information about the matter with a relative of the constituent – a breach of the code
- Councillor circulated information about the medical condition of an officer without consent – a breach

# Standards of Councillor Conduct.(5)

- I do not bring my role or local authority into disrepute

# Examples from the Guidance

- Councillor posted an offensive tweet about another councillor referring to the SFO investigating her conduct – this brought the authority into disrepute
- Councillor took advantage of a mistake and failed to prevent local authority employed contractors working on his (privately owned) home – this brought the authority into disrepute
- Chair of a council made a deeply inappropriate remark at a meeting. Many other councillors expressed concerns and found the remarks inappropriate – this brought his office (but not the authority) into disrepute



# Standards of Councillor Conduct (6)

- I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else

# Examples from the Guidance

- Councillor discussed and voted on a new lease to a community group without revealing that she was the “joint co-ordinator” of the group – this was using her position improperly
- Leader failed to declare a conflict of interest and used his position to enhance the value of his own land (by instructing a planning officer re the route of a by-pass) – a breach of the code (and an 18 month prison sentence)

# Standards of Councillor Conduct (7)

- I do not misuse local authority resources.
- I will use them in accordance with the local authority's requirements and will not use them 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 my office)

# Examples from the Guidance

- Councillor used council computer equipment for private purposes by downloading pornographic images – this was a misuse of resources (and also disrepute)
- Councillor used council notepaper in an attempt to avoid parking penalties incurred by his son – this was a breach of the code (and a conviction for deception)

# Standards of Councillor Conduct (8)

- I undertake standards training
- I co-operate with any standards investigation and/or determination
- I do not intimidate/attempt to intimidate any person who is likely to be involved with the administration of an investigation or proceedings
- I comply with any sanction imposed on me following a breach finding

# Protecting your reputation and the reputation of the local authority



# Standards of Councillor Conduct (9)

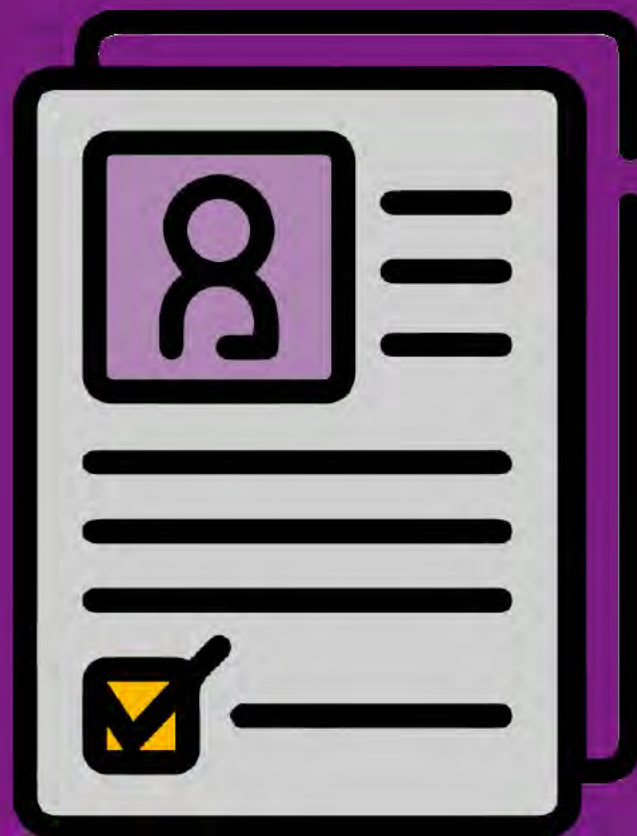
- I register and disclose my interests



# Standards of Councillor Conduct (10)

- I do not accept gifts and hospitality, irrespective of value, which could give rise to gain or concern
- I register any gift or hospitality of £50 or more with the MO within 28 days
- I register with the MO any significant gift or hospitality I have been offered but rejected

# Registration and disclosure of interests



**Which aspects of  
registering or disclosing  
interests do you find  
most challenging?**

# Interests

- Three types...
  - Disclosable pecuniary interests (DPIs)
  - Other registerable interests (ORIs)
  - Non-registerable interests (NRIs)
- Two situations...
  - Registration
  - Disclosure

# Disclosable pecuniary interests (DPIs)

- They relate to things such as your employment, interests in land, contracts with the Council etc. (Table 1)
- They cover interests of you and of your spouse/partner
- You must register them within 28 days of election and whenever your position changes
- It is a criminal offence under the Localism Act 2011 to fail to register DPIs, to fail to disclose them at meetings, to participate or vote where you have a DPI or to provide false or misleading information about them

## DPIs (2)

- Where a matter arises at a meeting which **directly relates** to a DPI, you must disclose it, not participate in any discussion or vote on the matter and not remain in the room (unless you have a dispensation)

# Guidance on DPIs

- You have a DPI where the matter being discussed directly relates to your registered interest rather than just affecting it
- If you live at 1 Acacia Avenue, you will have a DPI if you apply for planning permission for 1 Acacia Avenue or if the whole of Acacia Avenue is being considered for a Residents' Parking Zone.
- You will not have a DPI if 3 Acacia Avenue has put in a planning application (though you may have a NRI)

# Examples from the guidance – DPIs

- Awarding a contract to your own company
- Planning application for your own property
- Resident parking zone includes your house
- All these are DPIs, so you should disclose and withdraw (unless you have a dispensation)
- Criminal offence if you fail to do so – Section 34 of the Localism Act 2011



# Other registerable interests (ORIs)

- Relate to unpaid directorships, membership of outside bodies, charities, lobby groups, TUs, political parties etc. (Table 2)
- Must register them within 28 days of election/appointment to office and whenever your position changes

## ORIs (2)

- Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of an ORI, you must disclose it
- You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have a dispensation
- (See later for what to do if something **affects** one of your ORIs)

# Examples from the guidance – ORIs

- Awarding/withdrawing grant funding or granting planning permission to a body of which you are a member e.g. community hall
- Both directly relate to the finances of an ORI.
- Both are therefore interests you should disclose, you should not participate in the discussion or vote and withdraw (unless you have a dispensation or the public can address the meeting)

# Non-registerable interests (NRIs)

## “directly relates to”

- Where a matter arises at a meeting which **directly relates to** your financial interest or well-being (and is not a DPI) or to a financial interest or well-being of a relative or close associate, you must disclose it.
- You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have a dispensation

# Examples from the guidance

- Determining an application submitted by your sister or your neighbour for a dog breeding licence
- Partner with free parking permit and policy review decision to be made
- You object in a private capacity to your neighbour's planning application .....

# Examples from the guidance

- All these three **directly relate to** the finances of you, a partner, relative or close associate
- All are therefore interests you should disclose and you should not take part in any discussion, not vote and not remain in the room, (unless you have a dispensation or the public can address the meeting)

# Non-registerable interests (NRIs)

## “affects”

- Where a matter arises at a meeting which **affects** your own financial interest or well-being or a financial interest or well-being of a relative or close associate or of a body included in your list of “Other Registerable Interests” ....
- Disclose it, but you can remain in the meeting, participate and vote unless...

# Non-registerable interests (NRIs)

## “The test”

- ...the matter affects the financial interest or well-being
- (a) to a greater extent than it affects the financial interests or well-being of a majority of inhabitants of the affected ward 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



# Non-registerable interests (NRIs)

## The consequences...

- If so, 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 a dispensation

# Examples from the guidance

- Awarding grant funding to a competitor to a community hall, where you are on the membership committee
- Application for housing development on land near to partner's business property
- Your neighbour applies for planning permission
- These examples **affect** the finances or well-being of an ORI or a relative/close associate ...

## Examples (cont)

- So apply the test –
  - Does it affect the finances or well-being more than the finances or well-being of the majority of inhabitants of the ward and
  - Would a reasonable member of the public knowing all the facts believe that it would affect your view of the wider public interest?
- If so, these are interests you should disclose, not participate in the discussion, not vote and withdraw (unless you have a dispensation or the public can address the meeting)

# Applying the test - what do you think?

- A major development proposal affects the ward where your sister lives. She lives at the other end of the ward rather than next door to the development.
- You help to run a food bank and the council is considering a motion to investigate the causes of poverty in the area.

## Applying the test (2)

- You are over 65 and are taking part in a discussion about provision for older people. You would be more affected than the majority by the outcome of the discussion.
- You are discussing closure of the local authority run care home where your father lives.

# Examples from the guidance – well-being

- Road works noise outside your house
- Odours from nearby tip
- Anti-social behaviour from rough sleepers housed in B+B's nearby
- These are not financial issues but could affect your well-being/quality of life, so apply the test

# Sensitive interests

- An interest which, if disclosed, could lead to the councillor, or a person connected with her/him, being subject to violence or intimidation
- Where you have a sensitive interest you must notify the Monitoring Officer with reasons and, if the MO agrees, they will withhold the interest from the public register

## Sensitive interests (2)

- When a sensitive interest arises at a meeting, you have to disclose that you have an interest, but not the nature of it



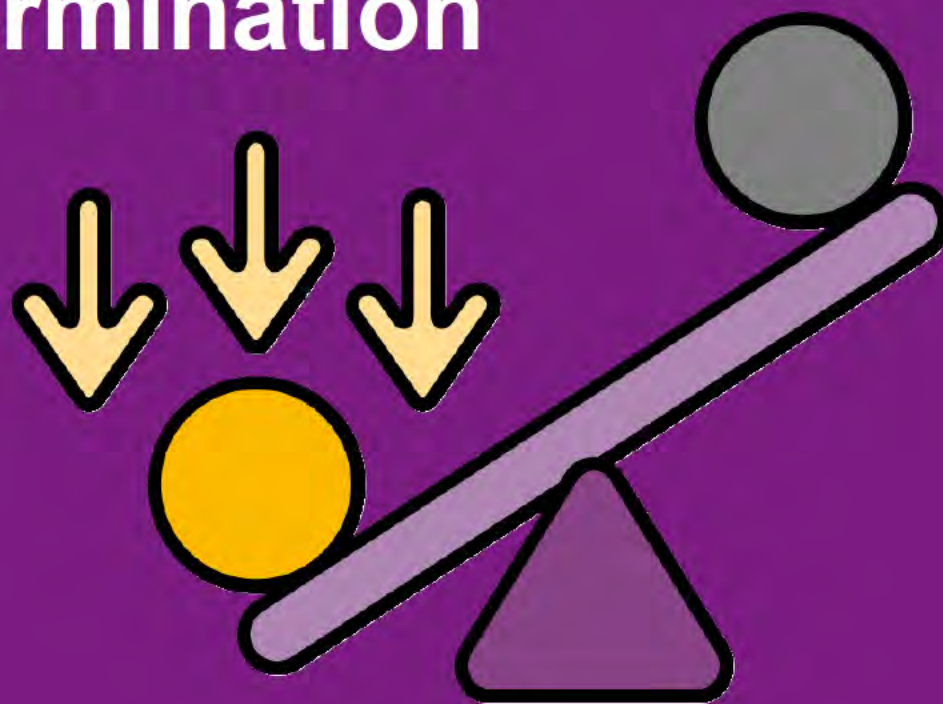
# Dispensations

- The Localism Act sets out circumstances in which the council can grant a dispensation, so allowing a councillor to vote and/or speak in a meeting where they would otherwise have had to disclose an interest and withdraw.
- Standing dispensations

# Summary of interests



# Bias and predetermination



# Bias and predetermination (1)

- Not explicitly covered in the code of conduct
- But they are important legal concepts to ensure that decisions are taken solely in the public interest and not to further any private interests

## Bias and predetermination (2)

- Bias – where a decision maker's connections make it appear that there is a real danger of bias when s/he makes the decision
- Pre-determination – where a decision maker has completely made up his/her mind before the decision is taken.

## Bias and predetermination (3)

- The risk in both cases is that the decision maker does not approach the decision with an objective, open mind
- This makes the local authority's decision challengeable (and may also be a breach of the code of conduct by the councillor)

# Section 25 Localism Act 2011

- An elected or co-opted member is not to be taken to have had, or to appear to have had a closed mind when making a decision just because the decision-maker had previously done anything that directly or indirectly indicated what view the decision maker took or would or might take in relation to a matter and the matter was relevant to the decision

# Example from the guidance (1)

- A councillor said publicly that he was “inclined to go along with” a barrister’s recommendation in relation to a TVG application. He then voted on the decision making committee. Probably predisposition and not predetermination.



## Example from the guidance (2)

- A district councillor also belongs to a parish council that has complained about the conduct of an officer of the district council. The officer has been disciplined. The officer has appealed to a councillor panel and the councillor seeks to sit on the panel hearing the appeal
- The councillor should not participate

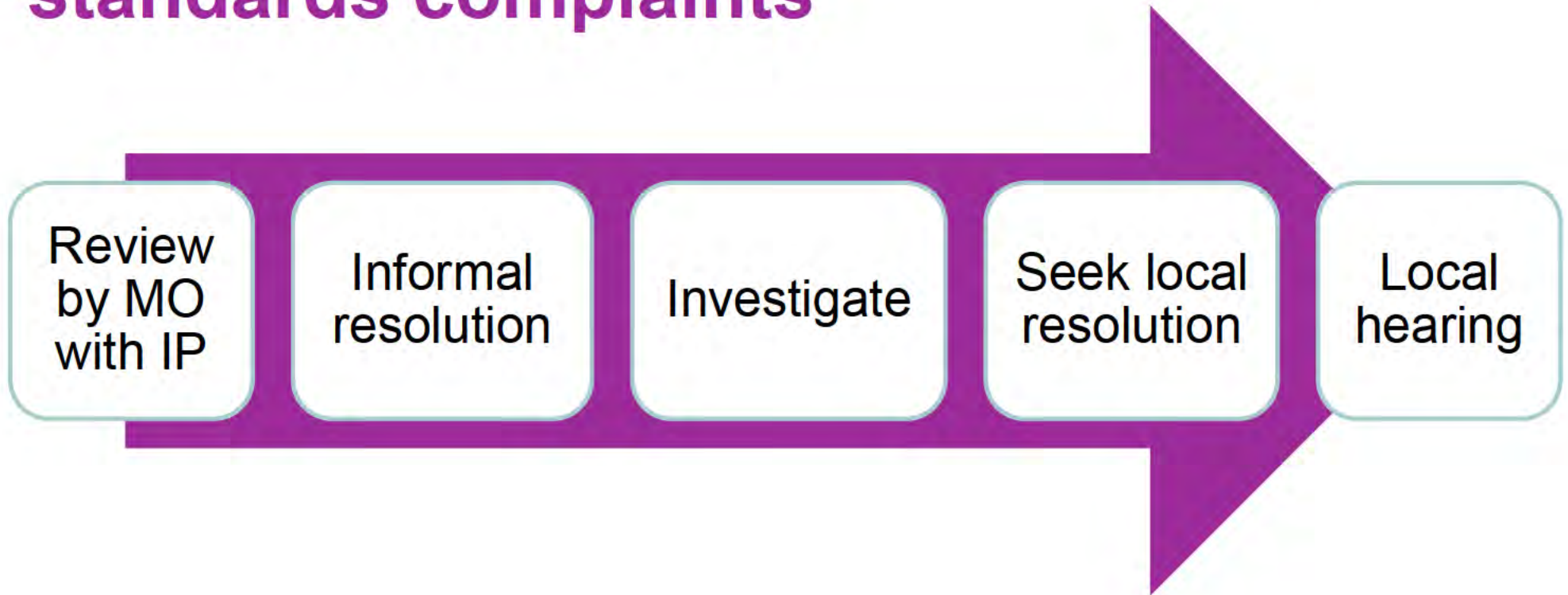
# Roles and process for dealing with code of conduct complaints



# Role of the Monitoring Officer re: standards

- Maintaining the registers of interests
- Ensuring the investigation of complaints
- Supporting councillors and complainants
- Seek early advice from the Monitoring Officer on any issues re standards/interests

# Usual arrangements for dealing with standards complaints



# Mini scenarios



# Weatherfield Council

Weatherfield Council has recently changed hands. At the first Council meeting the Mayor, Councillor Ken Barlow, loses control of the proceedings. Councillors start shouting over each other and ignoring rulings from the Mayor. They are strongly critical of the politics and policies of the opposing groups and make disparaging remarks about members and senior officers. The press describe the meeting as “shambolic”.

# Councillor Sally Webster

The new Leader of the council, Councillor Sally Webster, calls the Chief Executive into her office and says that things must change. She tells him she is determined to sort out “all the deep-seated problems” she has inherited. In her Leader’s Blog, she posts that her party is going to sort out all the “dead wood” at the Council. The former Council Leader, Councillor Roy Cropper, responds robustly on social media calling Councillor Webster a “stupid woman”.

# Councillor Leanne Battersby

Councillor Battersby keeps two twitter accounts – a personal one (LeaB) and one in the name of Councillor Leanne Battersby. She posts the following on her personal account:

“I was outraged at the planning committee last week. I voted against the dreadful application for the windfarm but was outvoted by idiotic opposition members who swallowed the unprofessional report written by officers who are in the pocket of the developer. These are my personal views”.



# Councillor Ken Barlow

Councillor Barlow is the Mayor, and his family are major landowners in the area. He votes at the Planning Committee in support of an application for development on land which he realises, after the meeting, borders land owned by his wife. The grant of planning permission arguably adds value to her land. Councillor Barlow realises that he had completely overlooked his wife's ownership (which he was aware of) and it is not included in his register of interests. He apologises profusely.

# Councillor Mike Baldwin

Councillor Baldwin is passionately in favour of an application which is coming to the Planning Committee. He thinks that it will bring jobs to the area and provide homes for local people. He says that his son and daughter-in-law cannot afford to buy a property in the town and this development may help them. He is also a member of 'Local Homes for Local People' a campaigning group trying to bring affordable housing into the area.

# Conclusions and close



## **Local Government Association**

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

#### **Joint statement**

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

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

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

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

#### **Introduction**

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

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

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

#### **Definitions**

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

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint 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 you or your local authority's ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

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

## **6. Use of position As a councillor:**

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

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

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

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

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



**7.2 I will, when using the resources of the local 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 as set out in **Table 2**

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

9. Where a matter (referred to in paragraph 8 above) **affects** the financial interest or well-being:
- to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
  - 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
<b>Employment, office, trade, profession or vocation</b>	Any employment, office, trade, profession or vocation carried on for profit or gain.
<b>Sponsorship</b>	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
<b>Contracts</b>	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the

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

## APPENDIX 1

	councillor is living as if they were
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	spouses/civil partners have a beneficial interest exceeds one hundredth of the total issued share capital of that class.
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\* 'director' includes a member of the committee of management of an industrial and provident society.

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

## Table 2: Other Registrable Interests

You 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
- An appeals process through the Local Government Ombudsman
- Changes to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012
- Updates to the Local Government Transparency Code
- Changes to the role and responsibilities of the Independent Person
- That the criminal offences in the Localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished

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



## APPENDIX 1

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

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

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

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

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

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

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

**Best practice 8:** An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.

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

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

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

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

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

**Best practice 14:** Councils should report on separate bodies they have set up or which they own as part of their annual governance statement and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by

the Nolan principle of openness and publish their board agendas and minutes and annual reports in an accessible place.

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

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

Parish / Town Council	Month	Total Number of Hours
Tollesbury	May	3
PCNs Issued	FPNs Dog Fouling	FPNs Litter Fouling
0	0	0
ASB Issues	VMO (Vehicle Moved On)	
0		3
Any Other Details		

Officer	Date	Parish	Start	Finish	Total	Patrol Area	COMMENTS ON PATROL
BC/GD	09/05/2022	Tollesbury	14:30	16:00	01:30	Recreation ground check, check on woodrolfe Rd carparking, school patrol.	Checks on village, carparking, dogfouling.
LW/DR	26/05/2022	Tollesbury	11:30	13:00	01:30	Dog Fouling Parish patrol	Dog Fouling patrol at the rec, posted on MDC Facebook Parish patrol No issues engage with dog walkers happy to see the team
					3:00:00		