

SUDBURY TOWN COUNCIL

MINUTES OF THE ANNUAL MEETING OF SUDBURY TOWN COUNCIL HELD IN THE ASSEMBLY ROOM, TOWN HALL, SUDBURY, ON TUESDAY 16TH MAY 2023 AT 7.00PM

Present: Ms E Murphy Mayor of Sudbury, in the CHAIR.

Mr P Beer	Mrs J Osborne
Mr N Bennett	Miss A Owen
Ms P Berry-Kilby	Ms J Rawlinson
Ms J Carter	Mr T Regester
Mr S Hall	Mr A Stohr
Mr M Olyver	Mr N Younger
Mr A Osborne	

Mr C Griffin	Town Clerk
Mrs J Budd	Deputy Town Clerk (Online)

1 ELECTION OF CHAIRMAN OF THE COUNCIL FOR THE YEAR 2023/2024

It was PROPOSED by Councillor Miss Owen and SECONDED by Councillor N Bennett that Councillor Mrs J Osborne be elected chairman of the council for the year 2023/2024.

It was PROPOSED by Councillor P Beer and SECONDED by Councillor N Younger that Councillor Ms E Murphy be re-elected chairman of the council for the year 2023/2024.

The two motions were then put to a vote.

8 votes were received in favour of Councillor Mrs J Osborne. 5 votes were received in favour of Councillor Ms E Murphy.

It was RESOLVED that Councillor Mrs J Osborne be elected chairman of the Town Council for the ensuing year.

Councillor Mrs J Osborne signed the declaration of acceptance of office as chairman and took the chair.

2 ELECTION OF VICE CHAIRMAN OF THE COUNCIL FOR THE YEAR 2023/2024

It was PROPOSED by Councillor N Bennett and SECONDED by Councillor Mrs J Osborne that Councillor Miss A Owen be elected vice chairman of the council for the year 2023/2024.

There being no other nominations the motion was then put to a vote.

It was unanimously RESOLVED that Councillor Miss A Owen be elected vice chairman of the council for the ensuing year.

Councillor Miss A Owen signed the declaration of acceptance of office as vice chairman.

3 VOTE OF THANKS TO RETIRING MAYOR

The new chairman Councillor Mrs J Osborne, as Town Mayor, moved a vote of thanks to the retiring Mayor, Councillor Ms E Murphy and presented her with a framed coat of arms.

4 REPLY TO THE VOTE OF THANKS

Councillor Ms E Murphy replied to the vote of thanks.

5 APOLOGIES

Apologies for absence were received from Councillors Mrs M Barrett and Mr A Welsh.

6 ADDITIONAL TIME TO MAKE DECLARATIONS OF ACCEPTANCE OF OFFICE

The Town Clerk advised that due to prior engagements, Councillors Mrs M Barrett and Mr A Welsh had been unable to make their declarations of acceptance of office as councillors. Members were requested to approve an extension until the next meeting of the full council which was scheduled for Tuesday 13th June 2023.

RESOLVED

That, in accordance with the Local Government Act 1972, s.83(4)(c), the council permits members the additional time up to the next meeting of the full council scheduled for 13th June 2023 to make their declarations of acceptance of office.

7 DECLARATIONS OF INTEREST

Councillors Mr Beer, Ms Carter, Mr Osborne, Miss Owen and Mr Regester declared they were Babergh District Councillors.

Councillors Ms Carter and Mr Beer declared that they were Suffolk County Councillors.

8 DECLARATIONS OF GIFTS AND HOSPITALITY

No declarations were received.

9 REQUESTS FOR DISPENSATION

No requests for dispensation had been received.

10 MINUTES**RESOLVED**

That the minutes of the Full Council meeting held on Tuesday 11th April 2023 be confirmed and signed as an accurate record.

10 REPORTS

- a) County Councillor's report – A copy of Councillor Ms Carter's report is shown at minute page 208.

The following points were also raised:

- The huge pothole near the traffic lights on the Croft had been filled, however the unsuitable graffiti surrounding the hole still remained. The Warden team were asked to liaise with Suffolk County Council about getting this removed.
- There was a long waiting list for NHS ADHD assessments. Concerns were raised about private ADHD assessments being carried out in Suffolk, which might not match the rigorous standards of the NHS.
- Concerns were raised that, when highways filled in a pothole, they didn't fill other holes surrounding it. Surely this could not be cost effective.

A copy of Councillor Faircloth-Mutton's report is shown at page 210.

RESOLVED

That Councillors Ms Carter and Mr Faircloth-Mutton be thanked for their reports.

- b) District Councillors' report – A copy of Councillor A Osborne's report is shown at minute page 211.

Councillor Osborne advised that due to the elections, no meetings had been held. Babergh District Council's Annual meeting would be held on the 23rd May 2023.

A question was raised regarding the entrance to Belle Vue Park. Members were advised that the planning application for the entrance had been approved and would be active for three years.

RESOLVED

That Councillor A Osborne be thanked for his report.

- c) Policing report – The Town Clerk read the police report. A copy is shown at minute page 212.

The following points were also raised:

- Had the Police presence in town reduced. It was very difficult to report minor crimes on 101.
- Vehicle crime seemed to have increased. Was this linked to County Lines? The Council should continue to push for the installation of an ANPR camera.
- The Inspector should be invited to attend the next meeting of the Council.
- A previous meeting with the Inspector and a couple of Councillors was cancelled due to it being held during the election period. Could this be re-arranged?

- d) Public Forum – Former Councillor Mr Owen congratulated the new Mayor and Deputy on their appointment before asking a question to County Councillor Ms Carter. This was why could roads not be closed at night and work completed overnight to avoid the long delays recently incurred? Ms Carter advised that she had already raised this issue with the Traffic Management team at Suffolk County Council and will report back once she has answers. County Councillor Mr Beer also advised that he had raised this issue as well.

A question was raised regarding Sudbury in Bloom and that they could no longer function without the support of the Town Council. Members and officers were not aware of any issues, and that Sudbury in Bloom received the grants they applied for.

Discussions were held over the future provision of homeless people sleeping in the porch ways of churches. The Chairman advised that they needed to contact the Outreach officer at Bury St Edmunds and the homeless officer at Babergh District Council.

RESOLVED

That members of the public be thanked for attending and asking questions of their Councillors.

12 TO NOTE THE MINUTES OF THE FOLLOWING COMMITTEES:

Planning, Development & Highways on 11th April - The Chairman advised that the committee had recommended refusal of the planning application for Direct Pizza. The amended plans still appeared to have internally illuminated signage.
It was RESOLVED to note the minutes.

Planning and Development on 24th April - The Chairman advised officers from Suffolk County Council attended the meeting to discuss with members proposals for the redevelopment of the junction of York Road and Melford Road. Members raised concerns over the visibility for traffic coming out of York Road as well as the severe disruption any redevelopment would cause to motorists. Would prefer the footpath along Friars Meadow to be improved as a route for cyclists. Discussions were held over the poor parking in Drake Road, and the 'watering down' of wording within the proposed new Babergh Local Plan.
It was RESOLVED to note the minutes.

Leisure and Environment on the 25th April
It was RESOLVED to note the minutes.

Finance on 2nd May – The Chairman advised that any future requests for local organisations for the Town Council to act as Bankers, would need to be approved by the Finance Committee.
There had been a successful close down of the books for the FY2022/2023 on the 5th May.
It was RESOLVED to note the minutes.

13 APPOINTMENT OF COMMITTEES**RESOLVED**

To appoint the members listed below to serve on the committees with the members shown as the chairmen.

<u>Finance</u>	<u>Leisure & Environment</u>	<u>Planning, Development & Highways</u>
Mr N Bennett (Chair)	Miss A Owen (Chair)	Mr N Bennett (Chair)
Mrs M Barrett	Mr P Beer	Mr P Beer
Ms P Berry-Kilby	Ms P Berry-Kilby	Ms J Carter
Mr S Hall	Mr S Hall	Mr S Hall
Ms E Murphy	Ms E Murphy	Mr A Osborne
Miss A Owen	Ms J Rawlinson	Miss A Owen
Mr T Register	Mr T Register	Mr A Stohr
Mr N Younger	Mr A Welsh	Mr N Younger
<u>Policy and Resources</u>	<u>Human Resources</u>	
Mrs M Barrett (Chair)	Mrs M Barrett (Chair)	
Mr S Hall	Mr N Bennett	
Mr M Olyver	Ms E Murphy	
Mrs J Osborne	Mrs J Osborne	
Mr T Register	Mr A Stohr	
Mr A Stohr		
Ms J Rawlinson		
Mr A Welsh		

14 SUSPENSION OF STANDING ORDERS

Standing Order 5(j) states that following the election of the Mayor and Deputy Mayor at the annual meeting of the Council, the business of the annual meeting shall include a review of a number of areas of business. Members were requested to suspend some of these until the next meeting on the 13th June 2023.

RESOLVED

To suspend the reviews under Standing Orders 5 (J) (v-vi, viii-xi, xiii-xxi) until the Council meeting on 13th June 2023. Before this date, each committee is to review the items relevant to them and make recommendations to the full council.

15 ELIGIBILITY FOR THE GENERAL POWER OF COMPETENCE

Members were requested to confirm that the Council meets the conditions of eligibility for the general power of competence under the Localism Act 2011, s.8(2).

RESOLVED

That Sudbury Town Council meets the conditions for eligibility to use the general power of competence under the Localism Act 2011 s.8(2).

16 LOCAL GOVERNMENT ASSOCIATION CODE OF CONDUCT

Members were requested to adopt the Local Government Association Code of Conduct. A copy is shown at minute page 213.

The Chairman advised members that training was available, and members should advise the Town Clerk if they require this or any other training.

RESOLVED

That the Local Government Association Code of Conduct be adopted by Sudbury Town Council.

17 NEW BANK MANDATE

RESOLVED

That the new bank mandate as shown at minute page 229 be adopted.

18 INTERNAL CONTROL STATEMENT

Members were requested to adopt the Internal Control Statement.

The Town Clerk thanked the previous RFO for the excellent work in drafting this statement. Councillor Hall was also thanked for his part in carrying out the most recent quarterly internal control checks.

RESOLVED

That the Internal Control Statement as shown at minute page 230 be adopted.

The Chairman advised members that a ceremonial mayor making would take place on Thursday 25th May at 7pm.

The business of the meeting was concluded at 8.20pm

Chairman.....

Report for May 2023 to Sudbury Town Council - From Jessie Carter (SCC Councillor)



Date: 15/05/2023

Email: jessie.carter@suffolk.gov.uk

Phone: 07955 434411

Highways:

I would like to start by mentioning the state of the highways, This isn't just an issue in Sudbury but all over Suffolk. I would like to remind residents and councillors that pot holes can be reported on the SCC Highways tool and I can also be contact to either report or chase them up.

<https://www.highwaysreporting.suffolk.gov.uk/>

In particular SCC are aware of the pothole along Croft Road, but no date has been decided on yet as a road closure is required but it has been set to a high priority so should be soon.

A request has been put in for an ANPR camera to come to Sudbury to help tackle speeding.

SEND:

The Government's assessment of the SEND services progress in Suffolk has been described as 'reassuring' after adopting all recommendations given in the Council's damning report back in 2021.

In November 2021, a report into SCC's SEND services found failings and inadequacies linked to a lack of engagement with parents/guardians, a failure to meet targets, and a lack of effective training in staff.

This comes as recent news from SCC said they have hired a Special Advisor for SEND Services, to support existing improvements. Education Scrutiny Committee have said they will ensure that this process is rigorously tested.

Over the past months, I have had a considerable increase of parents getting in touch with concerns over their children's SEND needs, despite the short fallings from SCC I would like to encourage anyone to get in touch and I will do my best to support them where I can and pass them onto any other supporting services that they may not be in touch with.

Fire Services:

The Scrutiny Committee met on 2 May 2023, where it considered the outcomes of the inspection of the Constabulary and Fire and Rescue Services and to consider the Action Plan to address the areas which have been identified as requiring improvement.

Due to the disruption along Great Eastern road, there were some concerns from the Officer in charge of Sudbury's Fire station as we need to ensure that we meet our attendance time standards. I

am keeping in regular touch with them to try and keep open communication between SCC and Sudbury's station as keeping our station open is a priority to everyone.

Cabinet Decision - Post-16 Travel Policy 2023/2024:

increased the Post-16 Travel charge for a mainstream seat for the 2023/2024 School Year by £30 from £930 to £960;

increased the Post-16 Travel charge for a student with Special Educational Needs and Disabilities (SEND) by £30 from £750 to £780 for the 2023/2024 School Year;

applied a 50% reduction to the relevant charge for Post-16 Travel for a student whose family has low income and is in receipt of qualifying benefits for Free School Meals (FSM); and noted that a Spare Seat should increase in line with the charge for Post-16 Travel, including the discount for families with low income.

River Stour:

Thanks to the River Stour Trust, Anglian Water came back to Sudbury for further talks on the Bathing Water Status application.

Defra seem to be most concerned about the number of swimmers using the river Stour when deciding whether to award designated status. Therefore, there is a plan to have a special river swimming day (probably in August) when anyone interested in supporting the application would be invited to take part.

2023 Annual Report
Cllr Philip Faircloth-Mutton
Deputy Cabinet Member for Transformation
Suffolk County Councillor - Sudbury East & Waldingfield Division

Suffolk wide matters:

- **Council Tax**
Suffolk County Council share of Council tax increase for the period 2023/34 is along the bottom 1/3 of Councils in England providing care services.

- **New Local School**
A new school is to be established in South Suffolk for young people with Severe Learning Difficulties, to eliminate the need to use Essex schools for local children. This comes following a significant programme of capital investment by the Conservative Administration in response to the Lincolnshire Review of SEND (Special Educational Needs and Disabilities) services.

Local Division Matters within Sudbury East:

- **New Woodland for Springlands and Peoples Park**
Following my request for a new woodland, a Miyaki style wood has been planted between Essex and Second Avenues on the Springlands Estate and also Peoples Park. These consist of local, native varieties of fruit trees to ensure that the project complements enhancing our local biosphere. I am grateful to Will Burchnall and his team at Babergh District Council for helping fund this scheme.

- **Lit signage on Waldingfield Road and Peoples Park intersection**
After concerns were raised by local residents, a new lit sign has been inserted at the above-mentioned location to ensure safe navigation during night time hours.

- **Preserving our Olympic Legacy**
After the Sport Centre's successful campaign to remain in operation, I was delighted to contribute £1,100 for new archery equipment from my community locality budget.

- **Step improvements on Hawkins Road**
Following concerns raised from older and disabled residents, about the accessibility of steps adjacent to 48 Hawkins Road, a new handrail has been funded from my local highways budget.

- **Relining of Waldingfield Road intersections**
To ensure that intersections remain easily visible, relining of intersections along Waldingfield Road and Constitution Hill was undertaken in the summer of 2022, following my request to the Highways Team.

District Councillors Report

16th May 2023

As the last month was a pre-election period no meetings have been held so there is nothing to report.

However, the results of the election leave Babergh DC with 10 Greens, 9 Independents, 1 Labour, 5 Lib Dems and 7 Conservatives. Discussions between the groups are taking place and the Leader, Cabinet Members etc will be decided at the Annual Meeting on the 23rd May.

Some very good news is that work to renovate Belle Vue House in Sudbury has moved a step closer as Babergh District Council confirms sale to local period property specialists McCabe & Abel.

The house was brought back onto the market in January 2023 with developers interested in the retention and regeneration of the property invited to submit a bid on an informal basis.

All bids were considered by Babergh District Council and the preferred submission was presented to cabinet for the final decision with specialist property developers McCabe and Abel successfully winning the opportunity to bring the house back into use.

They will be applying for planning permission shortly to split the house into two family homes, safeguarding Belle Vue House for the foreseeable future.

With the future of Belle Vue House now secured, plans for the remaining land including the former swimming pool site, which had been proposed for development for a new, accessible park entrance, will be considered by Babergh District Council in due course.

That concludes my report.

Sudbury Police Current Priorities

1. County lines and drugs enforcement
2. Anti-social behaviour in the area of the lorry park and town centre.
3. Rural farm burglaries and rural inquisitive crime.

We have done a lot of work on point 2, the ASB issues around the Lorry park. Pc Moore from the Sudbury SNT is leading on this piece of work and has been liaising with Babergh district council. A number of warning letters have been sent out to vehicle owners and we have produced some security minded communications (everything around security / crime prevention posters, signs, street furniture and can involve obvious messages like “lock your valuables up” and nudge theory like “you are being watched”).

We have also had some significant success with some local initiatives -

- Sudbury police delivered a week of engagement, proactivity and education during County line intensification week in February. This included a lot of work around safeguarding some of the town most vulnerable people and education about the exploitation of our young people.
- Op Sceptre is running this week which is a week of proactive work targeting knife related crime which is aimed at parents, cares, schools asking the right questions of their young people.
- Sudbury Police are delivering “Crucial Crew” to school and young people this week about internet safety and good friend bad friend.

As we approach the lighter evening I am reviewing our plans for how we police the night time economy within the town centre and am always seeking opportunities to increase our visibility.

The Coronation weekend went well without any major incidents or disorder. I am not aware of any major crime trends or significant incidents within the town centre in the last 3 months but I would encourage every to report any matters to the police so that we can continue to build the community intelligence which drives our priorities. Without the support of the communities and our partners such as the Town Council we don't get to hear what is really effecting our communities.



Local Government Association

Model Councillor Code of Conduct 2020

Adopted by Sudbury Town Council on 16 May 2023

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.

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

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

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

Definitions

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

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

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

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

Purpose of the Code of Conduct

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

General principles of councillor conduct

Council Minutes
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. 16th May 2023

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 Officer¹ 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.

¹ The Monitoring Officer for Sudbury Town Council is the Babergh District Council Monitoring Officer.

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

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 Council Minutes open to the public, except in certain legally defined circumstances. 17th May 2023
work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. Disrepute

As a councillor:

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

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

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

6. Use of position

As a councillor:

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

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

7. Use of local authority resources and facilities

As a councillor:

7.1 I do not misuse council resources.

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

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

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

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport

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.

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.

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

Council Minutes

16th May 2023

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.

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

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

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

10. [Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it]

Table 1: Disclosable Pecuniary Interests

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

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land and Property	Any beneficial interest in land which is within the area of the council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.
Licenses	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer

Corporate tenancies	Any tenancy where (to the councillor's knowledge)— (a) the landlord is the council; and (b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
Securities	Any beneficial interest in securities* of a body where— (a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and (b) either— (i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners have a beneficial interest exceeds one hundredth of the total issued share capital of that class.

* 'director' includes a member of the committee of management of an industrial and provident society.

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

*

Table 2: Other Registrable Interests

You must register as an Other Registerable Interest :

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

of which you are a member or in a position of general control or management

Appendix C – the Committee on Standards in Public Life

Council Minutes

16th May 2023

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

The recommendations cover:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

16th May 2023

SUDBURY TOWN COUNCIL – NEW BANK MANDATES

Lloyds Bank

That the bank signatories listed below will be on the authorised bank mandate.

Mr C M Griffin
Mrs M Barrett
Mr P Beer
Mr N A Bennett
Ms P Berry-Kilby
Ms J Carter
Ms E Murphy
Mr M Olyver
Mr A F D W Osborne*
Mrs J F Osborne*
Miss A Owen
Mr T Regester
Mr A Stohr
Mr A Welsh
Mr N Younger

Cambridge and Counties Bank and any other new Bank Accounts

That the same signatories listed above will be on the new bank mandates.

*Signatories who have a close personal connection cannot act as co-signatories for the same payment, e.g.; a married couple, a mother and son, a brother and sister.

Electronic Bank Payments

That the officers listed below are authorised to set up and approve electronic bank payments, but one person cannot fill both roles for an individual transaction.

Mr C M Griffin
Mrs J Budd

That the officers listed below are authorised to set-up **but not approve** electronic bank payments.

Miss A Walker
Ms N Whittle

Removal

That officers must automatically remove any councillor or officer from all bank mandates should they cease to be a member or an employee of the council.

SUDBURY TOWN COUNCIL**INTERNAL CONTROL STATEMENT FOR YEAR ENDING 31 MARCH 2023 (updated)****1. SCOPE OF RESPONSIBILITY**

Sudbury Town Council is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively.

The council is responsible for ensuring that there is a sound system of internal control which facilitates the effective exercise of the Council's functions and which includes arrangements for the management of risk.

2. THE PURPOSE OF THE SYSTEM OF INTERNAL CONTROL

The system of internal control is designed to manage risk to a reasonable level rather than to eliminate all risk of failure to achieve policies, aims and objectives; it can, therefore, only provide reasonable and not absolute assurance of effectiveness. The system of internal control is based on an on-going process designed to identify and prioritise the risks to the achievement of the Council's policies, aims and objectives, to evaluate the likelihood of those risks being realised and the impact should they be realised, and to manage them efficiently, effectively and economically.

3. THE INTERNAL CONTROL ENVIRONMENT**The Council:**

The council reviews its obligations and objectives and approves budgets for the following year at its January meeting. The January meeting of the council approves the level of precept for the following financial year.

The Council has appointed a Finance Committee. The Committee meet 11 times during the financial year. Members of the Committee monitor progress against objectives, financial systems and procedures, budgetary control and carry out regular reviews of financial matters. The minutes of the meetings of the Committee are circulated to all members of the Council. A Councillor is appointed to have responsibility for bank reconciliation checks.

The full council meets 10 times each year and monitors progress against its aims and objectives at each meeting by receiving relevant reports from the finance committee.

The council carries out regular reviews of its internal controls, systems and procedures. A member of the Council is appointed on a quarterly basis to carry out independent financial checks which are reported to the RFO and action taken if required. In addition, the RFO carries out monthly reconciliations and random checks, together with operational internal control checks to ensure compliance. See attached internal control reports.

Clerk to the Council/Responsible Finance Officer:

The Council has appointed a Clerk to the Council who acts as the Council's advisor and administrator. The Responsible Financial Officer is appointed and is responsible for administering the Council's finances.

The Clerk is responsible for advising on the day to day compliance with laws and regulations that the Council is subject to and for managing risks. The Clerk also provides advice to help the Council ensure that its procedures, control systems and policies are adhered to.

Payments:

All payments are reported to the council for approval. Two members of the Council must sign every cheque to authorise payment and signatories should consider each payment against the invoice if required. Online bank payments should have effective segregation between setting up the payment and release of the payment. Evidence should be retained showing which two authorised Officers set up and approved the release of the payment. All authorised cheque signatories are members of the Council. [No officer of the Council can sign cheques.] Where delegation permits, as per s.101(1)(a) of the Local Government Act of 1972 and the Council's Financial Regulations, a report will be provided to the next full Council.

Income:

All income is received and banked in the council's name in a timely manner and reported to the council.

Risk Assessments/Risk Management:

The council reviews its risk assessment annually in March, and regularly reviews its systems and controls.

Internal Audit:

The council appoints an independent and competent internal auditor who reports to the council on an annual basis on the adequacy of it's:

- Records
- Procedures
- Systems
- Internal control
- Regulations
- Risk management

External Audit:

The council's external auditors, submit an annual certificate of audit which is presented to the Council.

4. REVIEW OF EFFECTIVENESS

The council has responsibility for conducting an annual review of the effectiveness of the system of internal control, which should include a review of the effectiveness of internal audit. The results of that review must be considered by the Council, which should also approve the Statement of Internal Control.

Chairman

RFO/Clerk

Approved and adopted by Sudbury Town Council

Meeting date: