

To: All Members of the Council

You are hereby summoned to attend the **MEETING OF THE COUNCIL** to be held on **MONDAY, 14 OCTOBER 2024** at **7pm** in **THE EXHIBITION ROOM, THIRD FLOOR, THE CIVIC, HUDDERSFIELD ROAD, HOLMFIRTH, HD9 3AS** for the transaction of the following business –

- AGENDA – (A)

2425 68 Public Question Time 7.00pm

In accordance with *Standing Orders 3 e to g* members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.

The period of time designated for public participation at a meeting shall not exceed 15 minutes unless directed by the Chair of the meeting. A member of the public shall not speak for more than 3 minutes.

A question shall not require a response at the meeting nor start a debate on the question. The Chair of the meeting may direct that a written or oral response be given.

PROCEDURAL MATTERS

2425 69 Public Bodies (Admission to Meetings) Act 1960 amended by the Openness of Local Government Bodies Regulations 2014 on 6 August 2014 7.15pm

Local (Parish and Town) **HOLME VALLEY PARISH COUNCIL** meetings can now be recorded. This meeting is being recorded in video format for the [HOLME VALLEY PARISH COUNCIL YouTube Channel](#).

Chair to ask if any member or member of the public wishes to record the meeting in addition to the arrangements referred to above.

TO NOTE: any other recordings being made of the meeting in addition to the recording made by the Clerk.

2425 70 Items to be heard in private session 7.16pm

Any recording to be halted during such items and members of the public asked to leave the meeting.

TO CONSIDER: agenda items to be heard in private session.

2425 71 Apologies and reasons for absence 7.18pm

Apologies and reasons to be circulated prior to the meeting starting.

Clerk to report.

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TO CONSIDER: apologies and reasons for absence.

A written request for a dispensation has been received from a councillor. Details of the request will be sent out under separate cover prior to the meeting.

TO CONSIDER: request for a 6 month dispensation from attending Council events.

2425 72 Receipt of written Declaration of Pecuniary and Other Interests 7.20pm

Any revised written Declarations of Pecuniary and Other Interests received from councillors will be emailed out in advance of the meeting.

Clerk to report.

TO NOTE: receipt of written declaration(s) of pecuniary and other interests.

2425 73 Declaration of interests in agenda items 7.23pm

TO RECEIVE: declarations of interests of councillors in agenda items.

TO RECEIVE: declarations of interests of officers in agenda items.

TO CONFIRM THE MINUTES OF THE PREVIOUS PARISH COUNCIL MEETINGS

2425 74 Minutes of Full Council meetings 7.25pm

TO APPROVE: the Minutes of the FULL COUNCIL Meeting held on 24 June 2024 numbered 2425 42 to 2425 67 **(B)**.

To receive information regarding ongoing matters arising from the minutes which do not appear under other agenda items.

Clerk to report further.

TO CONSIDER: any further action(s) arising from the minutes of the meeting of the FULL COUNCIL held on 24 June 2024.

THE COMMITTEE MINUTES UNDER DELEGATED POWERS

2425 75 Minutes of Standing Committee meetings 7.26pm

TO NOTE: the Minutes of the SERVICE PROVISION COMMITTEE Meeting held on 8 July 2024 numbered 2425 01 to 2425 25 **APPROVED** at the SERVICE PROVISION COMMITTEE Meeting held on 23 September 2024 **(C)**.

TO NOTE: the Minutes of the PLANNING COMMITTEE Meeting held on 15 July 2024 numbered 2425 61 to 2425 79 **APPROVED** at the meeting of the PLANNING COMMITTEE Meeting held on 12 August 2024 **(D)**.

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TO NOTE: the Minutes of the PLANNING COMMITTEE Meeting held on 12 August 2024 numbered 2425 80 to 2425 99 **APPROVED** at the meeting of the PLANNING COMMITTEE Meeting held on 16 September 2024 **(E)**.

TO NOTE: the Minutes of the FINANCE AND MANAGEMENT COMMITTEE Meeting held on 19 August 2024 numbered 2425 39 to 2425 55 **APPROVED** at the meeting of the FINANCE AND MANAGEMENT COMMITTEE Meeting held on 19 August 2024 **(F)**.

TO APPROVE: the Minutes of the CLIMATE ACTION, COMMUNICATIONS AND ENGAGEMENT COMMITTEE Meeting held on 9 September 2024 numbered 2425 25 to 2425 53 **(G)**.

TO NOTE: the Minutes of the PLANNING COMMITTEE Meeting held on 16 September 2024 numbered 2425 100 to 2425 118 **APPROVED** at the meeting of the PLANNING COMMITTEE Meeting held on 7 October 2024 **(H)**.

TO APPROVE: the Minutes of the FINANCE AND MANAGEMENT COMMITTEE Meeting held on 30 September 2024 numbered 2425 56 to 2425 72 **(J)**.

FINANCIAL MATTERS

2425 76 Council Budget 2024-25 Year-To-Date including Earmarked Reserves 7.30pm

Council Budget 2024-25 YTD including Earmarked Reserves **(K)** is included.

Deputy Clerk/RFO to report.

TO NOTE: Budget Year-To-Date Report including Earmarked Reserves.

TO CONSIDER: any actions arising from the report.

2425 77 Schedule of Payments 7.33pm

The Schedule of Payments October 2024 **(L)** has been included in the document pack.

Deputy Clerk/RFO to report.

TO NOTE: the Schedule of Payments for October 2024 as presented.

2425 78 The External Audit and Certificate 7.34pm

The external audit certificate has been received along with the AGAR and accompanying letter **(M)**. It has been uploaded to HOLME VALLEY PARISH COUNCIL website and displayed on the Noticeboard outside the Civic. There were no issues.

Deputy Clerk/RFO to report.

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TO NOTE: the receipt of the external audit certificate.

TO CONSIDER: approving the removal of the physical copies of the documentation outlined above from the HVPC Noticeboard following this meeting.

MATTERS RESERVED FOR FULL COUNCIL

2425 79 The Civic – request from the Trustees regarding roof repairs 7.35pm

Holmfirth Civic Hall Community Trust wishes to update and consult with Holme Valley Parish Council regarding roof repairs. See documents labelled **(Ni)** and **(Nii)** sent out under separate cover for further information.

The Chair of the Trust has signalled his intention to attend the meeting with regards to this item.

TO CONSIDER: a recommendation from the SERVICE PROVISION COMMITTEE that HOLME VALLEY PARISH COUNCIL takes responsibility for funding Civic roof repairs at pace.

TO CONSIDER: any other actions with regards to the Civic.

2425 80 Update regarding referral to YLCA regarding Holme Valley Parish Council commissioning works and not paying VAT 7.45pm

Following the whole council training on 23 September 2024 the clerk has raised a query with YLCA regarding Holme Valley Parish Council commissioning works and not paying VAT and is now awaiting feedback.

TO NOTE: update from the clerk regarding referral to YLCA.

TO CONSIDER: any actions pertaining to the item.

2425 81 Referrals to the Monitoring Officer 7.47pm

Clerk to report on notification of any referrals and/or referral outcomes from the Kirklees Monitoring Officer.

TO NOTE: information received from the Kirklees Monitoring Officer regarding referrals under consideration and any outcomes from referrals.

TO CONSIDER: any actions regarding referrals.

2425 82 The laying of poppy wreaths and participation in Remembrance Services and Processions in the Holme Valley 7.49pm

The Council is asked to nominate representatives for each of the poppy wreath-laying ceremonies at the 8 war memorials sited in the Holme Valley, including the parades in Honley and New Mill to take place on Sunday 10 November 2024.

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A list of the war memorials and previous councillor representation from 2023 has been included for reference **(O)**.

TO NOTE: the expenditure of £160 on 8 poppy wreaths.

TO CONSIDER: representation of Holme Valley Parish Council at Acts of Remembrance on Sunday 10 November 2024.

2425 83 Meeting of the Complaints Panel 7.53pm

A meeting of the Complaints Panel met on Monday 22 July 2024 to consider a formal complaint received from a resident in line with Holme Valley Parish Council Complaints Procedure.

Four complaints were considered. No complaint was upheld.

The Complaints Panel has requested that the clerk review any policy pertaining to councillors' use of social media in acknowledgement of a concern having been raised. All councillors are encouraged to reflect on their use of social media and ensure that this continues to meet the standards set out in Holme Valley Parish Council policy.

TO NOTE: the outcome of the meeting of the Complaints Panel.

The complainant has received informal notification of the outcome of their complaint. Formal written notification will follow after the conclusion of this meeting.

2425 84 Adjustments to the Council Meetings Schedule 7.56pm

The clerk wishes to make an adjustment to the remaining meetings scheduled for the Council Year 2024-25 to accommodate workload. The intention is to push back the Staffing Committee meeting from Monday 21 October to Monday 18 November 2024. No other meetings are affected.

Ahead of this meeting the clerk has contacted Committee members to ascertain their availability for the suggested new date. All Committee members have indicated that they are available should the change be approved.

The proposed amendment is shown in the attached schedule **(P)**.

The Clerk to report further.

TO CONSIDER: changes to the Council Year 2024-25 Meetings Schedule, as presented.

2425 85 Report on rights of way relating to the Civic 7.57pm

The clerk has written to the Chair of Holmfirth Civic Hall Community Trust to conclude the matter of rights of way pertaining to the Civic – see **(Q)**. Please note that this letter will not form part of the published information pack for this meeting.

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Clerk to report further.

TO NOTE: information concluding the matter of rights of way regarding the Civic.

TO CONSIDER: any further actions arising from a report into rights relating to the Civic.

2425 86 Review of Committee Structure and Meetings Schedule - update from working group 8.00pm

The working group established by FULL COUNCIL on 24 June 2024 wishes to report back on its work to date – please see the report **(Ri)**, accompanied by three specimen meeting schedules for the Council Year 2025-26 **(Rii,iii & iv)**.

The working group would value feedback and comments on their progress so far. Proposals will be brought to a future FULL COUNCIL meeting.

TO CONSIDER: any actions arising from the work of the Review of Committee Structure and Meetings Schedule working group to date.

2425 87 Whole Council Training – outcome 8.10pm

The whole council training took place on Tuesday 24 September with 15 councillors present and 2 members of the clerk team.

The trainer, the senior officer from Yorkshire Local Councils Associations (YLCA), has sent the presentation slides **(Si)** used and also the Local Government Association Model Code of Conduct **(Sii)** and accompanying Guidance **(Siii)** for local and parish councils referred to at the training.

A key takeaway from the training was that it might be possible to review HOLME VALLEY PARISH COUNCIL's current Code of Conduct to provide greater clarity regarding procedures for declaring interests in agenda items.

Clerk to report further.

TO CONSIDER: possible arrangements for councillors unable to attend the whole council training to be briefed further regarding key points.

TO CONSIDER: any other actions arising from the training.

2425 88 Councillor training – evaluations record 8.17pm

Councillors are asked to complete a brief evaluation of any training undertaken. A revised evaluation form **(T)** is attached for consideration. It includes a section on actions to be taken following training.

Clerk to report further.

TO CONSIDER: the revised evaluation form, as presented.

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2425 89 Covid Memorial working group - update 8.21pm

A verbal update from the Covid Memorial working group will be given at the meeting.

TO NOTE: progress reported regarding the establishment of appropriate memorials at Sands and Honley Library.

TO CONSIDER: any further actions.

2425 90 Dropbox for councillors 8.25pm

Following a request from councillors a councillor folder is to be set up using Dropbox in due course. This will enable councillors to access a number of shared documents.

2425 91 Ward asset register survey of benches, war memorials and other small assets - update 8.26pm

There are a number of amendments to ward asset registers outstanding. The clerk will update these before the next Full Council meeting and distribute to members by email or post as preferred.

TO NOTE: Ward asset register update to follow ahead of the next FULL COUNCIL meeting.

2425 92 Elections costs from General Reserves 8.27pm

The bill from Kirklees Council for the costs of the Upper Holme Valley by-election was significantly higher than that of previous by-elections, - £9,016.17. Kirklees tells the Parish Council that this cost is likely to be an approximate standard cost for future by-elections. There is no current budget line for elections, though there is an earmarked reserve holding £7,000. This, however, is mainly held with a view to adding to it year-on-year so that there is £30,000 by the time the next full Council election comes round. The RFO suggests that the payment of the election cost of £9,016.17 should come solely from general reserves. RFO to report.

TO CONSIDER: i. approving the payment of £9,016.17 for election costs and ii. approving the reserve from where the money is taken.

REFERRALS FROM STANDING COMMITTEES

FINANCE AND MANAGEMENT COMMITTEE

2425 93 Grants working group - update 8.30pm

At the meeting on 19 August 2024 the FINANCE AND MANAGEMENT COMMITTEE **RESOLVED** to recommend to FULL COUNCIL a revised grant application procedure to be in place for the grants cycle in February 2025 (minute 2425 45). The revised procedure consists of:

- 1) a Report intended to rationalise the grants process **(Ui)**
- 2) Guidelines for applicants for grants **(Uii)**

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- 3) an updated Application Form (Uiii)
- 4) an updated Grant Evaluation Report (Uiv)

Working group chair/deputy clerk/RFO to report further.

TO CONSIDER: approval of the revised grant application procedure and accompanying documentation.

2425 94 **New model Financial Regulations from the National Association of Local Councils (NALC)** 8.35pm

The Financial Regulations Working Group, which consists of Cllr Wilson, Cllr Colling and the RFO/Deputy Clerk, presented its draft of the Parish Council's Financial Regulations based on the new NALC model Financial Regulations to the Finance and Management Standing Committee 30th September 2024. The Working Group had set out to try to 1. protect the Parish Council from fraud, whilst 2. rationalising its financial processes so that it operates more efficiently, responsibly and effectively, and 3. the Financial Regulations accurately set out how the Parish Council actually operates in practice. (V)

The Finance and Management Committee recommends the draft Holme Valley Parish Council Financial Regulations to the Council as presented. RFO to report.

TO CONSIDER: Approval of the draft Holme Valley Parish Council Financial Regulations.

SERVICE PROVISION COMMITTEE

2425 95 **Gartside Unit - update** 8.42pm

At the meeting on 23 September 2024 the SERVICE PROVISION COMMITTEE **RESOLVED** to recommend to FULL COUNCIL to release money from EMR 331 Gartside Unit (£6000) for expenditure of up to £500 for essential maintenance and refurbishment of the unit and up to £689.35 for the erection of a new external noticeboard, matching one already in situ.

Clerk to report further.

TO CONSIDER: approving release of up to £1189.35 from EMR 331 Gartside Unit to maintain and refurbish the Gartside Unit.

2425 96 **Defibrillators** 8.44pm

Following a review of defibrillator provision, ownership and upkeep in the Holme Valley the SERVICE PROVISION COMMITTEE at its meeting on 8 July 2024 **RESOLVED** to recommend to FULL COUNCIL that HOLME VALLEY PARISH COUNCIL takes on the responsibility for two existing defibrillators – one sited at the garage of a private residence on Oaks Lane, Brockholes and one sited on Huddersfield Road, Holmbridge (minute 2425 23).

There are at least 36 defibrillators in the Holme Valley Parish Council area. Of these, 2 are currently the responsibility of Holme Valley Parish Council – one outside the Civic and one outside Holmfirth Toilets. The Yorkshire Ambulance Service – which has oversight of provision – has requested that HVPC take on responsibility for the 2 further defibrillators.

TO CONSIDER: recommendation from the SERVICE PROVISION COMMITTEE that HOLME VALLEY PARISH COUNCIL takes on the responsibility for 2 further defibrillators situated in

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the Holme Valley as referred to above.

CLIMATE ACTION, COMMUNICATIONS AND ENGAGEMENT COMMITTEE

- 2425 97 Big Community Celebration 8.46pm**
- The working group delegated to organise the Community Celebration report they are making good progress on planning the event. The Large Hall at The Civic has been booked for 9th November 10am-4pm. The working group will keep the Parish Council informed of further developments and welcomes the input of all members. This event is an opportunity for the Parish Council to engage with the community, so the Parish Council wants as many people to be involved as possible. Save the date, - 9th November.
- Working Group to report further.
- TO CONSIDER:** any further action with regards to the event.
- 2425 98 Biodiversity Policy 8.48pm**
- The CACE COMMITTEE at its meeting on 9 September 2024 **RESOLVED** to recommend that the revised Biodiversity Policy as presented **(W)** be adopted.
- CACE COMMITTEE to comment further.
- TO CONSIDER:** adoption of the revised Biodiversity Policy as presented.
- 2425 99 New HVPC website going live Thursday 10 October 2024 8.50pm**
- The new website is due to go live on the 10 October. The website address is unchanged. Councillors are encouraged to explore content so far and report any glitches to the Assistant Clerk. Please note that if pages have been previously bookmarked links may no longer be valid and these will need to be set up anew.
- At this point the website content basically consists of transferred information. Further development of the website will be an ongoing process.
- 2425 100 Solar Panels – Planning Application advice from Kirklees Conservation Team 8.51pm**
- Notification via email has been received 08-10-24 from Kirklees advising the Parish Council that the Planning Application for installing solar panels on Holmfirth Toilets is likely to be rejected on conservation grounds– see **(X)**.
- The Parish Council has until 14 October to contact Kirklees Planning if it wishes to withdraw the application.
- The Assistant Clerk has contacted Kirklees to ascertain possible consequences of either withdrawing or not withdrawing the application and to see if the deadline of 14 October can be modestly extended to allow for FULL COUNCIL to consider the matter.

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TO CONSIDER: any actions regarding the advice received from Kirklees Planning regarding the planning application to install solar panels at Holmfirth T8.51pmoilets.

PLANNING COMMITTEE

2425 101 Local Plan Review – working group 8.53pm

A Local Plan working group was established by the PLANNING COMMITTEE at its meeting on 15 July 2024 to draw up a response from HOLME VALLEY PARISH COUNCIL to the Kirklees Local Plan Review. The working group wishes to extend an invitation to any councillor wishing to join the group.

TO CONSIDER: the appointment of additional members to the Local Plan Working Group.

MISCELLANEOUS ITEMS/ CORRESPONDENCE

2425 102 Chair's Report 8.53pm

Chair to give a verbal report on activities on behalf of HOLME VALLEY PARISH COUNCIL.

TO CONSIDER: any actions arising from the Chair's Report.

2425 103 Reports from Kirklees Ward Councillors 8.55pm

An opportunity for Holme Valley north and Holme Valley South Kirklees councillors to share information with Holme Valley Parish Council.

Clerk to report any information received by email etc with regards to this item.

TO CONSIDER: any actions arising from any reports received from Kirklees Ward Councillors.

2425 104 #Tell Tracy – consultation invitation 8.56pm

Parish and town councils have been invited to participate in a consultation on the West Yorkshire Police and Crime Plan. There is a consultation event on Thursday 24 October 1830-2000HRS – see **(Y)**.

TO CONSIDER: any actions regarding the invitation to participate in the #Tell Tracy consultation.

2425 105 Communication from Woven 8.57pm

The clerk has had communication from a representative of the Kirklees Woven project, with an invitation for Holme Valley Parish Council to become involved in the project. Please see **(Z)**.

TO CONSIDER: inviting a representative from Woven to address the next FULL COUNCIL meeting on 16 December 2024 or other action.

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2425 106 Charles Brook Convalescent Fund – request for trustees

8.58pm

Please note correspondence **(ZZ)**. Any councillor wishing to put themselves forward as a trustee, please inform the clerk who will notify the Fund representatives.

TO NOTE: request from the Charles Brook Convalescent Fund for trustees.

2425 107 Items for Publicity

8.59pm

A standing item for councillors to put forward potential items for publicity arising from the meeting. There is a period of Pre-election sensitivity in place until 17 October 2024.

TO CONSIDER: Council matters to be publicised subsequent to the meeting.

CLOSE 9.00pm

Please note that timings on the agenda are given for guidance of the Chair and Council only and should not be taken as the time at which discussion of a particular item will commence.

Jen McIntosh

Clerk to the Council

Holme Valley Parish Council, Holmfirth Civic Hall, Huddersfield Road, Holmfirth HD9 3AS
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DRAFT MINUTES OF THE MEETING OF THE HOLME VALLEY PARISH COUNCIL

DATE: MONDAY 24 JUNE 2024

VENUE: THE CIVIC HOLMFIRTH HD9 3AS

IN THE CHAIR: Cllr Pat Colling

PRESENT:

Cllr Lawrence Baylin
Cllr Donna Bellamy
Cllr Mary Blacka
Cllr Tom Dixon (Vice Chair)
Cllr Donald Firth
Cllr Charles Greaves
Cllr Chris Green
Cllr Jenny Holmes
Cllr Glenn Kirkby
Cllr Alison Morgan
Cllr Hugh Osborne
Cllr Steve Ransby
Cllr Martin Rostron
Cllr Jane Rylah
Cllr Tricia Stewart
Cllr Sarah Whitelaw
Cllr Andy Wilson

APPROVED APOLOGIES: Cllr Isaac Barnett, Cllr Damian Brook, Cllr Andrew Fenwick, Cllr Kath Fernandes, Cllr Jo Liles

OTHER ABSENCES: None

TAKING MINUTES: Jen McIntosh (Clerk)

IN ATTENDANCE: Rich McGill (Deputy Clerk/RFO); Gemma Sharp (Assistant Clerk)

DRAFT MINUTES

2425 42 Public Question Time

The Chair welcomed members and members of the public to the meeting.

In accordance with *Standing Orders 3 e to g* members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.

Cllr Bellamy arrived within the first minute of the meeting.

There were two members of the public present. One was to speak to item 2425 50 and one wished to speak to item 2425 51.

SIGNED: _____ **Cllr P Colling CHAIR**

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RESOLVED: that the member of the public present to speak to item 2425 50 should do so in Public Question Time and that for item 2425 51 Standing Orders should be suspended to allow the member of the public present who wished to speak to that item to do so.

The member of the public present to speak to item 2425 50 spoke to seek permission for a banner advertising the new branding 'Make it your Holmfirth' to be displayed at the rear of Holmfirth Public Toilets.

PROCEDURAL MATTERS

2425 43 Public Bodies (Admission to Meetings) Act 1960 amended by the Openness of Local Government Bodies Regulations 2014 on 6 August 2014

The meeting was recorded for public broadcast via the HOLME VALLEY PARISH COUNCIL YouTube channel. There were no other requests to make a recording of the meeting.

2425 44 Items to be heard in private session

There were no agenda items to be heard in private session.

2425 45 Apologies and reasons for absence

APPROVED: apologies and reasons for absence from Cllr Isaac Barnett, Cllr Damian Brook, Cllr Andrew Fenwick, Cllr Kath Fernandes, Cllr Jo Liles.

2425 46 Receipt of written Declaration of Pecuniary and Other Interests

Revised written Declarations of Pecuniary and Other Interests received from councillors were emailed out on Tuesday 28 May.

NOTED: receipt of updated written declaration(s) of pecuniary and other interests from Cllr Isaac Barnett, Cllr Lawrence Baylin, Cllr Donna Bellamy, Cllr Mary Blacka, Cllr Pat Colling, Cllr Tom Dixon, Cllr Andrew Fenwick, Cllr Charles Greaves, Cllr Chris Green, Cllr Jenny Holmes, Cllr Glenn Kirkby, Cllr Jo Liles, Cllr Alison Morgan, Cllr Hugh Osborne, Cllr Steve Ransby, Cllr Martin Rostron, Cllr Tricia Stewart, Cllr Sarah Whitelaw and Cllr Andy Wilson.

2425 47 Declaration of interests in agenda items

Cllr Ransby declared an interest in item 2425 51 as a trustee of the Civic.

The Chair reaffirmed the view that where members are trustees of other bodies *to represent* the Parish Council whilst that may be acknowledged as an interest the member would still have rights to speak.

The Chair clarified that for the item today the two HVPC trustees for the Civic should not vote and that she expected the member of the public present to speak to the issue.

SIGNED: _____ **Cllr P Colling CHAIR**

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The Chair hoped that the Whole Council training in the process of being organised would throw further light on issues around the declaring of interests in meetings.

Cllr Stewart declared that the Kirklees Holme Valley South Ward Councillor is her stepson.

TO CONFIRM THE MINUTES OF THE PREVIOUS PARISH COUNCIL MEETINGS

2425 48 Minutes of Full Council meetings

APPROVED: the Minutes of the ANNUAL COUNCIL Meeting held on 13 May 2024 numbered 2425 01 to 2425 41.

To receive information regarding ongoing matters arising from the minutes which do not appear under other agenda items including:

- i. **Minute 2425 10 Office Holders 2024-25:** the following appointments of Vice Chairs have been made: FINANCE AND MANAGEMENT - Cllr Glen Kirkby; PLANNING – Cllr Andy Wilson; CACE – Cllr Green. The SERVICE PROVISION Vice Chair will be appointed at its meeting on 8 July 2024.
- ii. **Minute 2425 15 Minutes of Full Council meetings:** it remained an action for the Clerk to write to the Chair of HCHCT to summarise the Parish Council’s position on The Civic boundaries and the correspondence with Hightown Lane neighbours.
- iii. **Minute 2425 17 Holmfirth Blueprint – progress:** efforts are being made via the PLANNING COMMITTEE to contact key Kirklees officers/directors to obtain up-to-date feedback concerning the Holmfirth Blueprint.
- iv. **Minute 2425 22 Reports from Kirklees Ward Councillors:** Clerk had placed in the narrative of the agenda that ‘this item will no longer feature in FULL COUNCIL agendas’. Cllr Whitelaw spoke to the issue, explaining that the item was intended to allow councillors to give factual feedback. Cllr Dixon explained that he had asked for the item to be removed due to a concern that Parish councillors should not be expected to answer questions about Kirklees matters when they were attending as Parish Councillors. A number of councillors spoke to the issue.
Cllr Greaves arrived at 7.13pm during this item.

RESOLVED: that Reports from Kirklees Ward Councillors be reinstated as a Standing Item in future Full Council agendas.

- v. **Minute 2425 26 Civic Underlease:** Clerk reported that HCHCT has confirmed that it wished HVPC to consider signing the underlease provided in 2017. The underlease had subsequently been shared with the Parish Council’s legal representatives to provide a written report in due course.

THE COMMITTEE MINUTES UNDER DELEGATED POWERS

2425 49 Minutes of Standing Committee meetings

APPROVED: the Minutes of the STAFFING COMMITTEE Meeting held on 29 April 2024 numbered 2425 01 to 2425 16.

SIGNED: _____ Cllr P Colling CHAIR

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NOTED: the Minutes of the PLANNING COMMITTEE Meeting held on 20 May 2024 numbered 2425 20 to 2425 41 **APPROVED** at the meeting of the PLANNING COMMITTEE Meeting held on 17 June 2024.

APPROVED: the Minutes of the CLIMATE ACTION, COMMUNICATIONS AND ENGAGEMENT COMMITTEE Meeting held on 3 June 2024 numbered 2425 01 to 2425 24 with an amendment to Minute 13 regarding those attending to say 'Cllr' Morgan and Blacka, not 'Member'.

APPROVED: the Minutes of the FINANCE AND MANAGEMENT COMMITTEE Meeting held on 10 June 2024 numbered 2425 19 to 2425 38.

MATTERS RESERVED FOR FULL COUNCIL

2425 50 Request from Holmfirth Business Together to display a temporary banner attached to Holmfirth Public Toilets

A member of the public present spoke in support of the motion, explaining that guidance had been obtained from Kirklees Planning and Development Service regarding displaying a banner, indicating that no permission would be required from Kirklees Conservation Team as the banner would be a temporary structure fixed to the building. Holmfirth Public Toilets are within a conservation area but is not a listed building.

The design work for the banner had been signed off by the Town Centre Planning Group with a Parish Councillor present.

RESOLVED: to give permission for a temporary banner to be erected by Holmfirth Business Together on the side of Holmfirth Public Toilets facing the bus station to promote Holmfirth and Summer events taking place in 2024.

The member of the public left the meeting following this item.

2425 51 The Civic – requests from the Trustees

The member of the public present spoke as Chair of Holmfirth Civic Hall Community Trust, referring to the stronger position of the Trust as a result of the addition of skilled trustees and the appointment of the architect to work alongside the Trust.

Councillors were pleased to see that longer term views were being taken and a vision developing.

RESOLVED: to introduce 5 yearly reviews of the HCHCT lease and - if all parties are in agreement at that time - at each review extend the lease back to at least 25 years duration.

RESOLVED: to seek a legal opinion regarding the amending of the HCHCT lease so that HVPC takes responsibility for repairs to the fabric of the building, whilst responsibility for modifications, developments and improvements remain the responsibility of HCHCT.

SIGNED: _____ Cllr P Colling CHAIR

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APPROVED: payment of £40,000 approved expenditure for 2024/5 to commence additional investigations and urgent works.

Funds to come from Earmarked Reserve EMR 329 Holmfirth Civic £30,000 and Budget Line 4310 Holmfirth Civic £10,000.

The member of the public left the meeting at the conclusion of the item.

2425 52 Referrals to the Monitoring Officer

Clerk relayed information from the Kirklees Monitoring Office. The Chair stated that a new Monitoring Officer had been appointed.

It was stated that it would be useful to know what the nature of any referral was as a learning point. The protocol was that the Parish Council would receive outcomes in due course from the Monitoring Officer which may include recommendations.

Councillors were reminded that the Whole Council training was the result of a recommendation from the Monitoring Officer regarding declarations of interests.

NOTED: information that 1 referral concerning a councillor was to be considered by an assessment panel in relation to an alleged breach of the code of conduct, 3 referrals had been concluded with no breach found and 2 further referrals remained open.

2425 53 Annual Governance and Accountability Return 2023-24

Deputy Clerk/RFO reported.

Full Council **NOTED** the Annual Internal Audit Report 2023/24 and the updated Fixed Asset List with breakdown of topograph cost.

APPROVED:

- (1) Annual Governance Statement 2023/24 – subsequently signed by the Chair and Clerk.
- (2) Accounting Statements 2023/24 – subsequently signed by the Chair.
- (3) All supporting documentation including:
 - a. Notice of Public Rights and Publication of Unaudited Annual Governance and Accountability Return.
 - b. Confirmation of the dates of the period for the exercise of public rights.
 - c. Bank Reconciliation.
 - d. Reconciliation between Box 7 and Box 8 of the accounting statements.
 - e. Explanation of variances.
 - f. Contact details.
 - g. Notice that the Accounting Statements are unaudited and may be subject to change.
 - h. Letter confirming the amount of the precept.

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Holme Valley Parish Council

The Chair congratulated the clerk team and the Deputy Clerk/RFO in particular on the excellent work represented in the completed AGAR. This demonstrated the distance travelled by the Parish Council with regards to financial reporting since the Deputy Clerk/RFO's appointment.

Deputy Clerk/RFO to forward the approved and certified Annual Governance and Accountability Return 2023/23 Form 3 with all supporting documentation to the external auditor PKF Littlejohn.

2425 54 GDPR compliant Privacy Notices - revised

Revised Privacy Notices were presented for posting on the website. One was for the public and the other was for staff, councillors and other role-holders.

The notices are required for the Council to be GDPR (2018) compliant, were based on NALC models and was an action from Internal Audit.

APPROVED: revised Privacy Notices for the public and for staff, councillors and other role-holders as presented.

2425 55 Reserves Policy

The policy presented aimed to give a clear picture of the position regarding the calculation of General Reserves for reporting to councillors.

The Deputy Clerk/RFO confirmed that the Reserves Policy could be further revised at a future date if desired.

APPROVED: the updated Reserves Policy, as presented, with amendment to reflect the strategic priorities agreed December 2023.

OTHER FINANCIAL MATTERS

2324 56 Council Budget 2024-25 Year-To-Date including Earmarked Reserves

Deputy Clerk/RFO reported that income had been received for allotment and garage rentals. Insurance costs for the Parish Council were significantly over budget.

NOTED: Budget Year-To-Date Report including Earmarked Reserves.

2324 57 Schedule of Payments

Deputy Clerk/RFO reported on the Schedule of Payments June 2024.

NOTED: the Schedule of Payments for June 2024 as presented.

2425 58 Ward asset register survey of benches, war memorials and other small assets - update

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Clerk reported that the Council had previously **RESOLVED** to request all members to make any amendments to ward asset registers and thanked those members who had provided her with updated ward registers. These had been combined as HVPC Asset Condition Survey 13-06-2024.

Some updates had been missed by the clerk and needed to be added; further updates would also be welcomed. Updating was an ongoing process.

It was asked what the next step would be. Some assets had been reported as being in need of repair back in October 2023. When would repairs etc be carried out? It had been raised at Service Provision Committee. It was important to consider improvements needed to the fabric of Holmfirth; this was more important than approving banners and part of the Parish Council's remit.

The issues shared were referred to the Service Provision Committee meeting scheduled for 8 July.

Clerk to further update ward asset registers.

2425 59 Councillor training – evaluations received

Clerk reported that councillors are asked to complete a brief evaluation of any training undertaken. Two such evaluations had been shared prior to the meeting.

It was stated that such evaluations should feed into the Parish Council's ongoing work.

Clerk to adapt the proforma with a section on recommendations for next actions/follow up.

REFERRALS FROM STANDING COMMITTEES

FINANCE AND MANAGEMENT COMMITTEE

2425 60 Referral from Finance and Management Committee

As context, councillors were reminded that the Parish Council was able to claim back VAT paid on much of its expenditure. With that in mind, the Finance and Management Committee had been debating whether this has relevance to payments made to fund, for example, repairs to The Civic.

Since the setting up of Holmfirth Civic Hall Community Trust, the Parish Council had paid towards works at The Civic through grants. A disadvantage of this was that the Community Trust could not claim back VAT on its expenditure, like the Parish Council can.

Cllr Liles and the RFO/Deputy Clerk had consulted with Cllr Liles' accountant on this matter. The accountant, from Paul Howley and Co, felt that the Parish Council could reclaim VAT on such expenditure. He said that, given that the Parish Council is not a business, is not constituted to make a profit, and its purpose is to benefit the people of the Holme Valley, then VAT could be reclaimed so long as:

- The Parish Council is the sole funder of the cost of a specific works project.

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- That Holmfirth Civic Hall Community Trust, who under the terms of the lease have full responsibility for the repairs of The Civic, agrees to this arrangement.

RESOLVED: to seek further formal advice as to whether the Parish Council could directly pay a contractor or supplier of a specific works project at The Civic, - of which it was the only funder, - and thereafter claim the VAT back.

Clerk to raise the issue when legal advice is sought regarding potential Civic lease alterations.

CACE COMMITTEE

2425 61 Big Community Celebration

The working group delegated to organise the Community Celebration reported they are making good progress on planning the event. The Large Hall at The Civic was booked for 9th November 10am-4pm and Save the Date cards obtained and in the process of being distributed. The working group will keep the Parish Council informed of further developments and welcomes the input of all members. The event was an ambitious opportunity for the Parish Council to engage with the community, so the working group would welcome as many people being involved as possible.

2425 62 Approval of Payment

At its meeting on 20 May 2024 in item 2425 40 the PLANNING COMMITTEE **RESOLVED** to recommend to Council to approve the payment of £474 + £94.80 VAT totalling £568.80 from the earmarked reserve 343 EMR Road Safety via budget line 4505 Neighbourhood Planning for the purchase of a second set of road safety bollards.

APPROVED: the payment of £474 + £94.80 VAT totalling £568.80 from the earmarked reserve 343 EMR Road Safety via budget line 4505 Neighbourhood Planning for road safety bollards to be supplied to Brockholes School.

MISCELLANEOUS ITEMS

2425 63 Chair's Report

The Chair gave a verbal report on her activities on behalf of HOLME VALLEY PARISH COUNCIL which included attending the Kirklees Civic Service for the Mayor 2023-4, the Kirklees Mayor-making for 2024-5 and the opening of the Holmfirth Arts Festival at the Co-op Café. She was due to attend Honley Show.

NOTED: the Chair's Report as described above.

2425 64 West Yorkshire Mass Transit Briefing

A political briefing summary was received from the West Yorkshire Combined Authority on 3 June 2024 by email and was forwarded to all members. The briefing provided an update on **Mass Transit**

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(MT) and the **Local Transport Plan 4 (LTP4)**, both of which represent significant investments in the region.

As there were no implications for the Holme Valley no further action was required at that time.

2425 65 Whole Council Training – for information

The whole council training planned for Monday 1 July 2024 had been rearranged to Tuesday 24 September due to the timing of the General Election. Following feedback from councillors 19 places had been provisionally booked, to include 17 councillors and 2 members of the clerk team. Each place cost £28 and mileage costs were estimated to be £36.90. The clerk revised her initial suggestion from providing hot drinks refreshments with a budget of £10 to include sandwiches (est: £60) at a suggested total refreshments budget of £70. This reflected the fact that the meeting is scheduled to take place across the entire evening, 6-9pm. Refreshments also need to be provided to the YLCA presenter. Room hire for 4 hours (to include set up and take down) of the Lesser Hall would cost £128 (£32 per hour). The total estimated cost is therefore £766.90.

The Chair and the Clerk would give a debrief on the training to any councillor unable to attend.

NOTED: revised arrangements for whole council training to take place Tuesday 24 September 6-9pm in the Lesser Hall at the Civic.

APPROVED: expenditure of up to £766.90 - £686.12 from budget 4061 Councillor Training and up to £80.72 from budget 4046 Staff Training - for a whole council training event.

The Clerk had completed a Training Requirements brief to be submitted to YLCA which reflected the recommendation from the Kirklees Monitoring Officer that all councillors receive training regarding declaring interests. The clerk explained that YLCA were keen for each individual councillor to submit a personal training request form for forwarding to YLCA. These were distributed at the meeting with an envelope for confidentiality. The Clerk asked for those to be returned to the Council Office by 4pm Thursday 22 August for collating and sending on in confidence to YLCA. The YLCA deadline for receipt of the Training Requirements form was 31 August 2024.

2425 66 Appointment of a Representative to Earnshaws Foundation Charity Holme

The Clerk reported that telephone contact on behalf of Earnshaws Foundation Charity Holme (Upper Holme Valley Ward) was received on 13 May 2024, asking if a councillor representative could be appointed to the Charity. This charity had been removed from the list of representatives to be considered for 2024-25 due to incorrect information that the charity was not operating. Ex-Cllr James had been the nominated person in 2023-24.

The purpose of the Charity was the promotion of education including religious education in Holme and its environs.

APPROVED: appointment of Cllr Sarah Whitelaw as HVPC representative to Earnshaws Foundation Charity, Holme.

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Before proceeding to item 2425 67 the Chair referred back to **item 2425 48 Minutes of Full Council meetings** and referred to **minute 2425 22** from 13 May 2024 – no resolution had been made as part of the item. The clerk stated that it may have been the Full Council meeting in October or December 2023 which resolved that reports from Kirklees Ward Councillors be a standing item.

2425 67 Items for Publicity

A possible future focus suggested was the Civic: explaining and celebrating the Parish Council's role in preserving, repairing and utilising this facility with a focus on this being a project reflecting community involvement and consultation.

The Assistant Clerk noted that, with the election nearing, the Parish Council was in the period of heightened sensitivity and, in line with guidance, a decrease in social media postings etc from the Parish Council reflected that.

The meeting closed at 8.26pm.

SIGNED: _____ **Cllr P Colling CHAIR**

Holme Valley Parish Council



MEETING OF THE SERVICE PROVISION COMMITTEE
MONDAY 8 JULY 2024 at 7pm in HONLEY LIBRARY

IN THE CHAIR: Cllr Pat Colling for item 2425 01; Cllr Glenn Kirkby for items 1tem 2425 02 onwards.

ALSO PRESENT: Cllr Isaac Barnett, Cllr Mary Blacka, Cllr Tom Dixon, Cllr Donald Firth, Cllr Alison Morgan, Cllr Steve Ransby, Cllr Jane Rylah, Cllr Tricia Stewart.

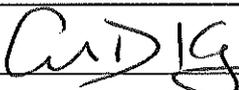
ABSENT WITH APOLOGIES AND REASON APPROVED: Cllr Lawrence Baylin, Cllr Chris Green, Cllr Hugh Osborne.

OTHER ABSENCES: None.

OFFICER TAKING MINUTES: Jen McIntosh - Clerk.

APPROVED MINUTES

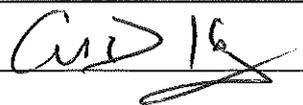
	Welcome
2425 01	In the Chair
	<p>The Clerk explained that Cllr Lawrence Baylin was re-elected Chair of the SERVICE PROVISION COMMITTEE for council year 2024-25 at the Annual Council meeting of 15 May 2024.</p> <p>In line with Standing Orders the Annual Council meeting had resolved that the Vice Chair of the SERVICE PROVISION COMMITTEE be elected at the first meeting of the council year 2024-25.</p> <p>Apologies and reason for Cllr Baylin were to be considered later in the agenda, meaning that in line with Standing Order 3.p. the first act of the COMMITTEE must be to choose a member to take the Chair to preside over the election of a Vice Chair for 2024-25.</p> <p>RESOLVED: Cllr Colling to preside over the meeting until the election of a Vice Chair was completed.</p>
2425 02	Election of Vice Chair
	<p>In line with Standing Orders nominations were requested for the role of Vice Chair of the SERVICE PROVISION COMMITTEE. Cllr Glenn Kirkby was proposed and seconded. No other nominations were received.</p> <p>ELECTED: Cllr Glenn Kirkby to serve as Vice Chair of the SERVICE PROVISION COMMITTEE for the remainder of the council year 2024-25.</p>
2425 03	Public Question Time
	<p>No members of the public were present.</p>
2425 04	Public Bodies (Admission to Meetings) Act 1960 amended by Openness of Local Government Bodies Regulations 2014
	<p>The Clerk was recording the meeting in video format for upload to the Parish Council's YouTube</p>

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	channel. No other requests for recordings were received.
2425 05	Apologies and reasons for absence
	Apologies for absence with reasons received by the Clerk were circulated by email prior to the meeting to be considered together. The Clerk apologised for the lateness of sending out apologies with reasons by email.
	APPROVED: Apologies and reasons for absence from Cllr Lawrence Baylin, Cllr Chris Green and Cllr Hugh Osborne.
2425 06	Receipt of updated Disclosable Personal and Pecuniary Interests forms
	There were no new/revised Disclosable Personal and Pecuniary Interests forms (DPIs) of Committee members to consider.
2425 07	Members' and Officers' personal and disclosable pecuniary interests in items on the agenda
	Cllr Stewart declared that she was stepmother to Kirklees Holme Valley South Councillor Mo Crooks. It was not anticipated that there were any agenda items where this might count as an interest.
	No other Members' or Officers' personal and disclosable pecuniary interests were declared.
2425 08	Items on the agenda to be discussed in private session
	RESOLVED: that agenda item 2425 15 Progress regarding a possible tendering process for Holmfirth Public Toilets and the maintenance of smaller assets be discussed in private session for reasons of commercial sensitivity.
	Discussions regarding this item would not be included in recorded footage but any resolutions were to be set down in the minutes.
	The Clerk stated that any tender documentation under consideration would become a matter for public record once finalised.
2425 09	Minutes of the previous Service Provision Committee meeting
	The minutes of the previous meeting of the SERVICE PROVISION COMMITTEE, held on 19 February 2024 were NOTED , having been APPROVED at FULL COUNCIL on Monday 18 March 2024.
	The following information regarding ongoing matters arising from the approved minutes was reported by the Clerk: <ul style="list-style-type: none"> - An update regarding removal of the sharps bin was awaited from Kirklees Holme Valley South Cllr Paul Davies (minute 2324 73 - SPC 19-2-2024). - It remained an action for the Clerk to contact Holmfirth Forward to gauge interest and feedback regarding CCTV in Holmfirth centre (minute 2324 76 - SPC 19-2-2024). - Sands Rec budget (minute 2324 86 – SPC 19-2-2024) had been resolved at Full Council.

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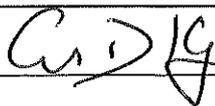


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	BUDGETARY MATTERS
2425 10	Service Provision Committee Budget 2024-25 and Earmarked Reserves
	The Clerk reported on an anomaly in budget line 4715 defibrillators, explaining that this was caused by a delivery charge of £5.95 for defibrillator consumables. The Deputy Clerk/RFO would organise reimbursement to the Clerk in due course of this charge which she had paid.
	NOTED: the Expenditure against Budget 2024-25 – Budget Lines Year-to-Date <i>and</i> Earmarked Reserves.
	MAJOR ASSETS MANAGEMENT
2425 11	Honley Library
	A written report and events update from Friends of Honley Library were received and NOTED . Cllr Colling updated the Committee regarding current fund-raising efforts by Friends of Honley Library. Cllr Dixon reported on his family's experience of activities hosted at Honley Library. <i>Cllr Donald Firth joined the meeting at 7.10pm during consideration of this item.</i> The Clerk reported the following activities in support of FOHL: <ul style="list-style-type: none"> -providing a letter of support for a grant application; -16-4-2024 – meeting held with Kirklees officers regarding the proposed community managed library model -following the meeting the Clerk wrote a letter to Kirklees, summarising HVPC's concerns regarding the proposed model; -13-5-2024 - the Clerk had emailed Kirklees to request an update regarding the progress of the consultation; -31-5-2024 – the Clerk had received an update by email from a Kirklees officer stating that feedback was in the process of being collated. <p>Earlier on Monday 8 July the Clerk had received an email from the Chair of FOHL regarding correspondence they had received from a Kirklees officer stating that no update could be shared as Kirklees were at that time not in a position to receive a report or make decisions.</p>
2425 12	Holmfirth Civic Hall Community Trust
	The <u>Holmfirth Civic – SPC Update</u> written report was received. The Clerk reported that a meeting to be held with HVPC Civic Trustees, Chair of SPC, Chair of HCHCT and HCHCT Business Development Manager would now take place once the Civic's independent examination of latest accounts had been received. Clerk to organise.

TO SIGN: _____



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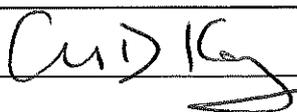
	<p>The Committee echoed Cllr Wilson’s remarks in the Full Council meeting on 26 June 2024 that the Civic should be viewed as a fantastic resource. It was acknowledged that the current trustees had worked effectively to establish a realistic picture of the challenges posed by the building condition and were to be thanked for their efforts to do so. It was accepted that the Civic would continue to require a significant input of funds for some years to come.</p> <p>It was suggested that a visit to Upper Mill Civic Hall in Saddleworth might provide insight into how the building might be developed.</p> <p>The Committee looked forward to the architect’s vision report which would follow in due course.</p>
	<p style="text-align: center;">OTHER ASSETS MAINTAINED BY HOLME VALLEY PARISH COUNCIL</p>
<p>2425 13</p>	<p>Gartside Buildings update</p>
	<p>The Clerk reported significant progress in installing new tenants since the meeting on 19-2-2024 with a tenancy agreed in principle at Annual Council on 13 May 2024.</p> <p>The lease had been drawn up by Ramsden’s and was currently being negotiated with the new tenant. Time slippage meant that the lease would more likely complete for the beginning of August than July as first planned.</p>
	<p>RESOLVED: approval of expenditure of up to £300 for the installation of a basin and water supply from budget line 4325 lettable space should this be desired by the incoming tenant.</p> <p>RESOLVED: to support EPIKS in completing a grant application to the Bright Green Energy Fund, open for the duration of July, to fund the installation of LED lighting, a portable air source heat pump and insulation (subject to confirmation).</p>
<p>2425 14</p>	<p>Holmfirth Public Toilets</p>
	<p>The clerk had provided a written report and reported further regarding recent improvements made to mirrors, remedial works to disabled door, replacement of toilet roll holders etc.</p> <p>Regarding replacing the voluntary contributions box, the Clerk had spent some time researching pay-by-card equipment and was yet to find an affordable and suitable alternative to a cash box. The Committee considered whether voluntary contributions should still be required, opting to not change from the request of a 20p voluntary contribution at this time. It was suggested that use could be made of a QR code for payment of voluntary contributions in the future.</p> <p>An action for the Clerk was to look to bring proposals for a like-for-like cash box of improved design to replace current box to the September meeting and continue to investigate possible card payment/QR code options as part of a longer-term improvement.</p> <p>An action for the Clerk was to raise a query with YLCA regarding possible contacts for card payment equipment.</p> <p>It remained an option to do away with voluntary contributions at some future point if the COMMITTEE so wished. The monies raised had fallen significantly since the Covid pandemic though this might be due to changing habits regarding the public no longer carrying cash as a matter of</p>

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	<p>course.</p> <p>The Clerk also reported on her joint visit to Holmfirth Toilets with the contractor and her weekly visits since that date. There was space for the potential installation of an information board and she had discussed with the contractor the viability of re-establishing a baby change room or area within the toilets. The contractor had shared with the Clerk some serious concerns regarding this; it would present some significant challenges. She was impressed by the general cleanliness but remarked upon the issues caused by water gathering on the floor, most likely caused by the lack of a damp course. The contractor believed it may be prohibitively expensive to retrofit a damp course.</p> <p>The Clerk suggested that development of a more comprehensive vision for the toilets would be best led by a councillor working group. One possible role for this group might be to consider any applicable grant-giving sources, for example to improve the disabled facilities. Another development to consider might be to place baby change facilities in the existing toilets.</p>
	<p>RESOLVED: to form a working group of Cllr Morgan and Cllr Dixon (and Cllr Baylin should he wish to join) to draw up proposals for a possible refurbishment of Holmfirth Public Toilets.</p> <p>Clerk to ascertain if Cllr Baylin also wished to be a member of the working group.</p>
	OTHER ASSETS MANAGEMENT
2425 15	Progress regarding a possible tendering process for Holmfirth Public Toilets and the Maintenance of smaller assets
	<p>Due to commercial sensitivity the Committee had RESOLVED to hear this item in private session.</p> <p>There were no members of the public present.</p> <p>Recording of the item was stopped.</p>
	<p>RESOLVED: to appoint Cllr Dixon, Cllr Morgan, Cllr Baylin, Cllr Colling and Cllr Kirkby to serve on an oversight working group in respect of the management of any tender and tendering process.</p> <p>Clerk to service the working group.</p> <p>The group to appoint a Chair at its first meeting.</p> <p>RESOLVED: to delegate to the Clerk further development of tendering documentation to be presented to the SERVICE PROVISION COMMITTEE at the meeting to be held on 23 September 2024.</p> <p>RESOLVED: Clerk to seek a legal opinion on tender documentation and process before implementation.</p>
2425 16	Other assets including benches, stone shelters, war memorials, red heritage phone kiosks
	<p>A written report from the Clerk was received.</p> <p>Stone shelters were considered first by the COMMITTEE.</p>

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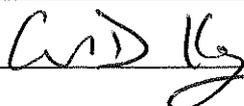


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	<p>Cllr Morgan reported that Friends of Honley were looking for funding and remained interested in establishing a sedum roof on the shelter at Westgate, Honley. The shelter at Hollowgate, Holmfirth, was suggested as another possible shelter that could benefit from the installation of a sedum roof.</p>
	<p>RESOLVED: To permit the CACE COMMITTEE to identify stone shelters which may be suitable to have a sedum roof installed.</p> <p>The Committee requested that further information be obtained and presented about potential ongoing insurance and maintenance costs as a prerequisite to any permission being given for works to go ahead.</p> <p>The recent refurbishment of benches was discussed. Ward asset registers were to be updated to reflect these.</p> <p>APPROVED: Expenditure of up to £950.40 (£792 plus £158.40 VAT) on 18 metal bench legs at £44 each for the refurbishing and repair of existing benches.</p> <p>Regarding the repair needed for the Hepworth War Memorial, the Clerk was struggling to obtain a further quotation. This was a prerequisite to submitting a grant application to the WMT. The WMT had communicated that although a grant application could be made it might not register as a high priority or be successful. Nevertheless, the Clerk suggested that this source of funding should be exhausted first before any request be made to Full Council to consider the cost of the repair from general reserves.</p> <p>The Clerk would approach the War Memorials Trust to request any assistance they might be able to give to suggest approved repairers prior to making a grant application.</p> <p>Regarding the use of dog waste bag dispensers, the Clerk thanked Cllr Baylin and Cllr Rylah for making onsite visits to dispenser locations that had been the source of complaint from members of the public.</p> <p>The Clerk referred to her written report, explaining that it was more usual to present a report from the contractor. The tender/contract oversight group might wish to have an input into what reporting requirements under a new contract might look like.</p>
2425 17	New Mill Closed Cemetery
	<p>The Clerk reported on approaches made to Kirklees Council to see if any advice could be given regarding drawing up a Service Level Agreement for the upkeep of a closed cemetery such as New Mill. Whilst Kirklees were unable to assist, the Clerk wished to thank Cllr Mo Crook for his assistance in this matter.</p> <p>The Clerk reported further that it was the intention of Cllr Baylin as the Chair of the SERVICE PROVISION COMMITTEE to meet with a representative of New Mill Church and the Clerk to draw up an agreed programme of works as part of the tendering process.</p>
	SERVICES
2425 18	Public transport in the Holme Valley

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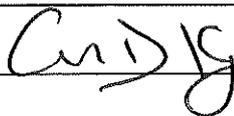


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	<p>The Committee received a written update from the Chair.</p> <p>Cllr Morgan reported on a productive meeting with the Penistone Line Partnership which was seeking out public engagement opportunities to encourage the use of local buses and trains. Cross Country Trains may have funding to promote use. Whilst the minibus laid on during Holmfirth Arts Weekend may have been less used due to weather, the bus conveying Honley residents to Honley Show had proved to be hugely popular. However, none present were aware of any usage numbers being recorded.</p> <p>Cllr Colling commented on the apparent lack of connectivity between local trains and buses.</p> <p>Cllr Blacka suggested that HVPC might work with EPIKS regarding the use of the Gartside Unit as a sustainable transport hub.</p> <p>Cllr Rylah suggested that one challenge for making public transport sustainable/more frequent was reaching a critical mass regarding usage. However, quite aside from that even if take-up seemed low the local buses were offering an important service.</p>
2425 19	Christmas tree provision - plans for 2024-25
	A report from the Chair of the Committee was received and a review of provision for 2024 onwards was considered at the meeting.
	RESOLVED: delegate to Chair and Clerk actions with regards to Christmas tree provision so that new arrangements are in place and ready for approval at the meeting on 23 September 2024.
2425 20	Dog waste strategy
	<p>The Service Provision Committee has overseen the instalment of a number of dog waste disposal bag dispensers and has a budget to cover the cost of restocking the dispensers. A number of volunteers assist with refilling the dispensers.</p> <p>A review of provision and the strategy has been held over until 2024-25.</p> <p>As proposed in the paper received from Cllr Baylin, it was planned that a Working Group of up to 4 members will draft a new coherent Public Area Litter and Dog Waste Management Strategy during 2024-25 and consult with District Ward Councillors, KMC officers and members of the CACE Committee on the available options.</p>
	RESOLVED: appointment of Cllr Blacka, Cllr Rylah and Cllr Baylin as members of a working group to draft a new coherent Public Area Litter and Dog Waste Management Strategy.
2425 21	Tourism
	<p>A written update from Cllr Baylin was received.</p> <p>RESOLVED: to approve</p> <ol style="list-style-type: none"> 1. Identifying aims and objectives in relation to the promotion of local tourism 2. Working in partnership with other community-based organisations and with Kirklees to establish a common programme and to ensure meaningful action and progress.

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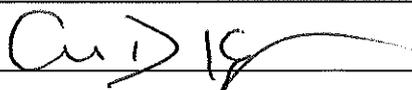


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	<p>3. Tracking the progress of creating a local heritage centre or similar and playing a part in that project as appropriate.</p>
2425 22	<p>Youth work in the Holme Valley</p> <p>A report and also budget monitoring information were received. The Committee wished to thank the CEO of Kirklees Youth Alliance and the Holme Valley youth worker for their work.</p> <p>NOTED: the report received with regards to the Kirklees initiative.</p> <p>Kirklees Youth Alliance are on the HOLME VALLEY PARISH COUNCIL list of regular payments and so once expenditure is approved payments can be authorised via two mandated signatures.</p> <p>RESOLVED: To recommend to FULL COUNCIL approval of expenditure of up to £25,000 for Kirklees Youth Alliance for the provision of youth services in the Holme Valley.</p> <p>Clerk to invite the CEO of KYA to meet with the Chair and the Clerk.</p>
2425 23	<p>Defibrillators</p> <p>The Clerk reported that there are at least 36 defibrillators in the Holme Valley Parish Council area.</p> <p>Of these, 2 are the responsibility of Holme Valley Parish Council – one outside the Civic and one outside Holmfirth Toilets. The Yorkshire Ambulance Service – which has oversight of provision – has requested that HVPC take on responsibility for 2 further defibrillators:</p> <ul style="list-style-type: none"> - One attached to the garage of a private residence on Oaks Lane. - One attached to the Cornloft, Huddersfield Road, Holmbridge <p>RESOLVED: To recommend to FULL COUNCIL that HOLME VALLEY PARISH COUNCIL takes on the responsibility for two existing defibrillators sited on Oaks Lane, Brockholes and Huddersfield Road, Holmbridge.</p>
	<p>OTHER CORRESPONDENCE</p>
2425 24	<p>Request for an interactive sculpture</p> <p>A member of the public emailed on 23 February 2024 to request that Holme Valley Parish Council undertook a project to erect interactive sculptural equipment in a recreation area. The sculptor recommended for such a project had also been in touch with the Clerk via email. This was not supported as it did not reflect the Parish Council’s aims at this time. There was no budget for such a project and ongoing maintenance costs were unknown. The recreational grounds are currently being upgraded by Kirklees.</p> <p>Clerk to contact the member of the public and explain that there are no current projects or plans for projects of this nature. Details of the suggestion will be kept on file should any suitable project emerge in the future.</p>
	<p>PUBLICITY</p>
2425 25	<p>Items for Publicity</p>

TO SIGN:

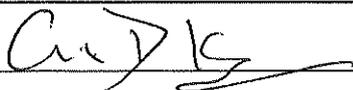


Cllr G Kirkby Vice-Chair (in the Chair)

Holme Valley Parish Council

	Members suggested proposals put forward at the meeting and the funding of a youth worker as possible items for publicity arising from the current work of the SERVICE PROVISION COMMITTEE.
	<i>The meeting closed at 8.58pm.</i>

TO SIGN:



Cllr G Kirkby Vice-Chair (in the Chair)

APPROVED Minutes of the **PLANNING STANDING COMMITTEE** held at **HONLEY LIBRARY, WEST AVENUE, HONLEY HD9 6HF** on **MONDAY 15 JULY 2024** at **700pm**.

In Attendance:

Chair: Cllr Mary Blacka

Vice Chair: Cllr Andy Wilson

Cllr Isaac Barnett, Cllr Pat Colling, Cllr Tom Dixon, Cllr Steve Ransby

Approved Apologies:

Cllr Damien Brook, Cllr Andrew Fenwick, Cllr Donald Firth

Absent:

Cllr Jo Liles

Welcome

Open Session at Planning

No members of the public were present for the public session, however 2 members of the public did arrive at 7.25pm for item 2425 70 (iv).

2425 61 Public Bodies (Admission to Meetings) Act 1960 amended by the Openness of Local Government Bodies Regulations 2014 on 6 August 2014

The meeting was already being recorded by the Officer for public broadcast via the Holme Valley Parish Council YouTube channel.

As Local (Parish and Town) Council meetings can now be recorded, the Chair checked if any members of the public wished to record the meeting, to ensure reasonable facilities could be provided.

Resolved: No one else wished to record the meeting.

2425 62 To accept apologies for absence

Cllr Brook, Cllr Fenwick and Cllr Firth were absent from the meeting and had sent apologies.

Cllr Liles was absent.

Resolved: The reasons for Cllr Brook's, Cllr Firth's and Cllr Fenwick's apologies were approved by the Committee.

2425 63 To receive Members' and Officers' personal and disclosable pecuniary interests in items on the agenda

Cllr Wilson declared a personal interest under item 2425 68, application numbers 2425/04/02, 2425/04/05 and 2425/04/11.

Cllr Ransby declared a personal interest under item 2425 68, application number

Holme Valley Parish Council

2425/04/13.

2425 64 To consider written requests for new DPI dispensations

None were received.

2425 65 To consider whether items on the agenda should be discussed in private session

Resolved: The Committee resolved that no items would be taken in private session.

2425 66 To Confirm the Minutes of the Previous Meeting

Approved: The Minutes of the Planning Committee meeting held on 17 June 2024, numbered 2425 41 – 2425 60 inclusive were approved by the Committee.

2425 67 Completed Kirklees Planning Applications List

Noted: The list of Kirklees planning applications 14 May 2024 to 11 June 2024 updated with the views of the Committee was noted by the Committee.

2425 68 Kirklees Council - New Planning Applications

The Committee considered the new or amended applications received from Kirklees Council 11 June 2024 to 9 July 2024 inclusive – List 2425-04.

Resolved: That the Planning Committee's comments on the above applications be forwarded to Kirklees Council by the Assistant Clerk.

Resolved: A review of the approach to considering planning applications will be added to the agenda for the next Planning Committee meeting.

In addition to the list of applications to consider as a statutory consultee the Planning Committee was also asked to look at application 2024/CLD/91320/W in Upperthong for a certificate of lawfulness at the request of a resident.

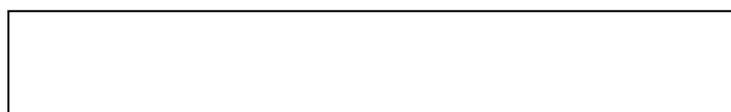
Resolved: No further action at this time.

During this item members of the public arrived to speak about item 2425 70 (iv).

Resolved: At this point the Committee resolved to suspend standing orders to bring forward item 2425 70 (iv), and to allow for the members of the public to contribute to the discussion.

2425 70 (iv) Development at Hinchcliffe Mill

The residents wished to raise concerns about vegetation clearance at the development



Holme Valley Parish Council

site at the former mills in Hincliffe Mills.

Resolved: The Committee resolved to pursue the matter with Kirklees Councillors. An action for Cllr Wilson was to draft a communication with support from the Assistant Clerk.

2425 69 Kirklees Council - Planning Officers' Decisions

Noted: The list of Decision Notices issued by Kirklees Council for the period 11 June 2024 to 9 July 2024 inclusive was noted by the Committee.

2425 70 Neighbourhood Planning and Reviewing Parish Council Outcomes

i. Holme Valley Neighbourhood Development Plan – Action Plan Progress

At the meeting of the Planning Committee on 17 June 2024 an action for Cllr Blacka was to review progress on the NDP Action Plan from 2022 and report back to the committee.

Cllr Blacka updated the committee on progress and estimated that work would continue over the summer months ready for further discussion at the committee meeting on 16 September 2024.

ii. Purchase and placement of additional SID for the Holme Valley

- At the full Council meeting on 27th March 2023 councillors approved the expenditure of up to £5,000 on a mobile speed indicator device (SID). At a meeting of the planning committee on 11 March 2024 Cllr Wilson reported that the SID was now active within the scheme for Holme Valley South. The Parish Council is still to be invoiced for the first SID.
- At a meeting of the planning committee on 5 February 2024 Cllrs resolved that the clerking team would progress the purchase of a second SID for the Holme Valley.
- On 5 July 2024 an email was received confirming that Kirklees had received delivery of the second device and were aiming to install in a Holme Valley North location in approximately 2 weeks.

Action: An action for the Assistant Clerk is contact Honley School when the device is in place to arrange for a news story about the students' campaign on road safety.

Action: An action for the Assistant Clerk is to contact HVPC councillors for suggestions of locations for the mobile SIDs.

Action: An action for the Assistant Clerk is to contact Cllr Crook regarding data from the SID that is now in circulation in Holme Valley South.

iii. Traffic calming



Holme Valley Parish Council

- The Assistant Clerk on 13 May 2024 ordered a set of six Think Before You Park bollards, for Brockholes School. The cost is £474 plus £94.80 VAT (which the Parish Council reclaims) totalling £568.80.
- Confirmation that the order will be shipped by 12 July 2024 was received on 05 July 2024.

The Assistant Clerk reported that a delivery dispatch note had been received on 15 July 2024.

2425 71 Peak District National Park Authority

- No new or amended applications were received from the Peak District National Park Authority planning applications 14 May 2024 to 11 June 2024 to be updated with the views of the Committee.
- No new or amended applications were received by Peak District National Park Authority 11 June 2024 to 9 July 2024 inclusive.
- **Noted:** The new decision notices from the Peak District National Park received in the period 11 June 2024 to 9 July 2024 was noted by the Committee.
- **Noted:** The new system for reporting planning breaches launched by the Peak District National Park Authority was noted by the Committee.

2425 72 Ongoing highways campaigns, including unmade roads, green lanes and byways of the Holme Valley

The ongoing campaigns are:

- Ramsden Road**
- Cartworth Moor Road**
- Cheesegate Nab**
- South Lane**

Cllr Wilson and the Assistant Clerk reported that a TTRO had been received in relation to the repair of a burr wall on South Lane.

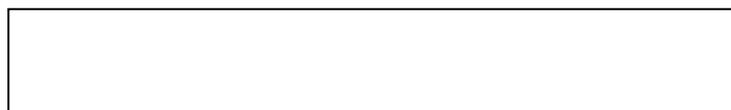
Cllr Wilson also gave updates received from Kirklees Highways on the situation at Ramsden Road.

Action: An action for the Assistant Clerk is to ascertain whether this repair relates to the same ongoing issue at South Lane.

2425 73 Planning Policy and Guidance

At the Planning Committee meeting on 17 June 2024 the committee resolved that the committee would accept the offer of a meeting with the Kirklees Heritage Team Lead in September 2024.

The Assistant Clerk reported that correspondence had been sent to accept the offer but that no possible dates had yet been received.



Holme Valley Parish Council

At the Planning Committee meeting on 17 June 2024 the committee resolved that the committee would write again to Kirklees planning in response to the email about the publication of pre-application advice. Cllrs Blacka, Liles and Wilson have drafted a response sent on 9 July 2024.

Noted: The letter to Kirklees planning department about the publication of Pre-application advice was noted by the Committee.

2425 74 Design Code

Prior to the meeting Cllr Ransby had shared a draft text copy of the Shop Front Design Guide with Committee members.

Cllr Ransby updated the Committee on progress and outlined the next steps for the artwork and management of the document.

Committee members gave feedback on the document in their discussions.

2425 75 Place Standards, Holmfirth Blueprint, Holmfirth Town Centre Access Plan

At the Annual Council Meeting, 13 May 2024, the Parish Council **resolved** that the Planning Standing Committee should look to better engage with Kirklees officers and stakeholders in respect of the Holmfirth Blueprint.

At a previous meeting of the planning committee on 20 May 2024 it was **resolved** that Cllr Blacka would contact Cllr Moses Crook regarding the best way forward including contacting key officers/directors concerning the Holmfirth Blueprint.

Cllr Blacka updated on progress with Kirklees Councillors and the appointment of a liaison officer for the town centre upgrade works.

Action: An action for Cllr Blacka is to set up a meeting about the Blueprint with Holme Valley South Kirklees Councillors and the Committee.

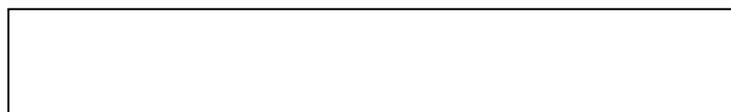
Action: An action for the Assistant Clerk is to invite Matt Jukes, the liaison officer for the Town Centre upgrade works to meet with the committee.

2425 76 Kirklees Local Plan Review

In October 2023 it was announced that Kirklees would conduct a review of the Local Plan affecting all wards in Kirklees. A timetable for the review was approved by Kirklees Council on 12 March 2024.

The committee discussed possible approaches to the consultation and the possible impact of national planning reviews.

Resolved: A Working Group formed on Cllr Blacka (Chair), Cllr Ransby, Cllr Colling, and



Holme Valley Parish Council

CLr Wilson will coordinate the work around the Kirklees Local Plan Review and the response from Holme Valley Parish Council.

Action: An action for the Assistant Clerk is to include "Create Streets" in the committee agenda for 12 August 2024.

2425 77 Representation at Kirklees Public Rights of Way (PROW) Forum

The next PROW forum meeting will be held on Monday 23 September 2024, 7pm to 9pm at Huddersfield Town Hall Reception Room.

Resolved: CLr Green will continue to be the Holme Valley Parish Council representative to the Kirklees PROW Forum.

2425 77 Committee Budget 2024-25

- The Planning Committee has one budget line under its remit. This is 4505 Neighbourhood Plan. At the start of the Council year, the budget contains £1,500. No expenditure has come from this budget line.

In earmarked reserves, the Committee oversees one fund:

- £12,052 in the EMR 343 Road Safety.
- Of this, up to £10,000 has been committed to the purchase of 2 SIDs which have not yet been invoiced for.

The Deputy Clerk prepared a report on the committees expenditure against budget line 4505 Neighbourhood Plan and EMR 343 Road Safety to the end of June 2024.

Noted: The contents of budget line 4505 Neighbourhood Plan and EMR 343 Road Safety was noted by the Committee.

2425 78 Display Equipment for the Exhibition Room

The Assistant Clerk presented a number of options for providing display screen equipment for future planning meetings and for use by the wider Parish Council.

Action: An action for the Assistant Clerk is to locate existing projector equipment to trial at a future committee meeting.

2425 79 Publicising the work of Holme Valley Parish Council

The Assistant Clerk updated on recent and planned publicity.

Close 8.59

APPROVED minutes of the **PLANNING STANDING COMMITTEE** held at the **EXHIBITION ROOM** at **THE CIVIC, HUDDERSFIELD ROAD, HOLMFIRTH HD9 3AS** on **MONDAY 12 August 2024** at **700pm**.

In Attendance:

Chair: Cllr Mary Blacka

Cllr Damien Brook, Cllr Pat Colling, Cllr Tom Dixon, Cllr Donald Firth, Cllr Jo Liles, Cllr Steve Ransby

Approved Apologies:

Cllr Isaac Barnett, Cllr Andrew Fenwick, Cllr Andy Wilson

Welcome

Open Session at Planning

One member of the public was present for the open session, however, committee members **Resolved** to suspend standing orders to allow for them to speak during item 2425 86 instead of the open session.

2425 80 Public Bodies (Admission to Meetings) Act 1960 amended by the Openness of Local Government Bodies Regulations 2014 on 6 August 2014

The meeting was already being recorded by the Officer for public broadcast via the Holme Valley Parish Council YouTube channel.

As Local (Parish and Town) Council meetings can now be recorded, the Chair checked if any members of the public wished to record the meeting, to ensure reasonable facilities could be provided.

Resolved: No one else wished to record the meeting.

2425 81 To accept apologies for absence

Cllr Barnett, Cllr Fenwick and Cllr Wilson were absent from the meeting and had sent apologies.

Resolved: The reasons for Cllr Barnett's, Cllr Fenwick's and Cllr Wilson's apologies were approved by the Committee.

2425 82 To receive Members' and Officers' personal and disclosable pecuniary interests in items on the agenda

Cllr Dixon declared a personal interest in item 2425 88, application number 2425/05/02.

Cllr Blacka declared a personal interest in item 2425 88, application number 2425/05/08.

Holme Valley Parish Council

All councillors declared a pecuniary interest in item 2425 88, application number 2425/05/15 as landowner, no comment would be made.

2425 83 To consider written requests for new DPI dispensations

An updated DPI dispensation for Cllr Brook had been circulated amongst councillors prior to the meeting.

Noted: Updated DPI dispensation for Cllr Brook.

2425 84 To consider whether items on the agenda should be discussed in private session

Resolved: The Committee resolved that no items would be taken in private session.

2425 85 To Confirm the Minutes of the Previous Meeting

Approved: The Minutes of the Planning Committee meeting held on 15 July 2024, numbered 2425 61 – 2425 79 inclusive, were approved by the committee.

Assistant Clerk reported on updates on the previous meeting minutes not otherwise covered in the agenda, including the launch of the consultation into proposed changes to the National Planning Policy Framework which will run until 24 September 2024.

Resolved: The consultation will be circulated amongst members of the planning committee after the meeting by the Assistant Clerk and it will be added to the agenda for the Planning Committee meeting on 16 September 2024.

2425 86 Create Streets

Standing Orders were suspended for this item to allow the representative from Holme Valley Vision to contribute.

The representative Holme Valley Vision gave an overview of proposals to work with “Create Streets”, local community organisations and the Parish Council Planning Committee regarding identifying land for development in the revision of the Kirklees Local Plan.

Members of the committee discussed the merits of the proposed system for the identification of potential sites.

Resolved: The Local Plan Working Group will explore the proposals further.

2425 87 Completed Kirklees Planning Applications List

Noted: List of Kirklees planning applications 11 June 2024 to 9 July 2024 updated with the views of the Committee.

2425 88 Kirklees Council - New Planning Applications

The committee considered the new or amended applications received from Kirklees Council 9 July 2024 to 6 August 2024 inclusive – List 2425-05.

Resolved: That the Planning Committee’s comments on the above applications be forwarded to Kirklees Council by the Assistant Clerk.

2425 88 Kirklees Council - Planning Officers’ Decisions

Noted: The list of Decision Notices issued by Kirklees Council for the period 9 July 2024 to 6 August 2024 inclusive.

2425 89 Neighbourhood Planning and Reviewing Parish Council Outcomes

i. Purchase and placement of additional SID for the Holme Valley

- At the full Council meeting on 27th March 2023 councillors approved the expenditure of up to £5,000 on a mobile speed indicator device (SID). At a meeting of the planning committee on 11 March 2024 Cllr Wilson reported that the SID was now active within the scheme for Holme Valley South. The Parish Council is still to be invoiced for the first SID.
- At a meeting of the planning committee on 5 February 2024 Cllrs resolved that the clerking team would progress the purchase of a second SID for the Holme Valley.
- On 5 July 2024 an email was received confirming that Kirklees had received delivery of the second device and were aiming to install in a Holme Valley North location in approximately 2 weeks.
- At the previous meeting on 15 July 2024 actions for the Assistant Clerk were to follow up on obtaining data from the existing SID, arranging for a news story with Honley School and to collect suggestions for locations from HVPC councillors.

The Assistant Clerk reported on progress with the SIDs for Holme Valley North and South.

ii. Traffic calming

- The Assistant Clerk on 13 May 2024 ordered a set of six Think Before You Park bollards, for Brockholes School. The cost is £474 plus £94.80 VAT (which the Parish Council reclaims) totalling £568.80.
- An email was received from Brockholes school on 19 July 2024 confirming that they had received the bollards but did not wish to use them, and that collection could be arranged for the start of the new term.

Holme Valley Parish Council

Resolved: Committee members with a link to a local primary school will approach them with an offer of the use of the bollards.

Action: An action for the Assistant Clerk is to circulate a picture of the bollards to committee members.

iii. Development at Hinchcliffe Mill

At a previous meeting on 15 July 2024 residents raised concerns about site clearance work at Hinchcliffe Mill during the bird nesting season and the removal of saplings. A query was raised with Kirklees HV South councillors and a response received on 10 August 2024.

Action: An action for the Assistant Clerk is to relay the response from Cllr Crook to the residents who made the query.

2425 90 Peak District National Park Authority

- i. No new or amended applications were received from the Peak District National Park Authority planning applications 11 June 2024 to 9 July 2024 to be updated with the views of the Committee.
- ii. - No new or amended applications were received by Peak District National Park Authority 9 July 2024 to 6 August 2024 inclusive.
- iii. - No new decision notices from the Peak District National Park received in the period 9 July 2024 to 6 August 2024.
- iv. - **Noted:** The Peak District National Park Authority are reviewing their Local Plan, with a public consultation expected in September or October 2024. An up-to-date timetable, latest news and related documents can be found on the PDNPA website:
<https://www.peakdistrict.gov.uk/planning/policies-and-guides/the-local-plan>
- **Action:** An action for the Assistant Clerk is to add the consultation to the agenda when it opens.

2425 91 HVPC Planning Committee approach to reviewing planning applications

Committee members discussed the approach to reviewing planning applications.

Resolved: A working group consisting of Cllrs Blacka, Dixon, Liles and Wilson would be formed to explore different approaches to reviewing planning applications.

Action: An action for Cllr Blacka is to convene the first meeting, to be held during an evening.

Holme Valley Parish Council

2425 92 Ongoing highways campaigns, including unmade roads, green lanes and byways of the Holme Valley

The ongoing campaigns are:

- i. Ramsden Road
- ii. Cartworth Moor Road
- iii. Cheesegate Nab
- iv. South Lane

Councillors reported on updates received on the ongoing campaigns.

2425 93 Planning Policy, Guidance and Consultation

i. Alcohol Licencing in Kirklees – Policy consultation and cumulative impact assessment.

Section 5 of the Licensing Act 2003 requires the Licensing Authority to prepare and publish a statement of its licensing policy at least every 5 years. The previous licensing policy was reviewed in 2019 and adopted in 2020.

In accordance with the legislation, the Licensing Authority are now consulting upon a revision to its existing statement of licensing policy. The Consultation is running for a period of 8-weeks commencing on Thursday 18 July 2024 and ending on Wednesday 11 September 2024.

The details of the consultation including links to the revised policy can be found on the Kirklees Council website here: <https://online1.snapsurveys.com/LicensingPolicy24>

Action: An action for the Assistant Clerk is to respond positively one any measures that supports safety for women and girls and climate mitigation.

ii. EV Charging Points in West Yorkshire - Consultation

West Yorkshire Combined Authority are consulting on the installation of charging points for electric vehicles to inform their Electric Vehicle Infrastructure Strategy and Local Electric Vehicle Infrastructure.

The consultation is running until 8 September 2024 and can be accessed via the WYCA website here:

<https://online1.snapsurveys.com/interview/9df92c09-75bc-4317-a0c6-d41f36dbc10a>

Resolved: Individual councillors are invited to complete the survey with their own comments, the Planning Committee will also send a coordinated response.

2425 94 Design Code

Holme Valley Parish Council

Cllr Ransby reported on updates to the Design Code following feedback from the Planning Committee.

2425 95 Place Standards, Holmfirth Blueprint, Holmfirth Town Centre Access Plan

At the Annual Council Meeting, 13 May 2024, the Parish Council **resolved** that the Planning Standing Committee should look to better engage with Kirklees officers and stakeholders in respect of the Holmfirth Blueprint.

A meeting has been arranged with HV South Kirklees councillors for 28 August 2024 at 7pm.

Action: An action for the Assistant Clerk is to book meeting space for the meeting and invite HVPC councillors from HV South wards.

2425 96 Kirklees Local Plan Review

At a previous meeting on 15 July 2024 the committee **resolved** to form a Working Group consisting of Cllr Blacka (Chair), Cllr Ransby, Cllr Colling, and Cllr Wilson to coordinate the work around the Kirklees Local Plan Review and the response from Holme Valley Parish Council.

The first meeting was held on 29 July 2024 and notes from the meeting have been included with the papers.

Cllr Blacka reported on the main conclusions of the first Working Group meeting.

Resolved: The Working Group will continue with the current work, including: To seek to engage with community groups in the Holme Valley, explore the possibility of working with "Create Streets", and Cllr Blacka will extend the invite to join the Working Group to the wider council.

The next meeting is scheduled for 2nd September.

2425 97 Committee Budget 2024-25

- The Planning Committee has one budget line under its remit. This is 4505 Neighbourhood Plan. At the start of the Council year, the budget contains £1,500. No expenditure has come from this budget line.

In earmarked reserves, the Committee oversees one fund:

- £12,052 remains in the EMR 343 Road Safety.
- Of this, up to £10,000 has been committed to the purchase of 2 SIDs which have not yet been invoiced for.

Holme Valley Parish Council

Noted: The contents of budget line 4505 Neighbourhood Plan and EMR 343 Road Safety.

2425 98 Display Equipment for the Exhibition Room

The existing display equipment was trialed during the meeting.

Resolved: Trial will continue for the next 2-3 meetings.

2425 99 Publicising the work of Holme Valley Parish Council

The Assistant Clerk updated on planned activity.

Close 8.35



APPROVED MINUTES OF THE FINANCE & MANAGEMENT COMMITTEE MEETING HELD ON MONDAY 19 AUGUST 2024

Those present:

Chair: Cllr A Wilson

Vice Chair: Cllr G Kirkby

Councillors: Cllr L Baylin, Cllr D Brook, Cllr P Colling, Cllr J Holmes, Cllr J Liles, Cllr M Rostron, Cllr J Rylah, Cllr S Whitelaw

Officer: Mr R McGill (RFO/Deputy Clerk)

Also present: Mrs Jen McIntosh (Clerk)

Welcome

The Chair welcomed Members to this third meeting of the Holme Valley Parish Council Finance and Management Standing Committee of the Council year.

Public Question Time

No members of the public were in attendance, and no Councillor chose to speak as a member of the public.

2425 39 Public Bodies (Admission to Meetings) Act 1960 amended by Openness of Local Government Bodies Regulations 2014

The RFO/Deputy Clerk recorded the meeting for upload to the Parish Council's YouTube channel.

No-one else wished to record the meeting.

2425 40 To accept apologies for absence

NOTED: It was noted that Cllrs Barnett, Blacka and Greaves were absent from the meeting.

The Committee received apologies for absence given in advance of the meeting from Cllrs Blacka and Greaves.

RESOLVED: The reasons given for absence by Cllrs Blacka and Greaves were approved by the Committee.

2425 41 To receive Members' and Officers' personal and disclosable pecuniary interests in items on the agenda

None were declared.

Signed: _____

Holme Valley Parish Council

2425 42 To consider written requests for new DPI dispensations

No new DPI dispensations had been received.

2425 43 To consider whether items on the agenda should be discussed in private session

RESOLVED: Members resolved at this time that no item should be heard in private session.

2425 44 To confirm the Minutes of the previous Committee meeting

NOTED: Members noted the Minutes of the Finance & Management Committee Meeting held on 10 June 2024, numbered 2425 19 to 2425 38 inclusive, already approved by Council. As presented, the minutes now include the initialled schedule of payments, and the double-signed bank reconciliations.

2425 45 Grants

i. Grant Evaluation Reports

NOTED: The following Grant Evaluation Reports 2023-24 had been added to the Parish Council website:

- Arts for Health
- Hepworth Band
- Holmfirth Chess Club
- Holmfirth Arts Festival

The Chair said he was encouraged by the youth-focus of three of these projects and groups.

With 6 months having elapsed, the RFO/Deputy Clerk reported that in August he would be contacting those awarded grants at the February meeting for their Grant Evaluation Reports pertaining to those awards.

The Committee considered whether any further action was needed regarding Grant Evaluation Reports.

RESOLVED: No further action at this time.

ii. Grants – next cycle September 2024

The Chair reported that the next meeting for grants to be considered was 30th September 2024 with a closing date for application of 31 August. The Assistant Clerk and RFO/Deputy Clerk had been advertising the grants both on social media and via leaflets. The Committee considered whether any further action was needed.

RESOLVED: The RFO/Deputy Clerk would further promote the next grants cycle nearer the closing date. The RFO/Deputy Clerk would endeavour to forward grant applications

Signed: _____

Holme Valley Parish Council

as they arrived to Committee members to give them adequate time to review them.

iii. Councillor visits to community groups that have received awards

At the time of the meeting, no Councillor had visited community group recipients of recent awards, but Cllrs Holmes and Wilson reported that they were planning to visit Upperthong Cricket Club, and Cllrs Baylin and Liles reported that they were planning to visit Hade Edge Residents Association. Cllr Whitelaw suggested she visit Holmbridge Cricket Club. This might be especially relevant given that the club was awarded money towards solar batteries for their solar panels by the Parish Council.

iv. Rolling Grants

NOTED: Members noted that Holmfirth Arts Festival had been approved for a rolling grant, but the Parish Council had not received the Rolling Grant Agreement ahead of the meeting. All the other required documentation had been received.

At the last meeting, a decision on the Rolling Grant application from Holme Valley Transport had been deferred pending a visit by Cllr Liles to the service. Cllr Liles reported that she had tried to contact the group through Honley Surgery on a number of occasions but without luck. Cllr Liles said she would email the group and hopefully arrange a call or meeting. The Committee considered any further action on this. Cllr Colling reported that a leaflet had recently been produced by Holme Valley Transport stating that it covered all of the Holme Valley and the three surgeries, - Honley, Elmwood, Oakwood.

RESOLVED: No further action beyond the above.

v. Grants Working Group

Cllr Colling, the Chair of the working group, reported on the work of the group. The team had produced:

- 1) a Report intended to rationalise the grants process
- 2) Guidelines for applicants for grants
- 3) an updated Application Form
- 4) an updated Grant Evaluation Report

There was positive support for the work. There was discussion about the priorities to be considered when grants are awarded, and whether all priorities needed to be met. It was pointed out that the priorities would become relevant when an application is being considered against other applications. The Chair asked that the committee consider recommending this work as presented to full Council.

RESOLVED: The documents, as presented, would be recommended to full Council for consideration 14th October 2024 and, if then approved, would be in place for the following grants cycle in February 2025.

Signed: _____

Holme Valley Parish Council

vi. Request for a grant award change of use

Budget Line 4315 Community Assets Grant

At the Finance and Management Committee meeting of 26th February 2024, Upperthong Cricket Club had been awarded £4,100 towards replacing the clubhouse carpets. The club had managed to get the carpets replaced cheaper than anticipated. At the last meeting of this Committee, the club had asked to use the £800 underspend towards replacing furniture. This had been refused. Since then, the club asked if the £800 underspend could be spent on carpeting other rooms in the clubhouse. The Committee considered this request.

RESOLVED: The cricket club would be asked to return the £800 underspend but be notified that they would have the opportunity to submit an application to the September grants round. The Committee noted that there are some pressures on the amount the Parish Council has for grants funding, and that it should be communicated to the Club that when this grant was originally awarded, other organisations had lost out. In the meantime, as already stated above, Cllrs Holmes and Wilson were to visit the cricket club as part of the community network building of the Parish Council.

2425 46 Chair's Expenses

NOTED: The Committee noted that the Chair's Expenses budget for 2024-25 was £1,000 and that no expenditure from the current budget had yet been incurred.

2425 47 Schedule of Payments

- i. **NOTED:** The finalised schedule of payments for June 2024 was noted and initialled by the Chair as an accurate record.
- ii. Members considered approval of the month-to-date schedule of payments for August 2024.

RESOLVED: The month-to-date schedule of payments was approved and initialled by the Chair.

The Finance Committee noted a report from the RFO/Deputy Clerk regarding the inflated cost of a single by-election for the Upper Holme Valley, - £9,016. Previous by-elections in 2020-21 had cost significantly less. The RFO/Deputy Clerk reported that the electoral services manager, Laura Burrell, had given a full breakdown of the costs, but Members reflected that this was inadequate information without knowledge of those same respective costs in previous years. **ACTION:** The RFO/Deputy Clerk would contact the electoral services manager for further information.

Signed: _____

2425 48 Financial Statements

NOTED: The Committee noted the accounting summaries for June 2024

i. For June 2024:

- (1) Cash Books All Accounts Receipts and Payments (to end 30 June 2024)
- (2) Trial Balance (to end 30 June 2024)
- (3) Balance Sheet (to end 30 June 2024)
- (4) Cash and Investment Reconciliation (to end 30 June 2024)
- (5) VAT Return – year-to-date for the quarter APR-JUN 2024 – submitted 25th July 2024.

ii. **NOTED:** Members noted that the Clerk had been on holiday and the July accounting summaries were not available ahead of the agenda going out for this meeting. The basic summaries had since been added to the website.

iii. Under item 5.19 of the Joint Panel on Accountability and Governance (JPAG) Practitioners' Guide the following guidance is given about bank reconciliations, - *"It is a requirement of the current model financial regulations that bank reconciliations be prepared regularly, approved by members and signed as part of the regular minute record."*

Members reviewed the bank statements of the accounts held by the Parish Council against the bank reconciliation from the accounting software package.

RESOLVED: The bank reconciliations against bank statements were approved for the following accounts:

For May 2024:

- HSBC Current Account
- HSBC Business Money Manager account
- CCLA Public Sector Deposit Fund

For June 2024:

- HSBC Current Account
- HSBC Business Money Manager account
- CCLA Public Sector Deposit Fund

The Chair and a second signatory on the bank mandates, the Chair of Council, signed and dated all the bank reconciliations, checked against the bank statements in accord with this resolution.

Cllr Rylah asked for clearer guidance of what Councillors were checking in respect of this task.

Signed: _____

Holme Valley Parish Council

iv. Councillors review the Income and Expenditure report for June 2024.

The RFO/Deputy Clerk reported that:

Income -

- 1076 Precept On the income side, the Parish Council 1st May 2024 had received ½ of its annual precept from Kirklees Council. The next payment would be in November.
- 1078 Special Expenses Grant The Parish Council 1st May 2024 had received ½ of the Special Expenses Grant from Kirklees Council. The next payment would be in November.
- 1090 Bank Interest Three months into the year, the Parish Council was a little up on projections regarding bank interest.
- 1200 Allotment Rents All rents had been received and banked.
- 1250 Gartside Building
- 1300 Garage Rents All rents had been received and banked.

Expenditure side:

- 4000 Salaries were a little over budget after three months. An earmarked reserve had been created to fund any subsequent pay uplifts.
- 4060 Staff Training was a little under-budget three months into the year.
- 4235 Insurance was, again, significantly over-budget by £3,101 or by 35%. However, it should be noted that the Parish Council would be reimbursed much of this increase by Holmfirth Civic Hall Community Trust under the terms of the lease.
- 4275 Telephone and Broadband was a little overbudget three months into the year.

The Committee considered any further action on income and expenditure against budget.

RESOLVED: No further action at this time.

Signed: _____

Holme Valley Parish Council

v. Earmarked Reserves

Members reviewed the June report on earmarked reserves as presented.

- i. 322 EMR CCTV had been closed as this is now a rolling grant.
- ii. 323 EMR 323 Other Community Assets in the Holme Valley consisted of £2,017 for 10th Holme Valley (New Mill) Scouts (towards a new scout hut).
- iii. 325 EMR Election Fund held £7,000 allocated directly from the precept. This will be added to every year until the next full-Council cycle of elections when the reserve should hold around £30,000.
- iv. 326 EMR Defibrillator Special Reserve held £1,796.05. This is solely for maintenance of defibrillators the Parish Council is directly responsible for.
- v. 329 EMR Holmfirth Civic Hall held £30,000. The RFO reported that this would all be spent by end August in the form of a grant.
- vi. 331 EMR Gartside Building held £5,000.
- vii. 332 EMR Honley Library held £15,000.
- viii. 336 EMR Royal Events held £1,000 in respect of operation Menai Bridge.
- ix. 337 EMR COVID Memorial held £6,000.
- x. 338 EMR Children's Playgrounds was closed.
- xi. 341 EMR Climate Action Projects held £13,946.68 with some expenditure on a planning application for the solar panels paid from it. Further expenditure on the solar panels project of £10,000 was anticipated soon.
- xii. 343 EMR Road Safety held £12,526. The Parish Council was still awaiting invoices from Kirklees Council for two mobile speed indicator devices (SIDs) which had been ordered, - one of which was already in use. Money owed by the Parish Council on the two SIDs is around £7,500.
- xiii. 344 Staff Pay £5,000 had been added to this earmarked reserve after annual Council to safeguard staff pay in the event of a national pay award.
- xiv. 345 Rolling Grants holds £6,060 for anticipated rolling grant awards that have been agreed by this committee pending submission and approval of documentation. (£1,500 Holmfirth Arts Festival, £1,500 Festival of Folk, £1,500 Holme Valley Patient Transport, £1,560 CCTV Honley).
- xv. 346 EMR Public Transport holds £5,000.
- xvi. 347 EMR Tourism holds £5,000.
- xvii. 348 EMR Dog Waste and Litter holds £3,800.
- xviii. 349 EMR Community Engagement holds £3,609.87.
- xix. 350 EMR The Civic Roof Repairs at end June it held £22,490. By the time of this meeting it held.
- xx. 351 EMR Holmfirth Toilets Refurb had been newly created after Annual Council and holds £4,104.

There was some discussion about the makeup of some reserves and whether they were necessary. Members considered any further actions on earmarked reserves.

RESOLVED: The Assistant Clerk would be asked once again to ask Kirklees Council to invoice the Parish Council for the two SIDs and associated works.

Signed: _____

Holme Valley Parish Council

2425 49 Internal Audit Report

NOTED: The Committee noted the full year-end Internal Audit Report with the completed Action Report and thanked the RFO/Deputy Clerk for the positive outcome.

2425 50 Tenancies

- i. **NOTED:** Members noted that all payments regarding garage and allotment tenancies had been received and banked.
- ii. **NOTED:** Members noted that all tenancy agreements had been counter-signed and returned to tenants.
- iii. **NOTED:** Members noted that a new tenant had taken on the lease of the Gartside shop unit adjoining Holmfirth toilets at a rent of £350/month. A month's deposit and the first month's rent had been received. The tenant was undertaking some works to the space before moving in.

2425 51 New model Financial Regulations from the National Association of Local Councils (NALC)

NOTED: Members noted that the Financial Regulations Working Group, which consists of Cllr Wilson, Cllr Colling and the RFO, would meet for the first time on Tuesday 3rd September to begin the process of updating the Parish Council's Financial Regulations based on the model Regulations.

2425 52 Internal Control Checks

NOTED: Cllr Liles reported she had completed the internal controls check for the first quarter of the year (APR-JUN) on 19th August 2024. There were no major issues. Cllr Liles felt that one acknowledged error by the RFO/Deputy clerk when issuing a payment, - an underpayment against the invoice, - should have been recorded more clearly on the record of payment. The RFO/Deputy Clerk accepted this.

Signed: _____

Holme Valley Parish Council

2425 53 Banking

Unity Trust

- ia. **NOTED:** Members noted that the Unity Trust accounts had been set up, - a T2 Current Account and an Instant Access (savings) Account. Mandated Councillors had started to register for the bank, as had officers. Cllr Baylin, Cllr Dixon and Cllr Whitelaw had not yet registered, due in part to not having correct login information from Unity Trust. The RFO reported he will be slowly moving the Council's business over to Unity Trust from HSBC over the next few months.
- RESOLVED:** Members approved the addition of Unity Trust to the list of regular payments pertaining to bank charges.
- ib. **APPROVED:** Members approved the transfer of the following current direct debits from the HSBC current account to the Unity Trust T2 current account:
- BT (telephone and internet)
 - Photocopier lease – currently Grenke
 - Information Commissioner's Office (annual data protection fee)
 - Scottish Water / Business Stream (water/sewage to the toilets)
- ic. **APPROVED:** Members approved the setting up of two new direct debits to the Unity Trust T2 Current Account:
- Document Logic (photocopying)
 - Npower (electricity costs to Holmfirth toilets)
- id. **APPROVED:** Members approved the transfer of the following current standing orders from the HSBC current account to the Unity Trust T2 current account:
- Staff Salaries (Staff 02, Staff 04, Staff 05)
 - HMRC (PAYE tax and national insurance)
 - West Yorkshire Pensions Fund (Pensions)
 - Time In Time Out Media - TiTo (Parish Council monthly news)
 - Artweek (annual subscription)
- ie. **NOTED:** The Committee noted that the RFO will be applying for the Unity Trust Corporate Multipay card in due course but there will need to be approval of the limits on the card, - daily limits, transaction limits.

CCLA

- ii. **NOTED:** Members noted that the Parish Council needed to submit new bank mandate paperwork for the CCLA Public Sector Deposit Fund account. Cllrs Colling, Dixon, Baylin, Blacka, Whitelaw and Wilson will be the mandated Councillors. They will be required to complete the relevant paperwork in due course.

2425 54 Financial Records for the website

NOTED: Members noted that the financial records for June and July 2024 had been added to the website.

Signed: _____

Holme Valley Parish Council

2425 55 Publicising the work of Holme Valley Parish Council

Members considered whether any recent events or news should be publicised via the press, Parish Council website or social media.

RESOLVED: It was resolved that any grant awards should be publicised. It was also thought good practice to use media and reportage from grant evaluation forms to develop good news stories of local projects which simultaneously promotes the grants process. It was also agreed that the Parish Council should celebrate, - that is, promote on social media, - the work of local Holme Valley community groups and events, even if the Parish Council has no formal relationship with them. Councillors were reminded to get photos of any community networking they did; officers may be able to attend to take photos.

The meeting closed at 2006hrs.

Signed: _____

DRAFT Minutes of the CLIMATE ACTION, COMMUNICATIONS AND ENGAGEMENT COMMITTEE held on MONDAY 9 SEPTEMBER 2024 at 7.00 PM in THE EXHIBITION ROOM, THIRD FLOOR, THE CIVIC, HOLMFIRTH, HD9 3AS.

Attendees:

Cllr Sarah Whitelaw (Chair)

Councillors: Cllr Donna Bellamy, Cllr Mary Blacka, Cllr Jenny Holmes, Cllr Alison Morgan, Cllr Hugh Osborne, Cllr Martin Rostron.

Members: Liz Bennett, Julia Brown.

Officers: Gemma Sharp (Assistant Clerk), Rich McGill (Deputy Clerk)

Approved Apologies:

Cllr Chris Green (Vice Chair), Cllr Tricia Stewart.

Absent:

Cllr Jo Liles

WELCOME

The Chair welcomed all Committee members and members of the public.

PUBLIC QUESTION TIME

One member of the public was present to speak about item 2425 46. The committee **Resolved** to suspend Standing Orders to allow the representative from HVCAP to speak during that item instead of the public session.

PROCEDURAL MATTERS

2425 25 Public Bodies (Admission to Meetings) Act 1960 amended by the Openness of Local Government Bodies Regulations 2014 on 6 August 2014

Local (Parish and Town) **HOLME VALLEY PARISH COUNCIL** meetings can now be recorded. This meeting was recorded by the Assistant Clerk in video format for the [HOLME VALLEY PARISH COUNCIL YouTube Channel](#).

No other recordings were made.

2425 26 The Election of Co-opted Members of the Committee

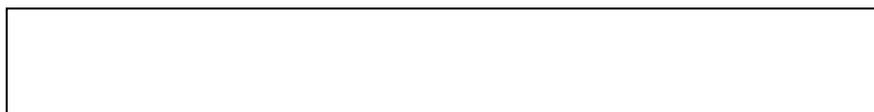
HOLME VALLEY PARISH COUNCIL Standing Orders and Scheme of Delegation both specify that in addition to the committee membership of 13 elected parish councillors up to a further 6 members of the public can be co-opted onto the committee.

Co-opted members have the right to receive agendas etc and participate in meetings. Only the 13 elected members can vote.

There are currently two co-opted members of the Committee.

2425 27 Apologies and Reasons for Absence

Apologies and reasons for absence had been received from Cllr Green and Cllr Stewart.
Cllr Liles was absent.



HOLME VALLEY PARISH COUNCIL

Noted: The committee noted the absences of Cllr Green, Cllr Stewart and Cllr Liles.

Resolved: The Committee approved the apologies and reasons for absence from Cllr Green and Cllr Stewart.

2425 28 Items on the Agenda to be Discussed in Private Session

Resolved: No items on the agenda would be discussed in private session.

2425 29 Receipt of any Updated Written Declarations of Pecuniary and Other Interests

None received.

2425 30 Members' and Officers' Personal and Disclosable Pecuniary Interests in Items on the Agenda

None declared.

At this point Councillors **Resolved** to suspend Standing Orders to allow for the Item 2425 46 to be taken out of order and to allow the representative from HVCAP to join the discussion.

2425 46 HVCAP

A representative from HVCAP outlined a number of ongoing initiatives and areas that the CACE Committee could work with them on and provided updates on upcoming events.

Resolved: Holme Valley Parish Council will host information provided by HVPCAP on public recycling points in the Holme Valley on the Parish Council website, and support projects through sharing information on the website and social media.

Action: An action for the Climate Action Working Group is to explore possibilities for non-standard public recycling points.

2425 31 Minutes of the Previous Meeting

Noted: The Minutes of the CLIMATE ACTION, COMMUNICATIONS AND ENGAGEMENT COMMITTEE meeting held on 3 June 2024 items 2425 01 to 2425 24 was noted by the Committee.

The Assistant Clerk reported on progress with resolutions and actions from the previous meeting not otherwise covered in agenda items.

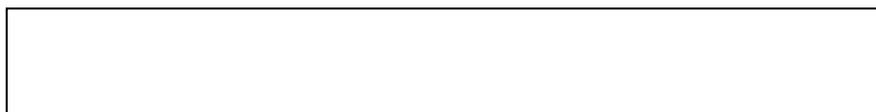
An item on sedum roofs to be explored by the Service Provision Committee will be taken forward by Cllr Morgan.

CLIMATE ACTION, COMMUNICATIONS AND ENGAGEMENT COMMITTEE – WORKING GROUP REPORTS AND ACTION-PLANNING

2425 32 Review of HVPC Committee Structure and Meetings Cycle

At the meeting of the Full Council on 13 May 2024, councillors **RESOLVED** to establish a working group consisting of Cllr Whitelaw, Cllr Green, Cllr Ransby, Cllr Morgan and Cllr Blacka to review possible changes to the committee structure and meetings cycle for 2025-26.

A discussion on the merits and disadvantages of remit, cycle and structure of HVPC committee



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changes was held by the Committee. Members agreed that monitoring and structure on Climate Action should be maintained regardless of the committee structure.

2425 33 Climate Action, Communications and Engagement Action Plan 2023-2027

Noted: The updated version of the CACE Action Plan 2023-2027 was noted by the Committee.

The Chair thanked the Assistant Clerk for her work on monitoring progress against the Action Plan.

2425 34 Communications and Engagement Working Group – Feedback on Ongoing Work

Key Priorities identified by CACE members November 2023:

1. HVPC Brand refresh and website redesign to improve accessibility and appeal.
2. Logo and QR code stickers on Parish Council assets.
3. Review of Collaboration and Community Engagement activities. Audit and confirm community groups.

Work on some of the priorities would feature in later agenda items.

2425 35 Climate Action Working Group – Feedback on Ongoing Work

Key Priorities identified by CACE members November 2023:

1. Explore possible funding applications to the government's decarbonising scheme - for retrofitting/energy conservation measures for PC buildings in partnership with HCCT and FoHL to improve the energy efficiency and carbon footprint of HVPC owned buildings.
2. Feasibility study and costing - Park and ride, alongside Stotts review, including costings and possibilities for subsidised or free travel periods. Encourage the increased use of public transport and active travel by residents and visitors to the Holme Valley.
3. Solar Panels on public toilets in Holmfirth.
4. Embed the Climate Emergency.

Work on some of the priorities would feature in later agenda items.

2425 36 Public Transport Working Group – Feedback from working group members.

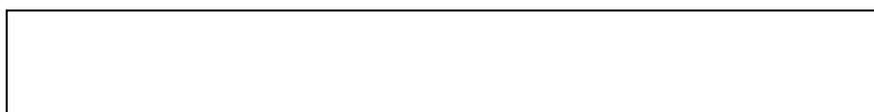
A Working Group has been established with members from both SERVICE PROVISION and CACE committees to review HVPC's contribution to local transport schemes with a view to making improvements.

Working Group members reported on progress.

Noted: An update on progress from the chair of the Public Transport Working Group Cllr Baylin was included in the papers and was noted by the Committee.

Action: An action for the Assistant Clerk is to follow up with West Yorkshire Metro to see if any paper timetables for public transport could be sourced for local distribution.

Action: An Action for Mbr Bennett is to write a blog for the new website about using the local buses.



HOLME VALLEY PARISH COUNCIL

ONGOING PROJECTS

2425 37 Installation of Solar Panels at Holmfirth Public Toilets

At the Climate Action, Communication and Engagement Committee meeting on 3 March 2024 and the Committee **RESOLVED** to proceed with Wooldale Electrical as the preferred supplier, with funds **APPROVED** at **FULL COUNCIL** on 18 March 2024.

Following advice from Kirklees Planning Authority due to the non-domestic nature of the building and its location in the Holmfirth conservation area, a planning application is required to be approved before installation can take place. The Clerking team are progressing the application and is liaising with the supplier with regards to a possible installation date following on from this process.

The Assistant Clerk reported that a target date of 26 September 2024 has been estimated for a decision on the planning application.

2425 38 Sustainable Transport Summer Roadshow 2024

At the previous meeting on 4 March 2024 Councillors **RESOLVED** that:

A working group consisting of Cllr Whitelaw, Cllr Stewart, Cllr Holmes, K Warren, E Bennet and the Assistant Clerk will establish an activity on the theme of sustainable transport to exhibit at summer festivals in the Holme Valley.

Events took place at Arts Festival Weekend 15 and 16 June 2024 and Honley Show 29 June 2024 with HVPC staff, councillors and CACE co-opted members in attendance.

The Assistant Clerk gave updates on events held so far.

The next event is due to be Holmfirth Food and Drink Festival on 14 and 15 September 2024.

2425 39 The Big Community Celebration 2024

At the **FULL COUNCIL** meeting on 18 March 2024 Cllrs **RESOLVED** to proceed with the recommendation from the Climate Action, Communications and Engagement Committee to proceed with a community celebration event in lieu of the Community Champion Awards.

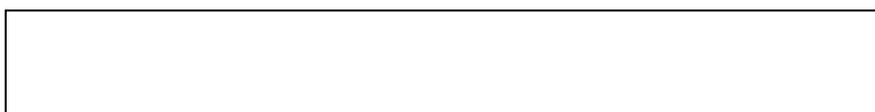
The Big Community Celebration has been booked to take place at The Civic on 9 November 2024 10am to 4pm. Invites to exhibit or perform have been sent to community groups and community music groups across the Holme Valley and a "Save the Date" card has been distributed in print form to community venues and online via social media and the HVPC website.

The working group is next due to meet on 18 September 2024 at 1pm to work on progressing the event.

Cllr Whitelaw, Cllr Holmes and the Assistant Clerk gave updates on progress with the arrangements for the event.

Resolved: A budget of up to £2,500 from the Communications and Engagement budget line 4650 for expenditure associated with the "Big Community Celebration" was agreed by the Committee.

2425 40 The HOLME VALLEY PARISH COUNCIL Website and Brand refresh



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At the CACE Committee meeting on 4 March 2024 Councillors **RESOLVED** to approve the work plan for the selection and implementation of a new website and work towards a refreshing of the Holme Valley Parish Council brand and logo.

Members of the Communications and Engagement Working Group have worked with the Assistant Clerk to identify websites that are desirable. The Assistant Clerk has also surveyed Councillors and Clerks to identify the priorities on content, navigability, layout and brand styles that the Full Council and Clerking Team consider to be the most important.

At a previous meeting on 3 June 2024 the committee **RESOLVED** to delegate the selection of a website supplier and design agency for the brand to the communications and engagement working group.

The Assistant Clerk gave update on progress with the website and rebrand.

Following the selection of “Zonkey” to be the website supplier, the Assistant Clerk is progressing the build of the new website and migration of content with an estimated timeframe to launch in early October 2024.

Following the selection of “Redbak” design agency to support the brand and logo refresh, the Assistant Clerk and Communications and Engagement working group will be working with Redbak to an estimated October 2024 completion of the design work, with roll out on digital assets expected over the autumn/winter period.

2425 41 Biodiversity Policy

An adapted model biodiversity policy was adopted at the Full Council meeting on 18 March 2024.

A task-and-finish working group was set up at the CACE Committee meeting on 3 June 2024, with members Liz Bennett, Cllr Blacka and Cllr Morgan. Its purpose was to customise the existing Biodiversity policy to fit HVPC and to look at the Model Action Plan.

Following a review of the policy in July 2024, the working group has revised the policy to better suit the needs of Holme Valley Parish Council a copy of which was included with the meeting papers.

Cllr Morgan gave an update on progress with the biodiversity policy, communication with officers at Kirklees and proposed actions with regards to HVPC allotments.

Resolved: The Committee recommend that a clause be added to HVPC allotment agreements to prohibit the use of Glyphosate on HVPC allotments.

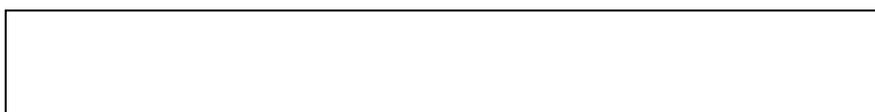
Resolved: The Committee recommend that the revised Biodiversity Policy as presented, goes to Full Council to be adopted.

2425 42 Holme Valley Covid Memorial

Noted: An update on progress has been received from the Covid Memorial Working Group via Cllr Blacka was noted by the Committee.

Cllr Blacka gave an update on progress with the Covid Memorial to include:

- Wording for the commemorative plaques and layout of the Honley bench and garden.



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- Opening for the Honley memorial will be Saturday 7 December 2024 10am.
- Planting for the Holmfirth fruit trees will take place in February to March 2025.

2425 43 Request to Kirklees to Cease the Use of Glyphosate

At a previous meeting on 3 June 2024 Cllr Morgan agreed to follow up on progress with Kirklees.

Cllr Morgan gave updates on the ongoing communication with Kirklees officers and councillors regarding Glyphosate.

2425 44 Review of External Communication and Establishing a Communications and Engagement Strategy

A draft media and communications strategy has been prepared by the Chair and was presented with the papers.

Cllr Whitelaw gave an overview of the work completed so far. The work to revise the strategy is still ongoing and will be presented at a future meeting for adoption or amendment. Possibilities for training for councillors to improve communication and IT skills will also be explored.

2425 45 Funding Applications for Climate Mitigation Measures on HVPC Assets

Noted: The Clerk provided a written report included with the papers – Update regarding ‘green’ grants – and the latest Community Ownership Fund prospectus update from the gov.uk website. This was noted by the Committee.

Action: An action for the Assistant Clerk is to make the Clerk and Civic staff aware of possible support available from HVCAP on carbon reduction in public buildings.

MEDIA AND COMMUNICATION

2425 47 The Holme Valley Review

Work is ongoing by a small community enterprise to reestablish the “Holme Valley Review” community newspaper. A HVR Media Pack, provided by the group was included with the meeting papers.

Cllr Whitelaw gave an overview of the plans to relaunch the newspaper in print form in Autumn 2024.

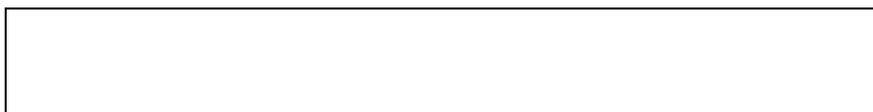
Resolved: HVPC will take a half page regular commitment for 6 months, from budget line 4650 Communications and Engagement.

Action: An action for the Assistant Clerk is to progress the commitment to the regular content with the team at the Holme Valley Review and discuss editorial content.

2425 48 Publicising the work of the HOLME VALLEY PARISH COUNCIL

The full-page monthly Holme Valley Parish Council Report in the *Time In Time Out* July, August and September 2024 Editions, Hade Edge Breeze Autumn 2024 editions, and Hepworth Focus Summer and Autumn 2024 editions were included with the papers.

Noted: Print reports of the work of HOLME VALLEY PARISH COUNCIL published June to September



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2024.

Mbr Brown gave an overview of the Huddersfield Hub as a proposed additional channel for publicity.

Action: An action for Mbr Brown is to explore further the possibility of working with Huddersfield Hub.

Action: An action for all members is to gather high resolution photos of the Holme Valley from contacts with their permission for use on the new website and send them to the Assistant Clerk.

2425 49 Social media and website coverage

The Assistant Clerk and Deputy Clerk/RFO continue to post items relevant to the work of HOLME VALLEY PARISH COUNCIL to the HOLME VALLEY PARISH COUNCIL website and Facebook page.

A Summary of Facebook engagement analytics and website traffic (90 day report) from 17 May 2024 to 15 August 2024 was included in the papers.

The Assistant Clerk gave a summary of key website pages for traffic that would be focused on for the new website.

Noted: Summary of Facebook engagement and website traffic from the HVPC account and website 17 May 2024 to 15 August 2024.

2425 50 CLIMATE ACTION, COMMUNICATIONS AND ENGAGEMENT COMMITTEE Budget and Earmarked Reserves 2024-25

The Climate Action, Communications and Engagement Committee has two budget lines under its remit:

- 4650 Communications and Engagement. At the start of the council year 2024-25, the budget contained £15,000.
- 4805 Climate Action. At the start of the council year 2024-25, the budget contained £5,000.

In earmarked reserves, the Committee oversees four funds with the following balances:

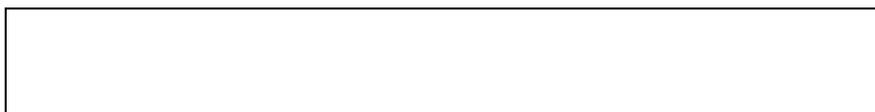
- EMR 336 Royal Events £1,000
- EMR 337 Covid Memorial £6,000
- EMR 341 Climate Action Projects £13,697
- EMR 349 Community Engagement £3,610

The Climate Action, Communications and Engagement Committee will be asked to consider budget recommendations for the financial year 2025-26 at the meeting on 25 November 2024.

The Deputy Clerk gave an update on expenditure to date and predicted expenditure for the remainder of the financial year 2024-25.

Noted: CACE Committee's Year-to-date Expenditure against Budgets 2024-25.

Resolved: The Committee resolved that the Climate Action Working Group and the Communications and Engagement working group is to outline proposed projects/actions for the year 2025-26 and an estimate of associated expenditure needs to be brought to the next CACE Committee meeting on 25 November 2024.



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CORRESPONDENCE

2425 51 Communication from Yorkshire Water regarding Woodland Management

The Clerk has shared correspondence from Yorkshire Water regarding woodland management plans. The correspondence has a link <https://www.fountainsforestry.co.uk/ywwm/> to plan maps. Please note that the Holme Valley Parish Council area falls within the Midlands map. Areas around some of the reservoirs in the Holme Valley fall within the plans.

Action: An action for the Assistant Clerk is to pass the consultation on Woodland Management from Yorkshire Water to HVCAP and River Holme Connections.

2425 52 Peak District National Park Stakeholder Climate Change Survey

The Clerk has shared correspondence from The Peak District National Park. This contains an invitation to complete a Climate Change Survey.

Action: An action for the Assistant Clerk is to pass the consultation on Climate Change from the Peak District National Park, Holme Village Association, HVCAP and River Holme Connections.

2425 53 Items for publicity

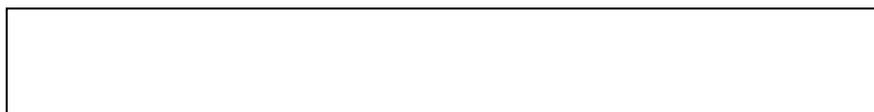
The PUBLICATIONS & COMMUNICATIONS COMMITTEE 14-09-21 motion 2122 27 press coverage has directed officers of the HOLME VALLEY PARISH COUNCIL to add an agenda item in all meetings asking Members what events or news from the meeting they wish to publicise via the press, website and/or Facebook.

The Assistant Clerk gave an overview of upcoming planned publicity.

Action: An action for the Deputy Clerk was to share the details for grant applications with the wider council.

The Chair thanked the Assistant Clerk and the Committee for their contributions.

Close 8.58pm



APPROVED Minutes of the **PLANNING STANDING COMMITTEE** to be held at the **EXHIBITION ROOM** at **THE CIVIC, HUDDERSFIELD ROAD, HOLMFIRTH HD9 3AS** on **MONDAY 16 September 2024** at **700pm** to transact the following business: -

In Attendance:

Chair: Cllr Mary Blacka

Cllr Pat Colling, Cllr Tom Dixon, Cllr Steve Ransby

Approved Apologies:

Cllr Isaac Barnett, Cllr Damian Brook, Cllr Andrew Fenwick, Cllr Donald Firth, Cllr Jo Liles, Cllr Andy Wilson

Welcome

Open Session at Planning

Nine members of the public were present for the open session, however, committee members **Resolved** to suspend standing orders to allow for them to speak during item 2425 107, application number 2425/06/22 instead of the open session.

2425 100 Public Bodies (Admission to Meetings) Act 1960 amended by the Openness of Local Government Bodies Regulations 2014 on 6 August 2014

As Local (Parish and Town) Council meetings can now be recorded, the Chair checked if any members of the public wish to record the meeting, to ensure reasonable facilities can be provided. The meeting was already being recorded by the Officer for public broadcast via the Holme Valley Parish Council YouTube channel.

No other recordings were to be made.

2425 101 To accept apologies for absence

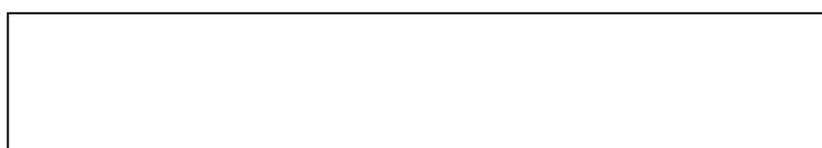
Cllr Isaac Barnett, Cllr Damian Brook, Cllr Andrew Fenwick, Cllr Donald Firth, Cllr Jo Liles, and Cllr Andy Wilson were absent from the meeting and had sent apologies.

Noted and Resolved: The reasons for Cllr Isaac Barnett, Cllr Damian Brook, Cllr Andrew Fenwick, Cllr Donald Firth, Cllr Jo Liles, and Cllr Andy Wilson’s apologies were noted and approved by the Committee.

2425 102 To receive Members’ and Officers’ personal and disclosable pecuniary interests in items on the agenda

Cllr Ransby declared a disclosable pecuniary interest in item 2425 107 application 2425/06/11.

2425 103 To consider written requests for new DPI dispensations



Holme Valley Parish Council

None received.

2425 104 To consider whether items on the agenda should be discussed in private session

Resolved: The Committee resolved that no items would be taken in private session.

2425 105 To Confirm the Minutes of the Previous Meeting

Approved: The minutes of the Planning Committee meeting held on 12 August 2024, numbered 2425 80 – 2425 99 inclusive were approved by the committee.

The Assistant Clerk reported on updates from the previous minutes not otherwise included in the agenda.

Resolved: A consultation received from Barnsley Council on the education provision aspect of the Local Plan would be looked at by the Local Plan Working Group and responded to if decided on by 8 October 2023.

2425 106 Completed Kirklees Planning Applications List

Cllr Colling arrived at 7.15pm during this item.

Noted: The list of Kirklees planning applications 9 July 2024 to 6 August 2024 updated with the views of the Committee, was noted by the committee.

2425 107 Kirklees Council - New Planning Applications

Standing Orders were suspended during this item to allow for the 9 members of the public to speak about application 2425/06/22 and join the discussion with the committee.

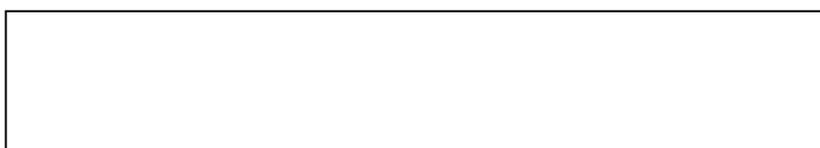
The committee considered the new or amended applications received from Kirklees Council 6 August 2024 to 10 September 2024 inclusive – List 2425-06.

Resolved: That the Planning Committee's comments on the above applications be forwarded to Kirklees Council by the Assistant Clerk.

2425 108 Kirklees Council - Planning Officers' Decisions

Noted: The list of Decision Notices issued by Kirklees Council for the period 6 August 2024 to 10 September 2024 inclusive was noted by the committee.

Resolved: The list of decision notices will not be included for future Planning Committee meetings.



2425 109 Peak District National Park Authority

- i. - No new or amended applications were received from the Peak District National Park Authority planning applications 9 July 2024 to 6 August 2024 to be updated with the views of the Committee.
- ii. - No new or amended applications were received by Peak District National Park Authority 6 August 2024 to 10 September 2024 inclusive.
- iii. - No new decision notices from the Peak District National Park received in the period 6 August 2024 to 10 September 2024.

Cllr Blacka reported that she and Cllr Whitelaw will be the representative of HVPC at the Peak Parishes Day on 12 October 2024.

2425 110 Traffic Calming

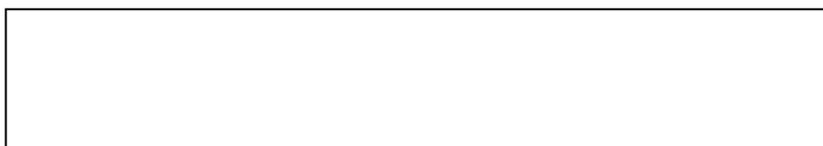
i. Purchase and placement of SIDs for the Holme Valley

- At the full Council meeting on 27th March 2023 councillors approved the expenditure of up to £5,000 on a mobile speed indicator device (SID). At a meeting of the planning committee on 11 March 2024 Cllr Wilson reported that the SID was now active within the scheme for Holme Valley South. The Parish Council is still to be invoiced for the first SID.
- At a meeting of the planning committee on 5 February 2024 Cllrs resolved that the clerking team would progress the purchase of a second SID for the Holme Valley.
- The second SID is now in place on Station Road in Honley close to the High School.
- The Assistant Clerk will be following up with Honley High School to do a news piece about the device and the road safety campaigners from the school.
- The Assistant Clerk will be following up on the invoicing for the devices with Kirklees Councillors.

Action: An action for the Assistant Clerk is to add new SID locations as an item into the next Planning Committee agenda.

ii. School Parking Bollards

- The Assistant Clerk on 13 May 2024 ordered a set of six Think Before You Park bollards, for Brockholes School. The cost is £474 plus £94.80 VAT (which the Parish Council reclaims) totalling £568.80.
- An email was received from Brockholes school on 19 July 2024 confirming that they had received the bollards but did not wish to use them, and that collection could be arranged for the start of the new term.
- At a previous meeting of this committee on 12 August 2024 Cllrs were actioned to approach primary schools they have a connection to, to find the bollards a new host school, this **action** is to be carried forward to the next meeting.



2425 111 HVPC Planning Committee approach to reviewing planning applications

A Cllr Working Group on handling planning applications met on 2 September 2024. Notes and recommendations were included with the meeting papers.

Cllr Blacka gave an overview of the discussions from the Working Group.

Resolved: To adopt the recommendation from the Working Group to proceed with interim Option B: To stop routinely considering all applications and to focus only on applications in the meetings that meet the criteria set out by the Working Group, (with the addition of “change of use” to the criteria) effective immediately. To be reviewed in January 2025.

2425 112 Ongoing highways campaigns, including unmade roads, green lanes and byways of the Holme Valley

The ongoing campaigns are:

- i. **Ramsden Road**
- ii. **Cartworth Moor Road**
- iii. **Cheesegate Nab**
- iv. **South Lane**

No updates had been received.

2425 113 Planning Policy, Guidance and Consultation

i. Consultation on proposed changes to the National Planning Policy Framework

The consultation on the proposed changes to the National Planning Policy Framework is open until 24 September 2024. The documents and survey can be accessed via the government’s portal:

<https://www.gov.uk/government/consultations/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system>

The Local Plan Working Group have reviewed the questions and put together a consolidated response.

Resolved: Cllr Wilson will submit the consolidated response to the consultation on changes to the National Planning Policy Framework on behalf of the Planning Committee.

ii. West Yorkshire Vision Zero



Holme Valley Parish Council

The West Yorkshire Vision Zero partnership consists of the West Yorkshire Combined Authority, the five local authorities, West Yorkshire Police, West Yorkshire Fire and Rescue Service, National Highways, Brake, and road safety campaigners.

Following consultation and engagement with both the public and partners, they have produced a strategy with the aim to eliminate all traffic deaths and serious injuries, while increasing safe, healthy and equitable mobility for all.

Noted: The West Yorkshire Vision Zero strategy was noted by the committee.

iii. Guidance on Maintenance and Repair of Highways

The following advice notes on maintenance and repair of highways was received via the West Yorkshire Society of Local Council Clerks:

- <https://www.oss.org.uk/need-to-know-more/information-hub/rights-of-way-taking-action-on-paths-which-are-out-of-repair-making-an-application-under-section-56-of-the-highways-act-1980/>
- <https://www.legislation.gov.uk/ukpga/1980/66/section/56>
- <https://www.oss.org.uk/wp-content/uploads/2020/11/201119-info-sheets-03-s56-flowchart-large-FINAL.pdf>

Noted: The advice on highways maintenance and repair from the West Yorkshire Society of Local Council Clerks was noted by the committee.

2425 114 Design Code

Cllr Ransby reported on progress with a design agency for the design code artwork.

2425 115 Place Standards, Holmfirth Blueprint, Holmfirth Town Centre Access Plan

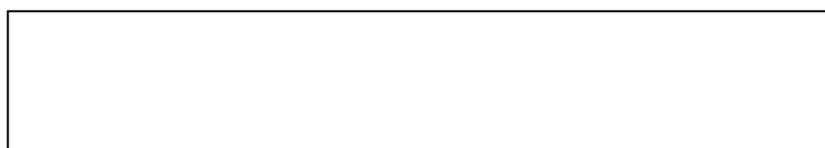
At the Annual Council Meeting, 13 May 2024, the Parish Council **resolved** that the Planning Standing Committee should look to better engage with Kirklees officers and stakeholders in respect of the Holmfirth Blueprint.

A meeting was arranged with HV South Kirklees councillors for 28 August 2024.

Cllr Blacka gave a verbal report on the useful updates received regarding the town centre road scheme and associated works. Some breaks in the work in the coming months will take place to allow for trout migration.

The committee would like to thank the Holme Valley South Ward Councillors for their engagement.

2425 116 Kirklees Local Plan Review



Holme Valley Parish Council

At a previous meeting on 15 July 2024 the committee **resolved** to form a Working Group consisting of Cllr Blacka (Chair), Cllr Ransby, Cllr Colling, and Cllr Wilson to coordinate the work around the Kirklees Local Plan Review and the response from Holme Valley Parish Council.

A meeting was held on 2 September 2024 and notes from the meeting were included with the papers.

Cllr Blacka gave updates on the discussions and recommendations on how to proceed with potential partners.

Resolved: The committee will not go forward with the Create Streets Partnership.

Action: Cllr Blacka will report back the decision of the committee to the representative from Holme Valley Vision.

Action: The Local Plan Review Working Group will take the lead on the Local Plan Review, working in partnership with local groups.

Action: The Local Plan Working Group will extend the invite to join the group to members of the Full Council.

2425 117 Committee Budget 2024-25

- The Planning Committee has one budget line under its remit. This is 4505 Neighbourhood Plan. At the start of the Council year, the budget contains £1,500. No expenditure has come from this budget line.

In earmarked reserves, the Committee oversees one fund:

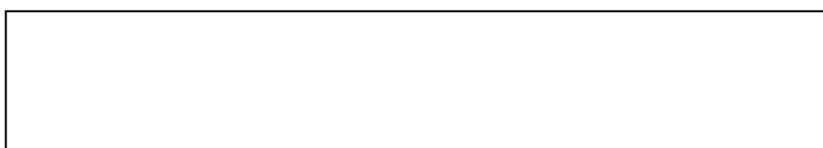
- £12,052 remains in the EMR 343 Road Safety.
- Of this, up to £10,000 has been committed to the purchase of 2 SIDs which have not yet been invoiced for.

Noted: The contents of budget line 4505 Neighbourhood Plan and EMR 343 Road Safety were noted by the committee.

2425 118 Publicising the work of Holme Valley Parish Council

The Assistant Clerk gave an update on planned activity. There is a period of Pre-election sensitivity in place until 17 October 2024.

Close 8.58pm



DRAFT MINUTES OF THE FINANCE & MANAGEMENT COMMITTEE MEETING HELD ON MONDAY 30 SEPTEMBER 2024

Those present:

Chair: Cllr A Wilson

Vice Chair: Cllr G Kirkby

Councillors: Cllr L Baylin, Cllr M Blacka, Cllr C Greaves, Cllr J Liles, Cllr M Rostron

Officer: Mr R McGill (RFO/Deputy Clerk)

Also present: Mrs Jen McIntosh (Clerk)

Welcome

The Chair welcomed Members to this fourth meeting of the Holme Valley Parish Council Finance and Management Standing Committee of the Council year.

Public Question Time

No members of the public were in attendance, and no Councillor chose to speak as a member of the public.

2425 56 Public Bodies (Admission to Meetings) Act 1960 amended by Openness of Local Government Bodies Regulations 2014

The RFO/Deputy Clerk recorded the meeting for upload to the Parish Council's YouTube channel.

No-one else wished to record the meeting.

2425 57 To accept apologies for absence

NOTED: It was noted that Cllrs Barnett, Brook, Colling, Holmes, Rylah and Whitelaw were absent from the meeting.

The Committee received apologies for absence for Cllrs Barnett, Brook, Colling, Holmes, Rylah and Whitelaw.

RESOLVED: The reasons given for absence by Cllrs Barnett, Brook, Colling, Holmes, Rylah and Whitelaw were approved by the Committee.

Signed: _____

Holme Valley Parish Council

2425 58 To receive Members' and Officers' personal and disclosable pecuniary interests in items on the agenda

Cllr Baylin declared a pecuniary interest in 2425 62 B. v. and 2425 62 B. xvii – the grant applications for Holmfirth Tech.

Cllr Rostron declared a pecuniary interest in 2425 62 B. xxiii. – the grant application for Holme Valley Community Land Trust/EcoHolmes.

Cllr Rostron declared a personal interest in 2425 62 B. xix. – the grant application for Vocal Expressions.

Cllr Wilson declared a personal interest in 2425 62 B. x. – the grant application for Holmfirth Harriers.

Cllr Kirkby declared a personal interest in 2425 62 B. ix. – the grant application for Friends of Honley.

Cllr Blacka declared a personal interest in 2425 62 D. ii. – the rolling grant application for Friends of Cliff Recreation Ground.

The Clerk declared a pecuniary interest in 2425 67 i. – garage tenancies.

The Clerk declared a personal interest in 2425 62 xi. – the grant application for Sharing Memories.

The Clerk declared a personal interest in 2425 62 xii. – the grant application for Honley Village Community Trust Welcome Club.

The Clerk declared a personal interest in 2425 62 xv. – the grant application for Friends of Honley Library.

Cllr Blacka later declared a personal interest in 2425 62 D. xx. – the grant application for Arts for Health.

These declarations were received by the Committee.

2425 59 To consider written requests for new DPI dispensations

No new DPI dispensations had been received.

2425 60 To consider whether items on the agenda should be discussed in private session

RESOLVED: Members resolved at this time that no item should be heard in private session.

2425 61 To confirm the Minutes of the previous Committee meeting

NOTED: Members noted the Minutes of the Finance & Management Committee Meeting held on 19 August 2024, numbered 2425 39 to 2425 55 inclusive.

Signed: _____

A. Grant Evaluation Reports

NOTED: The Committee noted that the RFO/Deputy Clerk had contacted those awarded grants at the February meeting for their grant evaluation reports, and these had started to be returned.

NOTED: Members noted the list of grants awarded 2023-24 with record of returned grant evaluation reports. The RFO reported that there were still a few grant evaluation reports outstanding from 2023-24. There had been contact from some organisations, and promises that the reports would be returned, but these were still not forthcoming. Community groups would not be allowed to apply for further grants without grant evaluation reports being received.

NOTED: The Committee noted that the following Grant Evaluation Reports had been added to the Parish Council website:

- Honley Silver Band
- Honley Village Community Trust (Southgate Woods)
- Friends of Honley
- Friends of Cliff Rec
- Holmfirth Forward
- Honley Village Community Trust (Easter craft workshops)
- Honley Village Community Trust (Easter Bunny Tea Party)

Members considered any further action regarding Grant Evaluation Reports.

RESOLVED: The RFO/Deputy Clerk would continue to ask for the outstanding grant evaluation reports to be completed.

B. Grant Applications

NOTED: The Committee noted the list of grant applications being considered at the meeting against budget lines 4315 Community Assets and 4405 Projects and Events. Rolling grants awarded previously had been deducted from the budgets. Members noted that the RFO/Deputy Clerk reported that there was an extra £500 available in the 4405 budget line, than that recorded in the supporting paperwork.

NOTED: Members noted the full list of grant awards since 2020.

Signed: _____

Holme Valley Parish Council

Budget line 4315 Community Assets Grants

- i. Members considered a grant application from Brockholes Bowling Club for £5,000 towards replacement of the club toilets (men's, women's, disabled). The legal power for this would be Local Government (Miscellaneous Provisions) Act 1976 S19 - power to provide and contribute to a wide range of recreational facilities.
RESOLVED: Brockholes Bowling Club was awarded £4,200 towards the replacement of the club toilets (men's, women's, disabled).
- ii. Members considered a grant application from Brockholes Village Trust for £4,194 towards plastering and repainting kitchen and toilets at the village hall. The legal power for this would be Local Government (Miscellaneous Provisions) Act 1976 S19 - provision of building for public meetings.
RESOLVED: There was no award to this application.
- iii. Members considered a grant application from Cartworth Moor Cricket Club for £5,000 towards the installation of solar panels. The legal power for this would be Local Government (Miscellaneous Provisions) Act 1976 S19 - power to provide and contribute to a wide range of recreational facilities.
RESOLVED: Cartworth Moor Cricket Club was awarded £2,500 towards the installation of solar panels.
- iv. Members considered a grant application from Hepworth Band for £5,000 towards refurbishment of the band room. The legal power for this would be Local Government (Miscellaneous Provisions) Act 1976 S19 - power to provide and contribute to a wide range of recreational facilities.
RESOLVED: There was no award to this application. It was suggested that the organisation might re-apply at a future date but needed to provide more precise detail in their application on i. how the community with benefit, ii. why the Band needs this development, iii. where other funding will come from.
- v. Members considered a grant application from Holmfirth Tech for £4,826.23 towards development of the dance studio. The legal power for this would be Local Government (Miscellaneous Provisions) Act 1976 S19 - power to provide and contribute to a wide range of recreational facilities.
RESOLVED: There was no award to this application.
- vi. Members considered a grant application from Holme Village Community Centre for £5,000 towards installation of toilets etc. The legal power for this would be provision of building for public meetings.
RESOLVED: Holme Village Community Centre was awarded £5,000 towards the installation of toilets etc.

Signed: _____

Holme Valley Parish Council

- vii. Members considered a grant application from Just Hoop CIC for £5,000 towards basketball hoops. The legal power for this would be Local Government (Miscellaneous Provisions) Act 1976 S19 – power to provide and contribute to a wide range of recreational facilities.
RESOLVED: Just Hoop CIC was awarded £5,000 but the Parish Council resolved that the funds would not pay for the basketball hoops, - since the Parish Council does not usually tend to pay towards sporting equipment which it feels should be the core responsibility of the club itself. Instead, the Parish Council resolved to award £5,000 towards the toilets, changing rooms and kitchen.
- viii. Members considered a grant application from Upperthong Village Hall for £5,000 towards replacement of the hall roof. The legal power for this would be Local Government (Miscellaneous Provisions) Act 1976 S19 - provision of building for public meetings.
RESOLVED: There was no award to this application.
- ix. Members considered a grant application from Friends of Honley for £1,500 towards seasonal planting of outdoor spaces. The legal power for this would be Local Government Act 1972 S137.
RESOLVED: The group, Friends of Honley, was awarded £5,000 towards seasonal planting of outdoor spaces.
- x. Members considered a grant application from Holmfirth Harriers for £5,000 towards solar panels and batteries for the clubhouse. The legal power for this would be Local Government (Miscellaneous Provisions) Act 1976 S19 – provision of building for public meetings.
RESOLVED: Holmfirth Harriers was awarded £5,000 towards solar panels and batteries for the clubhouse.

Budget Line 4405 Community Benefits Grant – projects, events, other

- xi. Members considered a grant application from Sharing Memories for £1,490 towards artist fees, taxis, refreshments for an arts project. The legal power for this would be Local Government Act 1972 S145 – support of the arts.
RESOLVED: Sharing Memories was awarded £1,490 towards artist fees, taxis, refreshments for an arts project.
- xii. Members considered a grant application from Honley Village Community Trust for £840 towards Welcome Club activities and Christmas party. The legal power for this would be Local Government Act 1972 S145 – provision of entertainment.
RESOLVED: Honley Village Community Trust was awarded £840 towards Welcome Club activities and Christmas party.

Signed: _____

Holme Valley Parish Council

- xiii.** Members considered a grant application from Holmfirth Film Festival for £1,000 towards venue hire for the Festival. The legal power for this would be Local Government Act 1972 S145 – provision of entertainment.
RESOLVED: Holmfirth Film Festival was awarded £1,000 towards venue hire for the Festival. The group would be encouraged to apply for a rolling grant in future years.
- xiv.** Members considered a grant application from New Mill Male Voice Choir for £1,300 towards towards recruitment projects for new members including website. The legal power for this would be Local Government Act 1972 S137.
RESOLVED: There was no award to this application.
- xv.** Members considered a grant application from Friends of Honley Library for £850 towards library activities for children. The legal power for this would be Local Government Act 1972 S145 – provision of entertainment.
RESOLVED: Friends of Honley Library was awarded £850 towards library activities for children.
- xvi.** Members considered a grant application from Wooldale Community Group for £159.80 towards four folding tables. The legal power for this would be Local Government Act 1972 S145 – provision of entertainment.
RESOLVED: Wooldale Community Group was awarded £159.80 towards library activities for children.
- xvii.** Members considered a grant application from Holmfirth Tech for £1,500 towards food and drink for Warm Spaces sessions. The legal power for this would be Local Government Act 1972 S137.
RESOLVED: Holmfirth Tech was awarded £1,500 towards food and drink for Warm Spaces sessions.
- xviii.** Members considered a grant application from The Nest for £1,357.50 towards parent support sessions. The legal power for this would be Local Government Act 1972 S137.
RESOLVED: The Nest was awarded £1,357.50 towards parent support sessions.
- xix.** Members considered a grant application from Vocal Expressions for £1,500 towards band uniforms. The legal power for this would be Local Government Act 1972 S145 – support of the arts.
RESOLVED: There was no award to this application.
- xx.** Members considered a grant application from Arts for Health for £1,500 towards room hire for the group sessions. The legal power for this would be Local Government Act 1972 S145 – support of the arts.
RESOLVED: Arts for Health was awarded £1,500 towards room hire for the group sessions.

Signed: _____

Holme Valley Parish Council

- xxi.** Members considered a grant application from Honley Village Community Trust for £577.50 towards a Halloween Children’s Party. The legal power for this would be Local Government Act 1972 S145 – provision of any form of public entertainments.
RESOLVED: Honley Village Community Trust was awarded £200 towards a Halloween Children’s Party.
- xxii.** Members considered a grant application from Honley Village Community Trust for £587.50 towards a Christmas Children’s Party. The legal power for this would be Local Government Act 1972 S145 – provision of any form of public entertainments.
RESOLVED: Honley Village Community Trust was awarded £200 towards a Christmas Children’s Party.
- xxiii.** Members considered a grant application from Holme Valley Community Land Trust/ EcoHolmes for £1,500 towards website design. The legal power for this would be Local Government Act 1972 S137.
RESOLVED: There was no award to this application.
- xxvi.** Members considered a grant application from Holme Valley Businesses Together for £1,500 towards Random Acts of Kindness project. The legal power for this would be Local Government Act 1972 S137.
RESOLVED: There was no award to this application.

C. Councillor visits to community groups that have received awards

NOTED: It was noted that Cllr Wilson and Cllr Holmes had visited Upperthong Cricket Club. The Parish Council had previously funded outdoor seating for spectators and clubhouse carpets. It was further noted that Cllr Baylin had visited Scholes Cricket Club on their Sponsors Day. The Parish Council had previously funded the women’s changing room at the clubhouse. Cllr Wilson and Cllr Baylin both reported on the positive experience of community networking in this way.

D. Rolling Grants

- i.** Holmfirth Arts Festival was previously approved for a rolling grant pending the supply of supporting paperwork. Members considered:
- a) approving the rolling grant agreement for Holmfirth Arts Festival
 - b) approving the payment of £1,500 to Holmfirth Arts Festival
- RESOLVED:** a) The rolling grant agreement for Holmfirth Arts Festival was approved and b) the payment of £1,500 to Holmfirth Arts Festival was approved.
- ii.** Friends of Cliff Recreation Ground was previously approved for a rolling grant pending the supply of supporting paperwork. Members considered:
- a) approving the rolling grant agreement for Friends of Cliff Recreation Ground
 - b) approving the payment of £500 to Friends of Cliff Recreation Ground
- RESOLVED:** a) The rolling grant agreement for Friends of Cliff Recreation Ground was approved and b) the payment of £500 to Friends of Cliff Recreation Ground was approved.

Signed: _____

Holme Valley Parish Council

- iii. At a prior Committee meeting, a decision on the Rolling Grant application from Holme Valley Transport was deferred pending contact from Cllr Liles to the service. Cllr Liles to report. Cllr Liles reported positively on the service, - that it was free and covered all of Holme Valley medical practices, - and should be actively supported.

Members considered:

- a) approving the rolling grant agreement for Holme Valley Transport
- b) approving the payment of £1,000 to Holme Valley Transport

RESOLVED: a) The rolling grant agreement for Holme Valley Transport was approved and b) the payment of £1,000 to Holme Valley Transport was approved.

2425 63 Chair's Expenses

NOTED: The Committee noted that the Chair's Expenses budget for 2024-25 is £1,000, and that its only expenditure to date had been a £30 ticket to The Lions Charter Dinner.

2425 64 Schedule of Payments

- i. **NOTED:** The finalised schedules of payments for i. July 2024 and ii. August 2024 were noted and initialled by the Chair.
- ii. **RESOLVED:** The month-to-date schedule of payments for September 2024 was approved by the Committee and initialled by the Chair.

2425 65 Financial Statements

NOTED: The following accounting summaries were noted by then Committee:

- i. For July 2024:
 - (1) Cash Books All Accounts Receipts and Payments (to end 31 July 2024)
 - (2) Trial Balance (to end 31 July 2024)
 - (3) Balance Sheet (to end 31 July 2024)
 - (4) Cash and Investment Reconciliation (to end 31 July 2024)
 - (5) VAT Return – year-to-date for the quarter JUL-SEP 2024 – not for submission.
- ii. For August 2024:
 - (1) Cash Books All Accounts Receipts and Payments (to end 31 August 2024)
 - (2) Trial Balance (to end 31 August 2024)
 - (3) Balance Sheet (to end 31 August 2024)
 - (4) Cash and Investment Reconciliation (to end 31 August 2024)
 - (5) VAT Return – year-to-date for the quarter JUL-SEP 2024 – not for submission.

Signed: _____

Holme Valley Parish Council

- iii. As per the guidance in the JPAG Practitioners' Guide, the Committee considered the bank reconciliations cross-referenced with relevant bank statements.

RESOLVED: The following bank reconciliations were approved and signed by two mandated Councillors

For July 2024:

- HSBC Current Account Bank Statement and HSBC Current Account Bank Reconciliation.
- HSBC Business Money Manager Bank Statement and HSBC Business Money Manager Bank Reconciliation.
- CCLA PSDF Bank Statement and CCLA PSDF Bank Reconciliation.
- Unity Trust Current Account T2 Bank Statement and Unity Trust Current Account T2 Bank reconciliation.
- Unity Trust Savings Account Bank Statement and Unity Trust Savings Account Bank reconciliation.

For August 2024:

- HSBC Current Account Bank Statement and HSBC Current Account Bank Reconciliation.
- HSBC Business Money Manager Bank Statement and HSBC Business Money Manager Bank Reconciliation
- CCLA PSDF Bank Statement and CCLA PSDF Bank Reconciliation.
- Unity Trust Current Account T2 Bank Statement and Unity Trust Current Account T2 Bank reconciliation.
- Unity Trust Savings Account Bank Statement and Unity Trust Savings Account Bank reconciliation.

- iv. Councillors reviewed the Income and Expenditure report for August 2024 and the following Notes from the RFO:

Income -

- 1076 Precept On the income side, the Parish Council 1st May 2024 received ½ of its annual precept from Kirklees Council. The next payment will be in November.
- 1078 Special Expenses Grant The Parish Council 1st May 2024 received ½ of the Special Expenses Grant from Kirklees Council. The next payment will be in November.
- 1090 Bank Interest Five months into the year, the Parish Council is a little up on projections regarding bank interest.
- 1092 Toilets Donations Five months into the year, the Parish Council is a little down on projections regarding toilets donations.
- 1200 Allotment Rents All rents have been received and banked.
- 1250 Gartside Building Rent (and one month deposit) is banked.
- 1300 Garage Rents All rents have been received and banked.

Signed: _____

Holme Valley Parish Council

Expenditure side:

- 4000 Salaries are a little over budget after five months. An earmarked reserve has been created to fund any subsequent pay uplifts.
- 4060 Staff Training is under-budget five months into the year.
- 4235 Insurance is, again, significantly over-budget by £3,101 or by 35%. However, it should be noted that the Parish Council will be reimbursed much of this increase by Holmfirth Civic Hall Community Trust under the terms of the lease.
- 4275 Telephone and Broadband is a little overbudget five months into the year and may need adjusting in the budget.
- 4610 Publications and Publicity – this expenditure of £210 has been coded incorrectly, - should have been 4650, - and will be adjusted.
- 4310 Holmfirth Civic Hall – Projects is £34,925 over budget; all this expenditure being made from earmarked reserves.
- All other budgets are in line with budgets.

NOTED: Members noted the Income and Expenditure Report and the RFO's notes. Members considered whether any further actions on income and expenditure against budget were needed.

RESOLVED: No further action.

v. Earmarked Reserves

Councillors review the August report on earmarked reserves and the RFO's report.

- 322 EMR CCTV was closed as this is now a rolling grant.
- 323 EMR 323 Other Community Assets in the Holme Valley consists of £2,017 for 10th Holme Valley (New Mill) Scouts (towards a new scout hut).
- 325 EMR Election Fund holds £7,000 allocated directly from the precept. This will be added to every year until the next full-Council cycle of elections when the reserve should hold around £30,000.
- 326 EMR Defibrillator Special Reserve holds £1,738.51. This is solely for maintenance of defibrillators the Parish Council is directly responsible for.
- 329 EMR Holmfirth Civic Hall is no longer recorded as all the money from the earmarked reserve was spent.
- 331 EMR Gartside Building holds £5,000.
- 332 EMR Honley Library holds £15,000.
- 336 EMR Royal Events holds £1,000 in respect of Operation Menai Bridge.
- 337 EMR COVID Memorial holds £6,000. This should be spent soon.
- 338 EMR Children's Playgrounds was closed.
- 341 EMR Climate Action Projects holds £13,946.68 with some expenditure on a planning application for the solar panels paid from it. Further expenditure on the solar panels project is anticipated soon.
- 343 EMR Road Safety holds £12,052. Considerable expenditure is expected from this reserve in respect of two mobile speed indicator devices which we have still not been invoiced for.
- 344 Staff Pay £5,000 was added to this earmarked reserve after annual Council to safeguard staff pay in the event of a national pay award.

Signed: _____

Holme Valley Parish Council

- xiv. 345 Rolling Grants holds £6,060 for anticipated rolling grant awards that have been agreed by this committee pending submission and approval of documentation. (£1,500 Holmfirth Arts Festival, £1,500 Festival of Folk, £1,500 Holme Valley Patient Transport, £1,560 CCTV Honley). NB: £500 to Friends of Cliff Rec is not included in these figures.
- xv. 346 EMR Public Transport holds £5,000.
- xvi. 347 EMR Tourism holds £5,000.
- xvii. 348 EMR Dog Waste and Litter holds £3,800.
- xviii. 349 EMR Community Engagement holds £3,609.87.
- xix. 350 EMR The Civic Roof Repairs holds £17,565.20.
- xx. 351 EMR Holmfirth Toilets Refurb holds £4,104.

NOTED: The report on earmarked reserves and the RFO's notes were noted.

Members considered whether any further actions were needed on earmarked reserves.

RESOLVED: No further action.

2425 66 Audit

NOTED: Members noted that the external auditor's report had been received with no actions needed. The certificate and Notice of Conclusion of Audit had been published. Officers were thanked for their work which secured this positive outcome.

2425 67 Tenancies

- i. **NOTED:** The RFO reported on one issue with a garage tenancy. One garage tenant was planning to move house and had included the garage lease on the estate agent's listing. However, the tenancy would not automatically go to the new owner of the house. If the tenancy was given up, the garage lease would go to the 1st name on the garage waiting list. The estate agent had been contacted. The current tenant had been advised that they could not sub-let the property.
- ii. The Service Provision Standing Committee had been discussing the operation of the Parish Council's allotments particularly in the context of promoting biodiversity and other climate emergency issues.
The Committee considered how to make the management of allotments more effective.
RESOLVED: The Committee resolved not to consider this motion until the ongoing review of Committee structures was finalised.
- iii. **NOTED:** The Committee noted that the new tenant is now paying a rent of £350/month on the Gartside shop unit.

Signed: _____

Holme Valley Parish Council

2425 68 **New model Financial Regulations from the National Association of Local Councils (NALC)**

The Financial Regulations Working Group, which consists of Cllr Wilson, Cllr Colling and the RFO/Deputy Clerk had met Tuesday 3rd September to begin the process of updating the Parish Council's Financial Regulations based on the model Regulations.

The Group presented its draft revision of the NALC model Financial Regulations for consideration. The Working Group had set out to try to 1. protect the Parish Council from fraud, whilst 2. rationalising its financial processes so that it operates more efficiently, responsively and effectively, and 3. the Financial Regulations accurately set out how the Parish Council actually operates in practice.

The Committee considered recommending the draft Financial Regulations to full Council.

RESOLVED: The Committee resolved to recommend the draft Financial Regulations to full Council.

2425 69 **Internal Control Checks**

NOTED: The Committee noted that the second quarter of the financial year (JUL-SEP) was now over and that the Parish Council will be arranging to meet with Cllr Liles to undertake the internal controls check in due course.

2425 70 **Banking**

Unity Trust

- ia. **NOTED:** The Committee noted that most of the named signatories are now able to log on to the Unity Trust banking website. The Clerk, RFO and Assistant Clerk are all registered to be able to set up payments (but not authorise them). Committee Chairs are registered to approve payments (but not set them up). Only Cllrs Dixon and Whitelaw had not been able to log on yet.
- ib. **NOTED:** The Committee noted that the RFO has contacted Kirklees Council to change the account for the deposit of the precept in November.
- ic. **NOTED:** The Committee noted that the RFO/Deputy Clerk will in October be setting up direct debits from the Unity Trust T2 current account and cancelling those from HSBC:
- BT (telephone and internet)
 - Grenke (photocopier lease)
 - Information Commissioner's Office (annual data protection fee)
 - Scottish Water / Business Stream (water/sewage to the toilets)
 - Document Logic (photocopying)
 - Npower (electricity costs to Holmfirth toilets)

Mandated Councillors would be asked to sign the pending direct debit agreements.

Signed: _____

Holme Valley Parish Council

- id. **NOTED:** It was, likewise, noted that the RFO/Deputy Clerk will be transferring standing orders from the HSBC current account to the Unity Trust T2 current account:
- Staff Salaries (Staff 02, Staff 04, Staff 05)
 - HMRC (PAYE tax and national insurance)
 - West Yorkshire Pensions Fund (Pensions)
 - Time In Time Out Media - TiTo (Parish Council monthly news)
 - Artweek (annual subscription)

2425 71 Financial Records for the website

NOTED: It was noted that the financial records for July and August 2024 had been added to the website. The September records would be added once bank statements had been received.

2425 72 Publicising the work of Holme Valley Parish Council

Members considered recent events or news that this Committee wished to publicise via the press, Parish Council website or social media.

RESOLVED: News of the grant awards would be published.

The meeting closed at 2138

.....
Chairman

Signed: _____

Holme Valley Parish Council Cash Book 2024-25

HSBC Community Current Account

Schedule of Payments October 2024

No	HVPC ref	Payment Sent Date	Payment method	Check v Statement	To pay	Inv date	Inv number	Description	Net	Vat	Gross	Authorisation to Pay	Legislation
			BACS	<input type="checkbox"/>	KIRKLEES COUNCIL			ELECTION ADMIN COSTS	£9,016.17	£0.00	£9,016.17		LGA 1972 S111
			BACS	<input type="checkbox"/>	JRB ENTERPRISES LTD			POO BAGS	£403.50	£80.70	£484.20		LGA 1972 S137
			BACS	<input type="checkbox"/>	FESTIVAL OF FOLK			ROLLING GRANT: TRAFFIC MANAGEMENT AND FESTIVAL INSURANCE	£1,500.00	£0.00	£1,500.00	F&M 2425 26 iv	LGA 1972 S145
			BACS	<input type="checkbox"/>	RAMSDENS SOLICITORS LLP			FEES RE GARTSIDE BUILDING	£800.00	160.00	£960.00	F&M 2425 10	LGA 1972 S137
			BACS	<input type="checkbox"/>	VISION ICT			.GOV.UK DOMAIN - 2 YEARS	£78.00	£0.00	£78.00	F&M 2324 25	LGA 1972 S111
			BACS	<input type="checkbox"/>	BRITISH TELECOM			INTERNET AND PHONE	£47.06	9.41	£56.47	F&M 2425 12	LGA 1972 S111
			BACS	<input type="checkbox"/>	YLCA			WEBINAR: PROCUREMENT STAFF 04	£35.00	£0.00	£35.00	F&M 2425 12	LGA 1972 S112
			BACS	<input type="checkbox"/>	PRINCIPLE HYGIENE			SERVICE NAPPY DISPOSAL UNITS	£54.50	10.90	£65.40	F&M 2324 25	PHA 1936 S87
			BACS	<input type="checkbox"/>	ZONKEY			WEBSITE BUILD, DATA MIGRATION, HOSTING	£1,367.50	£273.50	£1,641.00		LGA 1972 S111
			BACS	<input type="checkbox"/>	BROCKHOLES BOWLING CLUB			GRANT - IMPROVEMENT TO TOILETS	£4,200.00	£0.00	£4,200.00		LG(MP)A 1976 S19
			BACS	<input type="checkbox"/>	CARTWORTH MOOR CRICKET CLUB			GRANT - TOWARDS INSTALLATION OF SOLAR PANELS	£2,500.00	£0.00	£2,500.00		LG(MP)A 1976 S19
			BACS	<input type="checkbox"/>	HOLME VILLAGE COMMUNITY CENTRE			GRANT - TOWARDS INSTALLATION OF TOILETS	£5,000.00	£0.00	£5,000.00		LG(MP)A 1976 S19
			BACS	<input type="checkbox"/>	JUST HOOP CIC			GRANT - TOWARDS BASKETBALL PROJECT	£5,000.00	£0.00	£5,000.00		LG(MP)A 1976 S19
			BACS	<input type="checkbox"/>	FRIENDS OF HONLEY			GRANT - TOWARDS SEASONAL PLANTING	£1,500.00	£0.00	£1,500.00		LGA 1972 S137
			BACS	<input type="checkbox"/>	HOLMFIRTH HARRIERS			GRANT - TOWARDS INSTALLATION OF SOLAR PANELS	£5,000.00	£0.00	£5,000.00		LG(MP)A 1976 S19
			BACS	<input type="checkbox"/>	SHARING MEMORIES			GRANT - ARTIST FEES, TAXIS, REFRESHMENTS	£1,490.00	£0.00	£1,490.00		LGA 1972 S145
			BACS	<input type="checkbox"/>	HONLEY VILLAGE COMMUNITY TRUST			GRANT - WELCOME CLUB ACTIVITIES AND PARTY	£840.00	£0.00	£840.00		LGA 1972 S145
			BACS	<input type="checkbox"/>	HOLMFIRTH FILM FESTIVAL			GRANT - VENUE HIRE FOR THE FESTIVAL	£1,000.00	£0.00	£1,000.00		LGA 1972 S145
			BACS	<input type="checkbox"/>	FRIENDS OF HONLEY LIBRARY			GRANT - LIBRARY ACTIVITIES FOR CHILDREN	£850.00	£0.00	£850.00		LGA 1972 S145
			BACS	<input type="checkbox"/>	WOOLDALE COMMUNITY GROUP			GRANT - FOR FOUR FOLDING TABLES	£159.80	£0.00	£159.80		LGA 1972 S145
			BACS	<input type="checkbox"/>	HOLMFIRTH TECH			GRANT - FOOD AND DRINK FOR WARM SPACES PROJECT	£1,500.00	£0.00	£1,500.00		LGA 1972 S137
			BACS	<input type="checkbox"/>	THE NEST HOLMFIRTH CIC			GRANT - PARENT SUPPORT SESSIONS	£1,357.50	£0.00	£1,357.50		LGA 1972 S137
			BACS	<input type="checkbox"/>	ARTS FOR HEALTH CIC			GRANT - ROOM HIRE AND SESSION WORKER PAY	£1,500.00	£0.00	£1,500.00		LGA 1972 S145
			BACS	<input type="checkbox"/>	HONLEY VILLAGE COMMUNITY TRUST			GRANT - HALLOWEEN PARTY	£200.00	£0.00	£200.00		LGA 1972 S145
			BACS	<input type="checkbox"/>	HONLEY VILLAGE COMMUNITY TRUST			GRANT - CHRISTMAS PARTY	£200.00	£0.00	£200.00		LGA 1972 S145
			BACS	<input type="checkbox"/>	HOLMFIRTH ARTS FESTIVAL			ROLLING GRANT - FLOW PROJECT	£1,500.00	£0.00	£1,500.00		LGA 1972 S145
			BACS	<input type="checkbox"/>	FRIENDS OF CLIFF RECREATION GROUND			ROLLING GRANT - CAROLS ON THE CLIFF	£500.00	£0.00	£500.00		LGA 1972 S145
			BACS	<input type="checkbox"/>	HOLME VALLEY TRANSPORT			ROLLING GRANT - PATIENT TRANSPORT	£1,000.00	£0.00	£1,000.00		
			BACS	<input type="checkbox"/>	HOLMFIRTH FOLK FESTIVAL			ROLLING GRANT - FESTIVAL TRAFFIC MANAGEMENT AND INSURANCE	£1,500.00	£0.00	£1,500.00		LGA 1972 S145
			BACS	<input type="checkbox"/>	YLCA			WHOLE COUNCIL TRAINING	£568.10	£0.00	£568.10	F&M 2425 12	LGA 1972 S111
			BACS	<input type="checkbox"/>	HCHCT			ROOM HIRE - WHOLE COUNCIL TRAINING	£96.00	£0.00	£96.00	F&M 2425 12	LGA 1972 S111
			BACS	<input type="checkbox"/>	NPOWER			ELECTRICITY HOLMFIRTH TOILETS SEP	£101.72	£5.09	£106.81	F&M 2324 25	PHA 1936 S87
			BACS	<input type="checkbox"/>	TIME IN TIME OUT MEDIA			TITO - MONTHLY COUNCIL NEWS - NOV 2024	£210.00	£42.00	£252.00	F&M 2425 12	LGA 1972 S142
			DD	<input type="checkbox"/>	BUSINESS STREAM			WATER SEWERAGE HOLMFIRTH TOILETS	£1,115.31	£0.00	£1,115.31	F&M 2324 25	PHA 1936 S133
			BACS	<input type="checkbox"/>	HIGHTOWN LANE RESIDENT			EX GRATIA PAYMENT	£100.00	£0.00	£100.00		LGA 1972 S137
									£52,290.16	£581.60	£52,871.76		

Holme Valley Parish Council

Notice of conclusion of audit

Annual Governance & Accountability Return for the year ended 31 March 2024

Sections 20(2) and 25 of the Local Audit and Accountability Act 2014

Section 16 of the Accounts and Audit Regulations 2015 (SI 2015/234)

	Notes
<p>1. The audit of accounts for Holme Valley Parish Council for the year ended 31 March 2024 has been completed and the accounts have been published.</p>	<p>This notice and Sections 1, 2 & 3 of the AGAR must be published by 30 September. This must include publication on the smaller authority's website. The smaller authority must decide how long to publish the Notice for; the AGAR and external auditor report must be publicly available for 5 years.</p>
<p>2. The Annual Governance & Accountability Return including the auditor's certificate and opinion is available for inspection and copying by any local government elector of the area of Holme Valley Parish Council on application to:</p>	
<p>(a) Richard McGill (Responsible Finance Officer) <u>Holme Valley Parish Council</u> <u>The Civic, Huddersfield Road</u> <u>Holmfirth HD9 2NW</u></p>	<p>(a) Insert the name, position and address of the person to whom local government electors should apply to inspect the AGAR</p>
<p>(b) TUE, WED, THU - 0930-1530 <u>Other times by arrangement</u></p>	<p>(b) Insert the hours during which inspection rights may be exercised</p>
<p>3. Copies will be provided to any local government elector of the area on payment of <u>£1.00</u> (c) for each copy of the Annual Governance & Accountability Return.</p>	<p>(c) Insert a reasonable sum for copying costs</p>
<p>Announcement made by: (d) <u>Richard McGill (Responsible Finance Officer)</u></p>	<p>(d) Insert the name and position of person placing the notice</p>
<p>Date of announcement: (e) <u>12th September 2024</u></p>	<p>(e) Insert the date of placing of the notice</p>

Section 3 – External Auditor’s Report and Certificate 2023/24

In respect of

HOLME VALLEY PARISH COUNCIL-WY0042

1 Respective responsibilities of the auditor and the authority

Our responsibility as auditors to complete a **limited assurance review** is set out by the National Audit Office (NAO). A limited assurance review is **not a full statutory audit**, it does not constitute an audit carried out in accordance with International Standards on Auditing (UK & Ireland) and hence it **does not** provide the same level of assurance that such an audit would. The UK Government has determined that a lower level of assurance than that provided by a full statutory audit is appropriate for those local public bodies with the lowest levels of spending.

Under a limited assurance review, the auditor is responsible for reviewing Sections 1 and 2 of the Annual Governance and Accountability Return in accordance with NAO Auditor Guidance Note 02 (AGN 02) as issued by the NAO on behalf of the Comptroller and Auditor General. AGN 02 is available from the NAO website – <https://www.nao.org.uk/code-audit-practice/guidance-and-information-for-auditors/>

This authority is responsible for ensuring that its financial management is adequate and effective and that it has a sound system of internal control. The authority prepares an Annual Governance and Accountability Return in accordance with *Proper Practices* which:

- summarises the accounting records for the year ended 31 March 2024; and
- confirms and provides assurance on those matters that are relevant to our duties and responsibilities as external auditors.

2 External auditor’s limited assurance opinion 2023/24

On the basis of our review of Sections 1 and 2 of the Annual Governance and Accountability Return (AGAR), in our opinion the information in Sections 1 and 2 of the AGAR is in accordance with Proper Practices and no other matters have come to our attention giving cause for concern that relevant legislation and regulatory requirements have not been met.

Other matters not affecting our opinion which we draw to the attention of the authority:

None

3 External auditor certificate 2023/24

We certify that we have completed our review of Sections 1 and 2 of the Annual Governance and Accountability Return, and discharged our responsibilities under the Local Audit and Accountability Act 2014, for the year ended 31 March 2024.

External Auditor Name

PKF LITTLEJOHN LLP

External Auditor Signature

PKF Littlejohn LLP

Date

05/09/2024

HOLME VALLEY PARISH COUNCIL MEMORANDUM

Holmfirth Civic Hall
Huddersfield Road
Holmfirth HD9 3AS



Clerk to the Council: Jen McIntosh
Deputy Clerk to the Council: Richard McGill
Assistant Clerk to the Council: Gemma Sharp

Phone No: 01484 687460
E-mail: clerk@holmevalleyparishcouncil.gov.uk
deputyclerk@holmevalleyparishcouncil.gov.uk
assistantclerk@holmevalleyparishcouncil.gov.uk

Re: Wreath Laying Sunday 10th November 2024

War Memorial and contact names	Details from 2023 – TO BE CONFIRMED FOR 2024	Cllr attending 2023	Cllr attending 2024 TO BE DECIDED AT FULL COUNCIL 14-10-2024
Holmfirth Rev Keith Griffin	10.45am Holy Trinity Parish Church Wreath is first laid in Church as part of service then taken by car to the War Memorial at Holme Valley Memorial Hospital. Tea and biscuits in the lounge at HVM Hospital afterwards. (Mr John Booth has the wreath and will bring it to the church to give to the attending Councillor.)	Cllr Blacka	
Brockholes Rev Martin Short	11am Wreath laid at War Memorial itself followed by Service at St George's Church.	Cllr Fenwick	
Hepworth Rev Keith Griffin	9.30am Service in Holy Trinity Church Hepworth then Act of Remembrance at Church Lych Gate	Cllr Dixon	
Holmbridge Rev Nick Heaton	10.50am Wreath-laying Ceremony at War Memorial in grounds of St David's followed by Service inside.	Cllr Liles	
Honley Fiona Roberts Honley RBL Rev Martin Short	10am Service at St Mary the Virgin followed by Procession to War Memorial and Act of Remembrance/ wreath laying. Procession then re-forms and goes back through village centre ending in People's Park around 11.20am	Cllr Colling	
Netherthong Rev Nick Heaton	10.50am Ceremony at War Memorial followed by Service in All Saints Church.	Cllr Rostron	
New Mill Rev Canon Sean Robertshaw Neil Tinker New Mill RBL	10.30am Remembrance Service at Christ Church followed by Procession and Wreath-laying Act of Remembrance (inside)	Cllr Firth Cllr Brook	
Upperthong Rev Keith Griffin	10.45am Service at St John's Upperthong followed by Ceremony of Remembrance at the Lych Gate	Cllr Wilson	

ENDS.

Holme Valley Parish Council

Meeting Schedule- April 2024 to May 2025



MEETING SCHEDULE 2024-25 VERSION 6 for approval 14-10-2024			
DATE	MEETING	TIME	CLERK
QUARTER 2			
1 April 2024	Bank Holiday		
8 April	FREE FOR AGENDAS TO BE PREPARED		
15 April	Finance and Management Committee 1	1900HRS	RM
22 April	Planning Committee 1	1900HRS	GS
29 April	Staffing Committee 1	1900HRS	JM
6 May	Bank Holiday		
13 May	HVPC ANNUAL COUNCIL 1	1900HRS	JM/RM/GS
20 May	Planning Committee 2	1900HRS	GS
27 May	Bank Holiday		
3 June	CACE Committee 1 (Q2)	1900HRS	GS
10 June	Finance and Management Committee 2 AGAR	1900HRS	RM/JM
17 June	Planning Committee 3	1900HRS	GS
24 June	COUNCIL 2 AGAR	1900HRS	JM/RM
QUARTER 3			
1 July			
8 July	Service Provision Committee 1 Q3 HONLEY LIBRARY	1900HRS	JM
15 July	Planning Committee 4 HONLEY LIBRARY	1900HRS	GS
22 July	Holiday		
29 July	Holiday		
5 August	Holiday		
12 August	Planning Committee 5	1900HRS	GS
19 August	Finance and Management Committee 3	1900HRS	RM
26 August	Bank Holiday		
2 September	FREE FOR AGENDAS TO BE PREPARED		
9 September	CACE Committee 2 (Q3) – preliminary budget 2025-26	1900HRS	GS/RM
16 September	Planning Committee 6	1900HRS	GS
23 September	Service Provision Committee 2 – grants (Q3)	1900HRS	JM
30 September	Finance and Management Committee 4- grants	1900HRS	RM/JM
QUARTER 4			
7 October	Planning Committee 7	1900HRS	GS
14 October	FULL COUNCIL 3	1900HRS	JM/RM/GS
21 October		1900HRS	
28 October	Holiday		
4 November	Service Provision Committee 3 (Q4) - budget	1900HRS	JM/RM
11 November	Planning Committee 8 - budget	1900HRS	GS/RM
18 November	Staffing Committee 2 - budget	1900HRS	JM
25 November	CACE Committee 3 (Q4) – 2025-26 budget	1900HRS	GS
2 December	Finance and Management Committee 5 – budget & precept	1900HRS	RM/JM
9 December	Planning Committee 9	1900HRS	GS
16 December	COUNCIL 4- budget	1900HRS	JM/RM/GS
23 December	Holiday		
30 December	Holiday		

Agendas published on the Council Website three working days prior to the meeting.

clerk@holmevalleyparishcouncil.gov.uk

Version 6: for approval 14-10-2024

Holme Valley Parish Council

Meeting Schedule- April 2024 to May 2025

MEETING SCHEDULE 2024-25 VERSION 6 for approval 14-10-2024			
DATE	MEETING	TIME	CLERK
QUARTER 1			
6 January 2025	<i>FREE FOR AGENDAS TO BE PREPARED</i>		
13 January	Planning Committee 10	1900HRS	GS
20 January	Staffing Committee 3	1900HRS	JM
27 January	CACE Committee 4 (Q1)		
3 February	COUNCIL 5- precept	1900HRS	JM/RM/GS
10 February	Planning Committee 11	1900HRS	GS
17 February	Holiday		
24 February	Service Provision Committee 4 – Grants (Q1)	1900HRS	JM/RM
3 March	Finance and Management Committee 6 - Grants	1900HRS	RM/JM
10 March	CACE 5 (Q1)	1900HRS	GS
17 March	<i>FREE BEFORE COUNCIL</i>		
24 March	Annual Parish Meeting COUNCIL 6 - grants	1900HRS	JM/RM/GS
31 March	Planning Committee 12	1900HRS	GS
QUARTER 2			
7 April	Holiday		
14 April	Holiday		
21 April	Bank Holiday		
28 April	Planning Committee 1	1900HRS	GS
5 May	Bank Holiday		
12 May	<i>FREE BEFORE COUNCIL</i>		
19 May	ANNUAL COUNCIL (1)	1900HRS	JM/RM/GS
26 May	Bank Holiday		

NOTES
Full agendas and papers for each meeting are published on the HVPC website 3 working days prior to the meeting.
All meetings are public meetings – members of the public are welcome to attend. Every meeting begins with a public session where any member of the public can have up to 3 minutes to share information/comment. Contact the Clerk for more information.
Meetings are on Monday evenings and start at 7pm.
Meetings are in the Exhibition Room, Top Floor, Holmfirth Civic Hall, unless otherwise stated.
Meeting-free week before Full Council where possible to enable all previous meetings to be included in Council agenda. The week after a long holiday period should be a free week to allow agendas to be distributed.
Annual Parish Meeting (of electorate) to be held between 1 March and 1 June.
In an election year the Annual Council Meeting is to be held between 4 and 14 days after polling day.
Service Provision and Climate Action Communications and Engagement Committees meet 4 times a year; Planning meets every 4 weeks if possible; Staffing meets 3 times a year or as needed; Finance and Management and Full Council generally alternate month on month.
Meetings are clerked by the lead initials of officer(s) listed with any additional officer in attendance as indicated. JM=Mrs Jen McIntosh (Clerk); RM=Mr Rich McGill (Deputy Clerk/Responsible Financial Officer):GS=Mrs Gemma Sharp (Assistant Clerk).

Agendas published on the Council Website three working days prior to the meeting.

clerk@holmevalleyparishcouncil.gov.uk

Version 6: for approval 14-10-2024

Parish Council Review of Committee Structure - update

At the Annual Council meeting on 13 May it was **RESOLVED** to establish a working group consisting of Cllr Whitelaw, Cllr Green, Cllr Ransby, Cllr Morgan and Cllr Blacka to review possible changes to the committee structure and meetings cycle for 2025-26 and bring recommendations back to Full Council for consideration in due course.

The review of Council meeting schedules, committees, etc. starts from the premise that the Council's priority is to ensure that the very best use is made of Councillors' and the Clerking Team's time and abilities in delivering to agreed Council objectives.

The Working Group and Clerking team have discussed, in some detail, the current committee structures and timings, and the ways in which these might be changed to help appropriate decision-making and delivery in a more timely and efficient way.

This paper and the accompanying exemplar meeting schedules offer suggestions for all councillors to consider and discuss at Full Council, and on which they may wish to provide comments, prior to the Working Group developing concrete proposals to present to Full Council for further consideration and possible adoption at a later date.

A review of other Parish or Town Councils in West Yorkshire shows a wide variety of arrangements in terms of Council structure - see table below:

	HVPC	Denby Dale PC	Ilkley TC	Kirkburton	Meltham TC	Mirfield TC	Shipley
No of Councillors	23	10	14	25	12	16	11
No of Staff	3 p/t	1	4	2 p/t	1	1 p/t	3 (2 full time equivalent)
Budget	£331,371	£253,094	£340,000	£152,000	£192,000	£107,000	£237,000
Frequency of Full Council Meetings	Bi-monthly	10 per year	Monthly	11 per year (none in May)	Monthly	Two a month	Monthly
Planning Committee	Y monthly	Y monthly	Y Monthly	N looked at in FC	Y Monthly	N Controversial issues discussed at FC	Y Monthly
Finance Committee	Y bi-monthly	Y quarterly	Y	Y 2 per year	Y Monthly	0	Internal Control and Audit Infrequent run as a sub-committee
CACE or equivalent	Y quarterly	N	Yes two separate committees	0	0	0	6 a year
Staffing Committee	Y x3 per year or as necessary	Y	Yes	0	0	0	Sub-committee Monthly
Other Committees	Service Provision quarterly	0	Youth Engagement, Toilets, Green Spaces & Sustainability	Land and Property.	0	0	Management Allotment & Green Spaces, Community Engagement Committee

HVPC seems to have more Councillors but hold fewer Full Council meetings than other Councils. Full Council Approval is required for much of the business we conduct. It is possible that more regular meetings (up to 12 a year) would speed up the implementation of policies approved.

Two current committees - CACE and Planning - have been reviewing their remits and considering if the number of meetings could be reduced with the intention of freeing up clerk time to deliver projects and policies agreed by the Council.

Feedback from CACE

Some members of CACE believe this committee could be disbanded with all CACE issues being covered by considerations taken at other committees e.g. Service Provision or Finance (in terms of the Grants approval process). This would free up time for more regular Full Council meetings enabling policies to be enacted more promptly.

All of the most recent Climate Action Priorities fall within the remit of other Committees business (Solar Panels – Service Provision), supporting Bus travel/ Park & Ride (service provision), improving the energy efficiency of our buildings (service provision/ finance), Allotments finance, but perhaps should be service provision).

It has been suggested that Community Engagement/ Publicity business could be dealt with as a subcommittee (meaning a less formal more flexible meeting structure).

Feedback from Planning

Kirklees Council makes decisions on planning applications. The Parish Council can only comment and any comments carry only as much weight as those of individual residents. Given this, the huge amount of time spent on planning applications by councillors and the clerk team is not a good use of resources.

In recognition of this, the Planning Committee established a Working Group, which reported to the last Planning Committee on Monday 16 September '24. Three options were presented:

- A: to continue as at present
- B: to consider only significant applications
- C: to stop considering any applications routinely but to consider only those which have come - or have been brought to - the attention of parish councillors

Of the three options, the Committee chose Option B, which limits the consideration of applications to:

- Applications in the greenbelt
- Applications in Conservation Areas
- Large scale developments (5+ dwellings)
- New builds
- Change of use
- Any applications about which residents have raised concerns
- Any applications about which PCs have raised concerns.

This new system will be used for the Planning Committee on 7 October '24. It will reduce the time councillors spend on considering planning applications and free up time in meetings but it will do nothing to reduce the frequency of Planning Committee meetings. Only a decision to cease the routine consideration of ANY planning applications would allow a reduction in the frequency of meetings.

The new procedures are seen as an interim solution and will be reviewed in January 2025. ENDS.

Holme Valley Parish Council

Meeting Schedule- April 2025 to May 2026

MEETING SCHEDULE 2025-6 VERSION 1 – mirroring 2024/5 arrangements

DATE	MEETING	TIME	CLERK
QUARTER 2			
7 April	Holiday		
14 April	Holiday		
21 April	Holiday		
28 April	Staffing Committee 1		
5 May	Bank Holiday		
12 May	Planning Committee 1		
19 May	HVPC ANNUAL COUNCIL 1		
26 May	Bank Holiday		
2 June	Service Provision Committee 1 Q2	1900HRS	
9 June	Finance and Management Committee 1 AGAR	1900HRS	
16 June	Planning Committee 2		
23 June	COUNCIL 2 AGAR	1900HRS	
QUARTER 3			
30 June	CACE Committee 1 (Q2)		
7 July	Planning Committee 3 HONLEY LIBRARY	1900HRS	
14 July	Staffing Committee 2	1900HRS	
21 July	Holiday		
28 July	Holiday		
4 August	Holiday		
11 August	Planning Committee 4	1900HRS	
18 August	Finance and Management Committee 2	1900HRS	
25 August	Bank Holiday		
1 September	CACE Committee 2 (Q3)		
8 September	Service Provision Committee 2 – grants (Q3)	1900HRS	
15 September	Planning Committee 5	1900HRS	
22 September	Finance and Management Committee 3- grants	1900HRS	
29 September	<i>FREE BEFORE FULL COUNCIL</i>		
QUARTER 4			
6 October	FULL COUNCIL 3	1900HRS	
13 October	Planning Committee 6	1900HRS	
20 October	Staffing Committee 3 - budget	1900HRS	
27 October	Holiday		
3 November	CACE Committee 3 (Q4) – 2025-26 budget	1900HRS	
10 November	Service Provision Committee 3 (Q4) - budget	1900HRS	
17 November	Planning Committee 7 - budget		
24 November	<i>FREE TO ASSEMBLE DRAFT BUDGET</i>		
1 December	Finance and Management Committee 4 – budget & precept	1900HRS	
8 December	Planning Committee 8	1900HRS	
15 December	COUNCIL 4- budget	1900HRS	
22 December	Holiday		
29 December	Holiday		

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clerk@holmevalleyparishcouncil.gov.uk

Version 1

Holme Valley Parish Council

Meeting Schedule- April 2025 to May 2026

MEETING SCHEDULE 2025-6 VERSION 1 – mirroring 2024/5 arrangements

DATE	MEETING	TIME	CLERK
QUARTER 1			
5 January 2025	<i>FREE FOR AGENDAS TO BE PREPARED</i>		
12 January	Planning Committee 9	1900HRS	
19 January			
26 January	CACE Committee 4 (Q1)	1900HRS	
2 February	COUNCIL 5- precept	1900HRS	
9 February	Planning Committee 10	1900HRS	
16 February	Holiday		
23 February	Service Provision Committee 4 – Grants (Q1)	1900HRS	
2 March	Finance and Management Committee 5 - Grants	1900HRS	
9 March	Planning Committee 11	1900HRS	
16 March	<i>FREE BEFORE COUNCIL</i>		
23 March	Annual Parish Meeting COUNCIL 6 - grants	1900HRS	
30 March	CACE 5 (Q1)	1900HRS	
QUARTER 2			
6 April	Holiday		
13 April	Holiday		
20 April	Staffing Committee 1		
27 April	Planning Committee 1	1900HRS	
4 May	Bank Holiday		
11 May	<i>FREE BEFORE COUNCIL</i>		
18 May	ANNUAL COUNCIL (1)	1900HRS	
25 May	Bank Holiday		

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In an election year the Annual Council Meeting is to be held between 4 and 14 days after polling day.

Service Provision and Climate Action Communications and Engagement Committees meet 4 times a year; Planning meets every 4 weeks if possible; Staffing meets 3 times a year or as needed; Finance and Management and Full Council generally alternate month on month.

Holme Valley Parish Council

Meeting Schedule- April 2025 to May 2026

Meetings are clerked by the lead initials of officer(s) listed with any additional officer in attendance as indicated. JM=Mrs Jen McIntosh (Clerk); RM=Mr Rich McGill (Deputy Clerk/Responsible Financial Officer);GS=Mrs Gemma Sharp (Assistant Clerk).

SAMPLE

Holme Valley Parish Council

Meeting Schedule- April 2025 to May 2026

MEETING SCHEDULE 2025-6 VERSION 2 with FC and F&M alternating every 3 weeks			
DATE	MEETING	TIME	CLERK
QUARTER 2			
7 April	HOLIDAY		
14 April	HOLIDAY		
21 April	HOLIDAY		
28 April	Staffing Committee 1 (Q2)	1900HRS	
5 May	Bank Holiday		
12 May	FREE BEFORE COUNCIL		
19 May	HVPC ANNUAL COUNCIL 1	1900HRS	
26 May	Bank Holiday		
2 June	Planning Committee 1 (Q2)	1900HRS	
9 June	Finance and Management Committee 1 AGAR	1900HRS	
16 June	Service Provision Committee 1 Q2	1900HRS	
23 June	FREE BEFORE COUNCIL		
QUARTER 3			
30 June	COUNCIL 2 AGAR		
7 July	Planning Committee 2 (Q3)	1900HRS	
14 July	Staffing Committee 2 (Q3)	1900HRS	
21 July	Holiday		
28 July	Holiday		
4 August	Holiday		
11 August	Finance and Management Committee 2	1900HRS	
18 August		1900HRS	
25 August	Bank Holiday		
1 September	FREE BEFORE COUNCIL		
8 September	FULL COUNCIL 3	1900HRS	
15 September	Service Provision Committee 2 – grants (Q3)	1900HRS	
22 September		1900HRS	
29 September	Finance and Management Committee 3- grants	1900HRS	
QUARTER 4			
6 October	Planning Committee 3 (Q4) - budget	1900HRS	
13 October	FREE BEFORE COUNCIL		
20 October	FULL COUNCIL 4	1900HRS	
27 October	Holiday		
3 November	Staffing Committee 3 (Q4) - budget	1900HRS	
10 November	Communications and Engagement Sub-Committee 3 (Q4)	1900HRS	
17 November	Service Provision Committee 3 (Q4) - budget		
24 November	FREE TO ASSEMBLE DRAFT BUDGET		
1 December	Finance and Management Committee 4 – budget & precept	1900HRS	
8 December	FREE BEFORE COUNCIL		
15 December	COUNCIL 5- budget	1900HRS	
22 December	Holiday		
29 December	Holiday		

Holme Valley Parish Council

Meeting Schedule- April 2025 to May 2026

MEETING SCHEDULE 2025-6 VERSION 2 with FC and F&M alternating every 3 weeks			
DATE	MEETING	TIME	CLERK
QUARTER 1			
5 January 2025	<i>FREE FOR AGENDAS TO BE PREPARED</i>		
12 January	Finance and Management Committee 5	1900HRS	
19 January	Planning Committee 4 (Q1)	1900HRS	
26 January	<i>FREE BEFORE COUNCIL</i>		
2 February	COUNCIL 6- precept	1900HRS	
9 February		1900HRS	
16 February	<i>Holiday</i>		
23 February	Service Provision Committee 4 – Grants (Q1)	1900HRS	
2 March	Finance and Management Committee 6 - Grants	1900HRS	
9 March		1900HRS	
16 March	<i>FREE BEFORE COUNCIL</i>		
23 March	Annual Parish Meeting COUNCIL 7 - grants	1900HRS	
30 March	Staffing 4 (Q4)	1900HRS	
QUARTER 2			
6 April	<i>Holiday</i>		
13 April	<i>Holiday</i>		
20 April	Finance and Management 1		
27 April	Planning Committee 1	1900HRS	
4 May	<i>Bank Holiday</i>		
11 May	<i>FREE BEFORE COUNCIL</i>		
18 May	ANNUAL COUNCIL (1)	1900HRS	
25 May	<i>Bank Holiday</i>		

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Holme Valley Parish Council

Meeting Schedule- April 2025 to May 2026

R.iv.

MEETING SCHEDULE 2025-6 VERSION 3 with monthly Council meetings, no CACE, quarterly F&M and Planning, quarterly SPC, 3 Staffing			
DATE	MEETING	TIME	CLERK
QUARTER 2			
7 April	Holiday		
14 April	Holiday		
21 April	Holiday		
28 April	Staffing Committee 1 (Q2)		
5 May	Bank Holiday		
12 May	Planning Committee 1 Q2		
19 May	HVPC ANNUAL COUNCIL 1		
26 May	Bank Holiday		
2 June	Service Provision Committee 1 Q2	1900HRS	
9 June	Finance and Management Committee 1 AGAR Q2	1900HRS	
16 June	<i>FREE BEFORE FULL COUNCIL</i>		
23 June	COUNCIL 2 AGAR	1900HRS	
30 June			
QUARTER 3			
7 July	<i>FREE BEFORE FULL COUNCIL</i>		
14 July	COUNCIL 3	1900HRS	
21 July	Holiday		
28 July	Holiday		
4 August	Holiday		
11 August	Planning 2 Q3	1900HRS	
18 August	COUNCIL 4	1900HRS	
25 August	Bank Holiday		
1 September			
8 September	Service Provision Committee 2 – grants (Q3)	1900HRS	
15 September	<i>FREE BEFORE FULL COUNCIL</i>	1900HRS	
22 September	COUNCIL 5	1900HRS	
29 September	Finance and Management Committee 2- grants (Q3)		
QUARTER 4			
6 October	Staffing Committee 2 – budget (Q4)	1900HRS	
13 October	<i>FREE BEFORE FULL COUNCIL</i>	1900HRS	
20 October	COUNCIL 6	1900HRS	
27 October	Holiday		
3 November	Planning Committee 3 - budget	1900HRS	
10 November	Service Provision Committee 3 (Q4) - budget	1900HRS	
17 November	<i>FREE BEFORE FULL COUNCIL</i>		
24 November	COUNCIL 7		
1 December	Finance and Management Committee 3 – budget & precept (Q4)	1900HRS	
8 December	<i>FREE BEFORE FULL COUNCIL</i>		
15 December	COUNCIL 8- budget	1900HRS	
22 December	Holiday		
29 December	Holiday		

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Version 3

Holme Valley Parish Council

Meeting Schedule- April 2025 to May 2026

MEETING SCHEDULE 2025-6 VERSION 3 with monthly Council meetings, no CACE, quarterly F&M and Planning, quarterly SPC, 3 Staffing			
DATE	MEETING	TIME	CLERK
QUARTER 1			
5 January 2025	<i>FREE FOR AGENDAS TO BE PREPARED</i>		
12 January	Planning Committee 4	1900HRS	
19 January			
26 January	<i>FREE BEFORE COUNCIL</i>		
2 February	COUNCIL 9- precept	1900HRS	
9 February	Finance and Management Committee 4 – Grants (Q1)	1900HRS	
16 February	<i>Holiday</i>		
23 February	Service Provision Committee 4 – Grants (Q1)	1900HRS	
2 March		1900HRS	
9 March	<i>FREE BEFORE COUNCIL</i>		
16 March	Annual Parish Meeting COUNCIL 10 - grants		
23 March		1900HRS	
30 March	Staffing Committee 3	1900HRS	
QUARTER 2			
6 April	<i>Holiday</i>		
13 April	<i>Holiday</i>		
20 April	COUNCIL 11		
27 April		1900HRS	
4 May	<i>Bank Holiday</i>		
11 May	<i>FREE BEFORE COUNCIL</i>		
18 May	ANNUAL COUNCIL (1)	1900HRS	
25 May	<i>Bank Holiday</i>		

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Holme Valley Parish Council

Whole Council Training

Sheena Spence
Yorkshire Local Councils Associations

1

Yorkshire Local Councils Associations (YLCA)



- Serves North, South & West Yorkshire with 500+ members
- Main purposes – Advisory service for local councils and training for councillors and council officers
- A membership only organisation for local councils and parish meetings
- A member-led organisation
- Works closely with the National Association of Local Councils
- YLCA Membership benefits include weekly newsletter, training and advice.

2

Acronyms

- Some that you might come across:
- YLCA – Yorkshire Local Councils Associations
- NALC – National Association of Local Councils
- LGA – Local Government Association
- and LGA – Local Government Act
- MHCLG – Ministry of Housing, Communities and Local Government
- ILCA – Introduction to Local Council Administration
- FILCA – Finance Introduction to Local Council Administration
- CILCA – Certificate in Local Council Administration
- DPI – Disclosable Pecuniary Interest
- AGAR – Annual Governance and Accountability Return
- RFO – Responsible Financial Officer
- GDPR – General Data Protection Regulation

3

True or False ?

- The council can choose to exercise a power but must carry out a duty?
- A chairman must be elected annually.
- The chairman has a casting vote if a first vote is tied.
- The council must elect a vice-chair.

4

True or False ?

- The chair can be delegated to take a decision on behalf of the Council
- The agenda must be sent to councillors at least five clear days prior to the meeting
- The council must adopt standing orders to help with its meetings
- A local council may reclaim VAT on non-business expenses

5

True or False ?

- Who presides at the first meeting of the council after the ordinary election?
- Who should line manage the clerk?

6

Part 1: Roles and Responsibilities

1. The Council
2. The Chair
3. A Councillor
4. The Parish Clerk (Proper Officer) and Responsible Financial Officer

7

A few things to remember

- A local council is a local authority – no different to a principal authority. 'The council' is corporate body so is an 'it' not a 'they'
- Councillors are statutory public office holders not volunteers
- The council elects the Chair - show that person respect as the council figurehead
- Dedication is important – attend meetings and use your vote

8

Discussion - What is the role?

- Of a good council?
- Of a good councillor?
- Of a good chair?
- Of a good clerk/RFO?

9

The importance of good relationships and respect

- Develop some cohesion
- Difficult in a new council or when new councillors come into office
- Communication is key
- Everyone receiving information where appropriate – no one is in the dark!
- No bullying of employees or colleagues
- A strong Chair is essential

10

Work as a team to solve the puzzle, one agenda item at a time !



11

The importance of good relationships and respect

- Don't use personal social media accounts for council business
- Don't use a personal e-mail for council business
- Be aware of not passing on personal data
- Know where to direct a complaint (monitoring officer for complaints about a councillor and the council's own complaints procedure for complaints about the clerk or council)

12



13

Powers and Duties

A council **must** carry out a duty and has a **choice** of whether to use a power

Examples of duties – A local council must....

- appoint a RFO (LGA 1972, s151)
- appoint an internal auditor (Accounts and Audit Regulations 2015)
- have a Publication Scheme (FOIA 2000)
- have due regard to the need to eliminate unlawful discrimination, harassment and victimization Public Sector Equality Duty (Equality Act 2010)

14

Powers and Duties

A local council **must**

- consider what the council can do to conserve and enhance Biodiversity in England (Environment Act 2021) e.g. wildlife habitats like bat boxes, bug hotels and hedgehog homes.
- do all that the council can reasonably do to prevent crime and disorder in their local area including anti-social and other behaviour adversely affecting the local environment, the misuse of drugs, alcohol, and other substances (Crime and Disorder Act 1998 s 17)
- take pro-active steps to prevent Sexual Harassment (Equality Act 2010 s40A - from October 2024)

15

Examples of powers (briefly)

- Crime prevention
Local Government and Rating Act 1997, s.3
- Run a community building
Local Government Act 1972 (LGA 1972), s133
- Providing recreation facilities
Local Government (Miscellaneous Provisions) Act 1976, s19
- Employment of staff
LGA 1972, s112
- Purchase land
LGA 1972, s124
- Supports entertainments and event
LGA 1972, s145
- Life-saving appliances
Public Health Act 1936, s234

16

Subsidiary Powers

Subsidiary powers of local authorities (Local Government Act 1972, s111):

'A local authority shall have power to do any thing (whether or not involving the expenditure, borrowing or lending of money or the acquisition or disposal of any property or rights) which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions'

17

Local Government Act 1972, s137

Section 137 of the LGA 1972 provides a power of last resort; i.e., power of local authorities to incur expenditure for certain purposes not otherwise authorised.

This is the only cost limited power which is currently £10.81 per elector (financial year 2024/2025) and must be shown separately in the council's accounts.

The expenditure must bring benefit to some, or all the inhabitants of the area and the benefit must be commensurate to the expenditure incurred

18

The General Power of Competence

The Power of first resort.

Council must have a qualified clerk – Certificate in Local Council Administration

Council must have 2/3 of elected councillors (or 2/3 stood for election) (ordinary election or by-elections) not co-opted

Localism Act 2011 sections 1-8

A local authority has power to do anything that individuals generally may do.
(LA 2011 s1(1))

19

Part 2: Meetings and their Management



- A framework to help you prepare for meetings
- The need for awareness of procedural rules
- The need for a lawful agenda
- Procedures at the meeting (standing orders)

20

Types of council meetings

- **Ordinary meeting** – convened by the Proper Officer with dates agreed by the Council in advance
- **Extraordinary meeting** – convened by the Chair for a specific purpose (or 2 councillors in special circumstances)
- **Committee meeting** – convened by whoever the Council give power to i.e., the Chair of the Committee or Clerk
- **Sub-committee meeting** – as above
- More about committees later...

21

The Agenda – Key points

- The agenda supports the meeting, and its format is crucial to an effective meeting
- It **must** specify the business proposed to be transacted
- Council cannot lawfully decide any matter not specified on the agenda
- All decisions must be made by those present and voting

22

The agenda, help or hindrance?

What is your view of this agenda:

1. Apologies.
2. Minutes of the last meeting.
3. Matters arising.
4. Correspondence.
5. Street lighting.
6. PCC: burial ground.
7. Planning application.
8. Any other business.

23

Some better practice wording for the agenda

1.
 - 1.1 To receive apologies for absence and record these in the minutes
 - 1.2 To consider for approval, the reasons for absence given by councillors
2.
 - 2.1 To receive, consider and decide upon any applications for dispensation
 - 2.2 To receive any declarations of interest not already declared under the Council's Code of Conduct or a member's Register of Disclosable Pecuniary Interests
3. To resolve that the minutes of meeting held on 10 May 2023, are a true and correct record
4. To receive information on the following ongoing issues and decide further action where necessary: *(This is a good way of lawfully describing 'matters arising' with the issues specified below and gives the opportunity for further decision making if needed):*
 - 4.1 Further correspondence from the Environment Agency in the matter of the riverbank footpath

'To receive' or 'To consider' followed by an explained agenda item provides the specification that is required to make any decisions taken under the item a lawful decision.

24



Apologies and Reasons for Absence

It is considered a courtesy to advise the Clerk if you are unable to attend a meeting so that your apologies can be recorded.

Give a reason for non-attendance

Note that your reason for absence, **must be** approved by the council to avoid disqualification (6 months of non-attendance at any council or committee meeting*)

*Ref: Local Government Act 1972 section 85

Think about a plan of action for sensitive reasons

25

Questions raised

- Communications between councillors – how to promote better systems
- Relationship between Kirklees Council and HVPC
- Resolution of dispute between councillors and councillors/officers without resorting to formal channels (member/officer protocol)?
- Can internal resolution be facilitated following the lodging of a formal complaint?
- Council policies – mandatory and discretionary
- Reclamation of VAT from HMRC
- Asset Register (p31, 41)
- Staffing Committee (and line management)

26

Your interests in the business to be transacted

- Familiarise yourself with your Council's Code of Conduct, Standing Orders and NALC LTN80 - Members Conduct and the Registration and Declaration of Interests
- NALC 2012 Code defunct – adopt the 2022 LGA Code (and work alongside the parish guidance for this)
- Learn about the different types of interest, i.e., Disclosable Pecuniary Interests, Other Registrable Interests and Non-Registrable Interests

What do you need to do in a meeting when you have a specific type of interest?

- Remember only you can decide whether to declare an interest (the clerk or another councillor cannot advise you). The Monitoring Officer at the principal authority is there to guide you.

Do you know what a dispensation is and how to apply for one?

27

Land Charity declarations

- Where a parish council is sole trustee, none of the parish councillors has disclosable pecuniary interest to declare

However....

- The Code of Conduct adopted by the Council still applies
- Treatment of Charity business is no different to any other business of the Council
- In certain circumstances a parish councillor may still have an interest to declare, *for example*, if he or she lives next (or close) to the village hall, and the parish council is planning some activities or works at the hall which may affect his/her home
- Remember that the councillors are not, in this instance, defined as individual charity trustees

28

HVPC Code of Conduct

- Council has adopted the Kirklees model – fine
- Needs tailoring to the PC
- References to principal authority only provisions
- The Code does not direct councillors in how to act in some circumstances
- This could be hampering the understanding of the Code and is certainly confusing to new councillors who have no training in it

29

2022 parish guidance and code

The **parish guidance** is developed from the supporting guidance for principal authorities Code can be adopted as a whole or with amendments

Purpose:

- To encourage good conduct
- To safeguard the public's trust and confidence in councillors
- Safeguard trust and confidence in the local council
- Encourage councillors to be mutually respectful –even when there are personal or political differences
- Demonstrate high standards
- The Code sets out minimum standards of behaviour expected from a councillor
- To protect you, the public, your colleague councillors, officers and the reputation of your council

30

When does the Code apply?

- When you are acting in your capacity as a councillor including:
- When you are engaged in the business of your council, as directed or authorised by the council
- When representing the Council externally (at the council's agreement), ie official duties
- What does the term 'capacity' mean in this context?
- When carrying out official duties
- Not just in meetings – online, telephone, written and verbal communication, electronic, social media comms, posts, statements and comments

31

Code presentation

NALC recommendation that parishes adopt the LGA Code and use the bespoke parish guidance

32

Decision making

- Councils are there to make lawful decisions that benefit their community
- Any Councillor can put a reasonable item on the agenda
- Explain it in writing – understanding helps get support
- The *Council* (single entity) takes the decision by majority vote
- This is irrespective of who proposed and who seconded
- Decisions are made by a majority of those **present** and **voting** at a meeting of the council

Scenario: 15 councillors present. 13 abstain from voting. 2 vote in favour of a motion. Is the motion carried?

33

Decision making – how?

- The Chair will open the agenda item
- Invite discussion
- All contributions through the Chair – request to speak (this includes the Clerk)
- Invite proposals
- Seek a seconder
- Summarise
- Put the matter to the vote – by show of hands
- Recording votes (LGA 1972, Sch 12, para 13)
- No secret ballots allowed

34

Chairing a council meeting

- If present, the Chair must preside
- If not present but the Vice-Chair is, he/she will preside
- What happens if neither are present?
- Chair should set their expectations at the commencement of the meeting
- Make it clear that disruptions will not be tolerated
- The Chair may invoke Standing Order 2!
- The Chair rules on points of order and deals with procedural motions
- The chair can convene an Extraordinary meeting of the Council (with 3 clear days' notice)
- **Outside a council meeting the chair has no greater power than any other councillor!**

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Public Participation



- All meetings must be open to the public
- Remember that the public have no right to participate in a local council meeting – always by permission i.e. not mandatory to have a public participation session
- Good practice – helps with openness and transparency
- Can be part of the formal meeting, prior to or after
- If in the meeting, forms part of the minutes
- No names on the agenda or in the minutes, always refer to 'a member of the public'
- Set rules for management of the session
- Let the public know the council's expectations of them in the formal meeting

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Confidential business

- Councils will have this from time to time
- This is where the business to be transacted is prejudicial to the public interest
- Public Bodies (Admissions to Meetings) Act 1960 allows a council to exclude press and public

Question - There are four good reasons to exclude – what are they?

- Business to be considered must be on the agenda
- Still part of the convened meeting so is part of the minutes
- Minute description will be brief but will record the decision reached

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Minutes

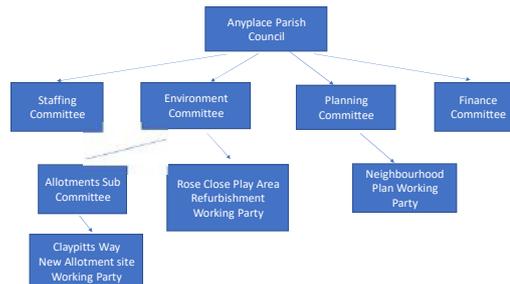
- Minutes are a record of what happened at the meeting
- Minutes kept in perpetuity for all council meetings
- A record of the decisions with some brief background
- Not a verbatim record so don't expect this
- No need to record who proposed and who seconded – the term **'RESOLVED'** deals with this
- Minutes can be kept loose leaf – page numbering, minute numbering and initialled by the person signing the minutes at the time of signature (LGA 1972, Sch 12, para 41(1))
- Approve the minutes for accuracy (did it happen)

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Question Time and Comfort Break

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Committee Structure



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Delegating decision making

- Councils can use committees to do some of their work for them (LGA 1972, s101)
- These are not separate bodies – they are the council putting trust in a few members delegated to do a specified role or tasks
- Committees are time saving mechanisms if allowed to make decisions
- Advantages and disadvantages of committees?
- The council must set the remit for the committee and set this out in written terms of reference (LGA 1972, s102)
- A council can also delegate decision making to an officer of the council, i.e., clerk or RFO

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Delegation



- Which decisions CANNOT be delegated to a committee or officer of the council ?
- What is the current emergency delegation given to the clerk ?
- How are any emergency decisions recorded ?

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Decisions that cannot be delegated

- Levying or issuing a precept
- Borrowing money
- Approving the council's annual accounts
- Considering an auditors report in the public interest
- Confirming (by resolution) that it has satisfied the statutory criteria to exercise the power of general competence
- Adopting or revising the council's code of conduct

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Part 3: Council business

- Councillor vacancies
- Co-option
- Policies
- Planning
- Data protection basics
- Business Continuity

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Councillor vacancies

- **Ordinary election vacancies**
- The council may co-opt any eligible persons to fill the vacancies. If the power of co-option is not exercised within 35 days, the principal authority may use its power to hold a further election. (YLCA Advice Note 25)
- **Casual vacancies**
- A casual vacancy occurs when:
 - A councillor fails to deliver his declaration of acceptance of office at the proper time
 - A councillor resigns
 - A councillor dies
 - A councillor is disqualified by virtue of a criminal conviction
 In the four circumstances above, the vacancy can be declared immediately by the clerk.
 - A councillor fails to attend meetings for six consecutive months (reasons for absence) (NALC Legal Topic Note 8) (to be declared by the Council at a meeting).
- A public notice is displayed in the parish/town of a vacancy, if within 14 days after the public notice has been given, at least 10 electors give written notice to the proper officer of the principal authority for a by-election, then a by-election must be held.

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Co-option

- If no by-election is called the council must, as soon as practicable after the expiry of the 14 day period, fill the vacancy by co-option.
- A notice is displayed and candidates for co-option come forward.
- The council's co-option procedure is followed. (Co-option Policy available from YLCA)
- A council meeting is held, in public, and the candidates are considered and appointed.
- Where the number of candidates is less than or equal to the number of vacancies, the candidates **shall** be appointed, if they meet the eligibility criteria (Local Government Act 1972, s79)
- Where there are more candidates than vacant seats an absolute majority must be sought before appointment can be made (YLCA Advice Note 27)

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Policies

- NALC can provide a wide range of model policies and YLCA some examples and templates
- YLCA can provide a list of Mandatory and best practice policies
 - Standing Orders – NALC Model (Feb 2023)
 - Financial Regulations – NALC Model (2024)
 - Code of Conduct – LGA 2021
 - Health and Safety – only a mandatory requirement for over 5 employees but good practice to have it in place
- Develop an action plan for the adoption of policies
- Run any draft policies past YLCA if required

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Planning

- A local council is consulted if it requests this (in practice that doesn't happen or happened many years ago)
- and can make observations on applications; it cannot make the final decision (that is done by the planning authority)
- The observations reached by the council are a decision of the council, i.e., must be made at a meeting, unless delegated to the clerk
- What types of planning application could the council consider delegating to the clerk?
- Councillors should attend training to learn about the planning system and how their council can respond to be taken notice of, i.e. Material Planning Considerations – can you give some examples?
- Use all the resources available to you to ensure the council responds effectively to planning applications it receives

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Planning

A local council should understand the planning legislation and what is required

The National Planning Policy Framework (NPPF) updated Dec 2023
19 December 2023 – Framework revised in response to the Levelling up and Regeneration Bill: [reforms to national planning policy](#)
Provide comments on planning applications with regard to Biodiversity (Mandatory [Biodiversity Net Gain](#) came into force in January 2024)

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Data Protection – The Basics

- All local councils (parish, town, village, community and neighbourhood councils) and parish meetings (in parishes where there is no local council) need to comply - no opt outs!
- Act is overseen by the Information Commissioner's Office (ICO)
- All councils should register with the ICO (at a cost of £35-£40)
- Local Councils should now have the policies and procedures in place to demonstrate compliance
- **The Data Controller** is the person or firm/organisation who determines the how and what of data processing (i.e., the council or parish meeting). The Act introduces a stronger requirement on accountability for data controllers – they shall be responsible for and must be able to demonstrate compliance by providing evidence.
- **The Data Protection Officer** – Local Councils and parish meetings are not required by the DPA 2018/GDPR to appoint a Data Protection Officer but may do so if they wish.

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What you must do with personal data that you process: The basic principles

Remember – UK GDPR **does not** prohibit the processing of personal data, but the council must:

- Process any data **lawfully**, fairly and in a transparent manner;
- **Only collect and retain** personal data **for the purposes for which it was given**;
- **Only keep** personal data **for as long as it is relevant to do so**;
- Where you keep personal data, **make sure it is up to date**;
- Keep lawfully processed personal data **secure** on your systems i.e., handled in a way that ensures **appropriate** security, including **protection against** unlawful or unauthorised processing, access, loss, destruction or damage

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What must councils do?

To protect the personal data that you hold and to comply with the Act in how you process it a council should complete the following key tasks:

- Complete a data audit;
- Adopt new policies or review existing policies:
 - Privacy notices;
 - Document/records retention and disposal policy;
 - Security incident response policy
- Where consent is the lawful basis for processing, ensure consent forms are issued, collated, secure, reviewed (only being used for that specific purpose and kept for as long as relevant to do so).
- Personal e-mail accounts for council work is not a good idea - Councils should provide accounts, e.g clrjdoe@anyplacepc.gov.uk
- Look at your systems and make sure they are compliant with requirements of the Act/GDPR

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Business Continuity

Have a plan in place to deal with clerk absences to ensure the business of the council can continue. Essential if the clerk is a sole employee.

Think about – computer files back up, lists of passwords, lists of key contacts, access to council files, payroll etc.

What if ?

- The clerk has an accident on the day of the council meeting and is off work for one week.
 - The clerk has an accident and is non-contactable in hospital.
 - The clerk goes on maternity leave for 6 months.
 - The clerk leaves the council's employment with immediate effect.
 - The council building or an asset catches fire or is damaged by a flood
- Up to date Business Continuity Plan to be held by Chair and Vice-Chair.

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Part 4: Finance

- Legislation and best practice
- The Audit regime – Internal and External audit
- Internal Controls
- Transparency Code
- Cash book
- VAT
- Precept
- Asset Register

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Finance – legislation and best practice

- The role of the council, as **one body**, is to manage and administer those public funds lawfully
- Based on risk management
- The Council must appoint a Responsible Financial Officer (RFO)
- Bank Mandate – signatories for approval of payments
- The Council must draw up a budget each year
- This helps it to decide how much Precept to levy on the principal authority

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Finance – legislation and best practice

- The Council will have adopted Financial Regulations, i.e., policies that direct how its finances will be managed
- Adhere to Proper Practices and recommended practice in The Practitioner's Guide
- Council meetings should receive regular financial updates including:
 - Bank Reconciliation and Bank Statement
 - Bank Balances
 - Budget v Spend

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Audit Regime

The Three Legged Stool

Leg 1. Robust and Effective Internal Controls.

Leg 2. Internal Audit.

Leg 3. External Audit – Annual Governance and Accountability Return (AGAR) including internal auditors report then public rights to inspect accounts.
Ref : Practitioners Guide 2024



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Internal controls



- What measures does your council take?
- Consider whether the councils internal controls are adequate, from a risk perspective?
- Could they be improved?
- How do you assess the effectiveness of your council's internal controls?
- Why would you need to assess this?

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Internal Audit



- Independent Internal Auditor appointed annually
- Internal Audit at least annually
- Internal Auditor checks governance documents are up to date as well as accounts
- Internal Auditor's report informs council's audit action plan
- Internal Audit page of the Annual Governance and Accountability Return (AGAR) to be completed by Internal Auditor
- All councils must have internal audit

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External Audit

- All councils must complete an AGAR
- Those councils with income/expenditure (whichever is higher) below £25,000 do not need to submit external audit paperwork but must complete a certificate of exemption which is sent to external auditor.
- External auditor is appointed for councils - PKF Littlejohn LLP for the whole of Yorkshire
- External audit needs to be budgeted for – costs set for the next few years
- The public may inspect the accounts (public notice for a 30-day period with dates included for inspections)
- The AGAR must be displayed in both draft and then approved format
- The Council must approve the AGAR by legally declaring that it has met the necessary 'tests'

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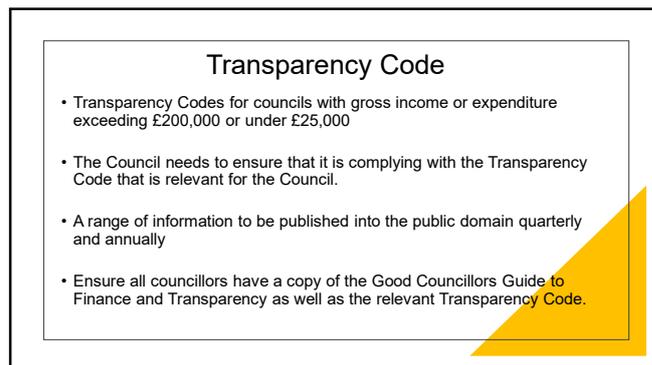


Internal controls ongoing



- Adopt a process to action items highlighted by the internal control check
- Internal control process defined in the council's Financial Regulations
- Minute when an internal control exercise has been completed, save the report and provide to the internal auditor as evidence of adherence to "The Accounts and Audit Regulations 2015"

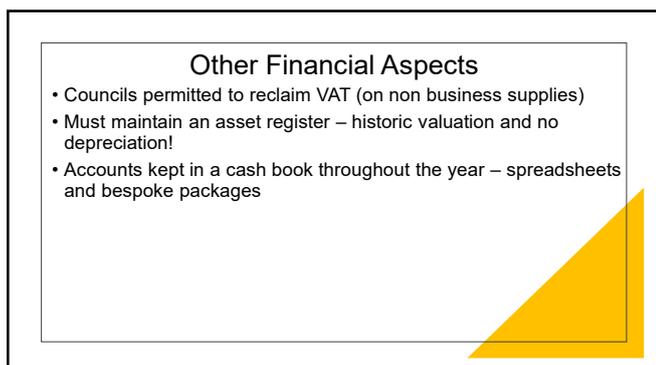
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Transparency Code

- Transparency Codes for councils with gross income or expenditure exceeding £200,000 or under £25,000
- The Council needs to ensure that it is complying with the Transparency Code that is relevant for the Council.
- A range of information to be published into the public domain quarterly and annually
- Ensure all councillors have a copy of the Good Councillors Guide to Finance and Transparency as well as the relevant Transparency Code.

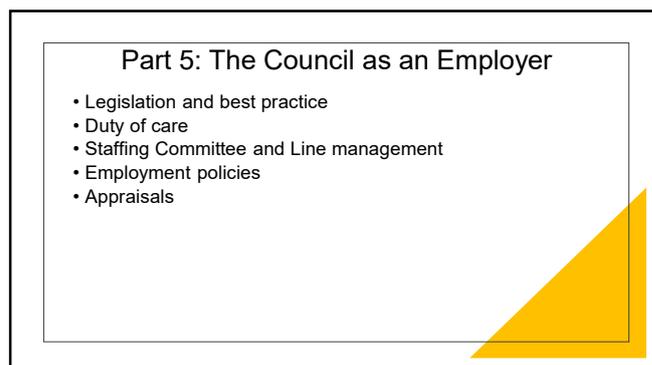
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Other Financial Aspects

- Councils permitted to reclaim VAT (on non business supplies)
- Must maintain an asset register – historic valuation and no depreciation!
- Accounts kept in a cash book throughout the year – spreadsheets and bespoke packages

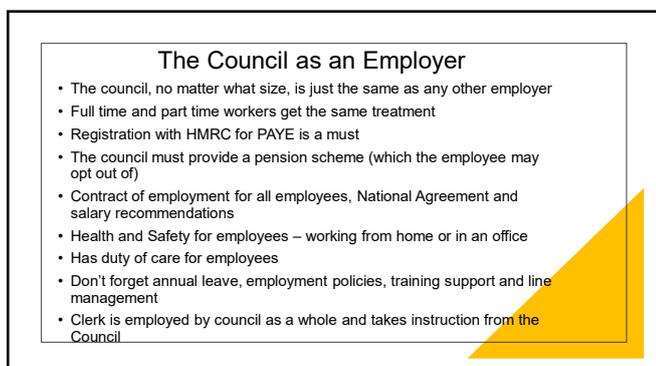
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Part 5: The Council as an Employer

- Legislation and best practice
- Duty of care
- Staffing Committee and Line management
- Employment policies
- Appraisals

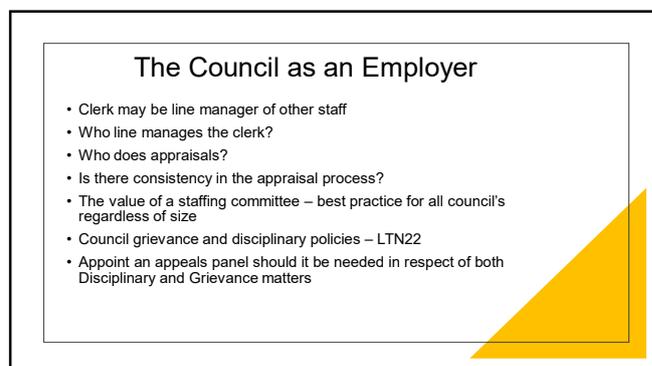
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The Council as an Employer

- The council, no matter what size, is just the same as any other employer
- Full time and part time workers get the same treatment
- Registration with HMRC for PAYE is a must
- The council must provide a pension scheme (which the employee may opt out of)
- Contract of employment for all employees, National Agreement and salary recommendations
- Health and Safety for employees – working from home or in an office
- Has duty of care for employees
- Don't forget annual leave, employment policies, training support and line management
- Clerk is employed by council as a whole and takes instruction from the Council

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The Council as an Employer

- Clerk may be line manager of other staff
- Who line manages the clerk?
- Who does appraisals?
- Is there consistency in the appraisal process?
- The value of a staffing committee – best practice for all council's regardless of size
- Council grievance and disciplinary policies – LTN22
- Appoint an appeals panel should it be needed in respect of both Disciplinary and Grievance matters

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Sources of Information

- YLCA website www.yorkshirelca.gov.uk (log in details from the council clerk)
- NALC Legal Topic Notes - 89
- Practitioners Guide 2024
- YLCA Advice Notes – over 30
- HMRC Website (Government Gateway login)
- Health and Safety Executive (HSE) [HSE: Information about health and safety at work](https://www.hse.gov.uk)
- Information Commissioner's Office (ICO) [Information Commissioner's Office \(ICO\)](https://ico.org.uk)

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COUNCILLOR DEVELOPMENT FRAMEWORK



In April 2024 we are rolling out a new initiative, the Councillors Development Framework. The Framework is our commitment to training, from the initial "Off to a Flying Start Parts 1 and 2 (for new councillors and those that have not previously completed the training) on to covering the basics, core skills, developing your skills and knowledge and Councillor to Chair.

The offer from YLCA is a 12-month development framework. We would expect councillors to complete both parts 1 and 2 of the "Off to a Flying Start" training followed by 8 other webinar training sessions. We would encourage all councillors to complete the 'Core Skills' training first.

Councillors would be expected to look at e-learning and read information as well throughout the 12 months. After you have completed 10 training sessions, within 12 months, you will be awarded with a certificate of attendance and gain 12 Continuous Professional Development (CPD) Points.

YLCA will announce your achievement in the White Rose Bulletin, with your consent.

The training sessions offered that you could choose from are listed below and these training sessions are included in the YLCA Training Programme (available on the YLCA website)

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Any final questions ?

Thank you for attending

We look forward to seeing you at a Councillors Discussion Forum session (free of charge) or a training session – full details on YLCA website

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Local Government Association

Model Councillor Code of Conduct 2020

Joint statement

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

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

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

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

Introduction

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

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

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

Definitions

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

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

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

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

Purpose of the Code of Conduct

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

General principles of councillor conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the [Seven Principles of Public Life](#), also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

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

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.

This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- you misuse your position as a councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor;

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any

matters that may relate to the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

Standards of councillor conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

General Conduct

1. Respect

As a councillor:

1.1 I treat other councillors and members of the public with respect.

1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor/officer protocol.

2. Bullying, harassment and discrimination As a councillor:

2.1 I do not bully any person.

2.2 I do not harass any person.

2.3 I promote equalities and do not discriminate unlawfully against any person.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

3. Impartiality of officers of the council As a councillor:

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

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

4. Confidentiality and access to information

As a councillor:

4.1 I do not disclose information:

- a. given to me in confidence by anyone**
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**
 - i. I have received the consent of a person authorised to give it;**
 - ii. I am required by law to do so;**
 - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or**
 - iv. the disclosure is:**
 - 1. reasonable and in the public interest; and**
 - 2. made in good faith and in compliance with the reasonable requirements of the local authority; and**

3. I have consulted the Monitoring Officer prior to its release.

4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.

4.3 I do not prevent anyone from getting information that they are entitled to by law.

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. Disrepute

As a councillor:

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

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

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

6. Use of position As a councillor:

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

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

7. Use of local authority resources and

facilities As a councillor:

7.1 I do not misuse council resources.

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

a. act in accordance with the local authority's requirements; and

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

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

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

8. Complying with the Code of Conduct As a

Councillor:

8.1 I undertake Code of Conduct training provided by my local authority.

8.2 I cooperate with any Code of Conduct investigation and/or determination.

8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.

8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

Protecting your reputation and the reputation of the local authority

9. Interests

As a councillor:

9.1 I register and disclose my interests.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority .

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held

accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in **Table 1**, is a criminal offence under the Localism Act 2011.

Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

10. Gifts and hospitality

As a councillor:

- 10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.**

- 10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.**

- 10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.**

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

Appendices

Appendix A – The Seven Principles of Public Life

The principles are:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Appendix B Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in “The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012”. You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

“**Disclosable Pecuniary Interest**” means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

“**Partner**” means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which **affects** –
 - a. your own financial interest or well-being;

- b. a financial interest or well-being of a relative, close associate; or
- c. a body included in those you need to disclose under Other Registrable Interests as set out in **Table 2**

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

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

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

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

10. Where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must make sure that any written statement of that decision records the existence and nature of your interest.

Table 1: Disclosable Pecuniary Interests

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

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
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 has 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 have a personal interest in any business of your authority where it relates to or is likely to affect:

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

Appendix C – the Committee on Standards in Public Life

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

The recommendations cover:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Guidance on Local Government Association Councillor Code of Conduct for Local Councils



Written by the LGA - Adapted for local town and parish
councils as part of the civility and respect project in
October 2022



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Part 1 - Introduction

Introduction

[The Model Councillor Code of Conduct 2020](#) was developed by the Local Government Association (LGA) with support from the National Association of Local Councils (NALC) and the Society for Local Council Clerks (SLCC) in response to recommendations from the Committee on Standards in Public Life in their [Local Government Ethical Standards report](#) published in 2019. The Civility and Respect Project endorses the Model Code and aims to encourage its adoption within the local (parish and town) council sector.

The Model Code is a template for local authorities, including local councils, to adopt in whole or with amendments to take into account local circumstances and is relatively short

and easy to read rather than an overly-complex legal document as it needs to be accessible to councillors, officers, and the public alike.

The LGA produced [supporting guidance](#) which is aimed to help understanding and consistency of approach towards the Code. Produced as part of the Civility and Respect Project, this local council specific guidance builds upon that guidance, making it particularly relevant for the local council sector.

The Model Code, together with the supporting guidance, has been designed to encourage good conduct and safeguard the public's trust and confidence in the role of councillor in local government. While the Code sets out the minimum standards of behaviour expected, together with the guidance it is designed to encourage councillors to model the high standards expected of councillors, to be mutually respectful even if they have personal or political differences, to provide a personal check and balance, and to set out the type of conduct that could lead to complaints being made of behaviour falling below the standards expected of councillors and in breach of the Code.

Any comments on the use of the guidance or suggestions for improvement would be welcomed and should be sent to ModelCode@local.gov.uk

Guidance notes/definitions

The Model Code uses the terms 'local authority' so where the Model Code is quoted this term is used and means a county council in England, a district council, a London borough council, the Common Council of the City of London in its capacity as a local authority, the Council of the Isles of Scilly, or an eligible parish council. However, this Guidance uses the terms 'local (parish or town) council' and 'principal authority' to make a clear differentiation between the tiers of local government.

General principles of Councillor conduct

The Seven Principles of Public Life (also known as the Nolan Principles) outline the ethical standards those working in the public sector are expected to adhere to. The principles apply to all public office holders at all levels including ministers, civil servants, councillors, and local authority officers, as well as private and voluntary organisations delivering services paid for by public funds. The principles are set out in Appendix 2 below.

These principles underpin the standards that councillors should uphold and form the basis for the Code of Conduct, where the principles have been translated into a series of clear rules. While fundamental to the Code of Conduct, the principles are not part of the rules of the Code and should be used for guidance and interpretation only.

Application of the Model Councillors' Code of Conduct

When does the Code apply?

S27(2) of the Localism Act 2011 says that a local authority must adopt 'a code dealing with the conduct that is expected of members and co-opted members of the authority when they are acting in that capacity.'

The term 'capacity' is not further defined in the Act. However, the Model Code states that:

“The 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.”

This means it applies when you are carrying out your official duties, for example when you are considering or discussing council business, either as a councillor or representing the council on an outside body.

There is no formal description of what the role of a councillor is, but aside from formal council business it includes promoting and representing the council in the local community and acting as a bridge between the community and the council. [The LGA's Guidance for new councillors](#) and NALC's [The Good Councillor's Guide](#) are helpful reference points.

The Code does not, therefore, apply solely when you are in council meetings or on council premises.

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 communications
- in electronic and social media communication, posts, statements, and comments.

This includes interactions with the public as well as with fellow councillors and council officers.

Acting as a private individual

For something to fall within the Code there must be a clear link to a council function or your role as a councillor. For example, an argument with a neighbour which does not relate to council business would not engage the Code, even if your neighbour happens to know you are a councillor and therefore complains to the principal authority about being treated disrespectfully.

Examples

A councillor and an officer had a personal relationship. The councillor sent and encouraged the officer to send inappropriate social media messages, including messages of a sexual nature, during office hours. The panel rejected arguments that the councillor had been acting in an entirely personal capacity. It found that the councillor could not divorce himself from his role as the officer's quasi-employer and that, when sending or encouraging the officer to send the messages during working hours, he was acting in his official capacity.

A councillor used her personal Facebook account to accuse her council of being corrupt and the clerk of being incompetent on a village Facebook group. She claimed that she wasn't acting as a councillor as she posted from her personal account and was merely expressing views as a concerned resident. The hearing panel determined that she was

acting as a councillor as her post related to council business and she was purporting to be using information she'd received through her role as a councillor.

It is not always immediately apparent in which capacity you are acting, therefore in situations where there may be ambiguity it may be helpful if you can make clear to people in which capacity you are engaging with them.

While the Code does not apply to your non-councillor roles, what you do as a councillor could impact on your position in those other roles.

If you are a member of a political party or group their rules may also require you as a councillor to demonstrate certain behaviours as a private individual and failure to do so can result in sanctions from political groups.

Under the Local Government Act 1972 and the Local Government (Disqualification) Act 2022 councillors can be disqualified from being a councillor due to matters in their private life, such as being subject to a bankruptcy order, receiving a custodial sentence of three months or longer (whether or not suspended) or being subject to a sexual offences order.

In what circumstances might I give the impression to a reasonable member of the public that I was engaged on council business?

When you use or attempt to use your position as a councillor to seek to gain an advantage for yourself or someone close to you or to disadvantage someone this is an attempt to misuse your position and therefore falls within the scope of the Code of Conduct.

A number of factors will need to be taken into account to determine whether or not you had used or attempted to use your position as a councillor.

For example:

- writing to someone on council headed paper or using a council email address may lead someone to assume you were writing in your capacity as a councillor
- handing out a business card where you describe yourself as a councillor may also lead to that assumption
- wearing official council regalia.

Examples

Attempting to misuse your position as a councillor would include if you threaten to use your position improperly to block someone's grant application. In effect you would be doing something that only a councillor could do even if as a matter of fact, you did not have the power to do so. That may include an assumption, for example, that you would put inappropriate pressure on officers, the clerk or fellow councillors, or lobby behind the scenes for a particular outcome. It should not be up to a member of the public to have to work out whether you are in fact on a finance committee.

Another example would be improperly disclosing confidential information you had received because of your role as a councillor.

A councillor got into an argument with another person at a private party. The other person ran a weekly yoga class at the village hall and the village hall was managed by the parish council. At the end of the argument the councillor told the other person that he was a parish councillor and would make sure that she was no longer able to hire the village hall

for her yoga classes. He was found to have breached the Code by invoking his office and seeking to misuse his position to intimidate the other person and to seek to disadvantage the other person, notwithstanding the fact that he did not in reality have the ability to carry out his threat.

Social media postings

Simply describing yourself as a councillor in a social media posting or at the top of your page or in your username or profile, for example, does not of itself mean that every posting you make is covered by the Code. There must be a link within the individual posting or thread to your role as a councillor or to council business. However, even if you do not describe yourself as a councillor you may fall within the scope of the Code if you are discussing council business.

For example, a posting which is simply discussing a recent football match is not covered by the Code even if you have described yourself as a councillor. However, if you make a posting threatening a fellow councillor or officer or a posting detailing your own version of council proceedings contradicting official council communications that would fall within the Code even if you have not described yourself as a councillor as it relates to council business or your role as a councillor.

Each matter would need to be looked at on a case-by-case basis (see guidance on 'disrespect, bullying and harassment further information).

You should be very careful when describing yourself as a councillor as seeing the word "councillor" may lead to assumptions amongst the community that you are acting as a councillor.

To help avoid some of these issues, some councillors have found it helpful to have separate social media profiles for personal and councillor use, though even the strictest privacy settings are no guarantee that posts or actions will remain private. As a rule of thumb, never post anything online you would not be comfortable saying or sharing in a public meeting. If your council has guidance on the effective use of social media this can help.

NALC ([NALC social media](#)) and the LGA ([LGA Social Media](#)) have published guidance on councillors and social media.

Examples

Following a heavy snowstorm which meant a local street market could not go ahead a district councillor posted on the local community Facebook page that a certain district council officer should be sacked for failing to put adequate arrangements in place to clear the snow. Even though it was not posted on a council page and he did not explicitly describe himself as a councillor in the post he was found to have breached the Code by treating an officer with disrespect and seeking to put undue pressure on officers.

A councillor who described himself as such in his Twitter profile made insulting and offensive comments about the Prime Minister which led to complaints being made to his principal authority. He was found not to have breached the Code as the comments did not directly relate to his role as a councillor or council business but were seen as wider political comments.

What does acting as a representative of my local authority mean?

You are, for example, acting as a representative of the council when you are sitting on an outside body to which you have been appointed by the council.

You would also be considered a representative of the council where you were attending an external function or conference on behalf of the council or as the council's nominated delegate.

You would not be considered as a representative of the council where you were attending an event in a party-political role, for example at a political party's annual conference. In that situation you would be subject to any relevant party rules.

If you are a member of a political party, matters in party group meetings would also normally not be covered by the Code as they are more matters for a party to manage. However, if you are clearly trying to improperly influence fellow councillors or put undue pressure on them in relation to council business, for example, then relevant provisions of the Code would apply. The same would apply to social media groups you may be a member of, such as a WhatsApp group set up for your local party group.

What if I sit on more than one local authority?

If you sit on more than one local authority, you are subject to the Code and associated procedures of the local authority you are representing at any one time. As such, if you are on a principal authority and a local council, you would be bound by the principal authority code when attending principal authority meetings or speaking to principal authority officers; and bound by the local council code when attending local council meetings or speaking to local council officers.

If your local authorities have adopted the same code, the same rules would apply and, for example, your completed register of interests should be the same for both tiers.

What is a co-opted member?

The Code also applies to co-opted councillors under the Localism Act. A co-opted councillor under the Act is someone who is entitled to vote on any matter to be decided at a council committee or sub-committee.

A local councillor who has been co-opted to fill a casual vacancy where an election has not been held is also covered by the Code in the same way as if they had been elected.

It does not, therefore include non-councillor members of council committees who do not have voting rights.

However, it would be good practice to ask such people to agree to abide by the Code of Conduct and to inform the monitoring officer of any interests they might have. While they would not formally fall within the statutory framework for complaint handling, they can be removed from their role by the council should they be found to have committed a serious breach of the Code so it is important that they are also aware of the expected standards of behaviour.

Part 2 – General principles of councillor conduct

Respect

As a councillor:

I treat other councillors and members of the public with respect.

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.

Showing respect to others is fundamental to a civil society. As a representative of the public it is important to treat others with respect and to act in a respectful way. Respect means politeness, courtesy and civility in behaviour, speech, and in the written word. It also relates to all forms of communications councillors undertake, not just in meetings. Rude, offensive, and disrespectful behaviour lowers the public's expectations and confidence in its elected representatives.

Respect

The key roles and responsibilities of councillors; representing and serving your communities and taking decisions on their behalf, require councillors to interact and communicate effectively with others. Examples of councillor interaction and communication include talking to residents, attending council meetings, representing the council on outside bodies, and participating in community meetings and events. In turn this means that as a councillor you are required to interact with many different people, often from diverse backgrounds and with different or conflicting needs and points of view.

You will engage in robust debate at times and are expected to express, challenge, criticise and disagree with views, ideas, opinions, and policies. Doing these things in a respectful way will help you to build and maintain healthy working relationships with fellow councillors, officers, and members of the public, it encourages others to treat you with respect and helps to avoid conflict and stress. Respectful and healthy working relationships and a culture of mutual respect can encourage positive debate and meaningful communication which in turn can increase the exchange of ideas, understanding and knowledge.

Examples of ways in which you can show respect are by being polite and courteous, listening and paying attention to others, having consideration for other people's feelings, following protocols and rules, showing appreciation and thanks and being kind. In a local government context this can mean using appropriate language in meetings and written communications, allowing others time to speak without interruption during debates, focusing any criticism or challenge on ideas and policies rather than personalities or personal attributes and recognising the contribution of others to projects.

Disrespectful behaviour

Failure to treat others with respect will occur when unreasonable or demeaning behaviour is directed by one person against or about another. The circumstances in which the behaviour occurs are relevant in assessing whether the behaviour is disrespectful. The circumstances include the place where the behaviour occurs, who observes the behaviour, the character and relationship of the people involved and the behaviour of anyone who prompts the alleged disrespect.

Disrespectful behaviour can take many different forms ranging from overt acts of abuse and disruptive or bad behaviour to insidious actions such as bullying and the demeaning treatment of others. It is subjective and difficult to define. However, it is important to remember that any behaviour that a reasonable person would think would influence the willingness of fellow councillors, officers or members of the public to speak up or interact with you because they expect the encounter will be unpleasant or highly uncomfortable fits the definition of disrespectful behaviour.

Examples of disrespect in a local government context might include rude or angry outbursts in meetings, use of inappropriate language in meetings or written communications such as swearing, ignoring someone who is attempting to contribute to a discussion, attempts to shame or humiliate others in public, nit-picking and fault-finding, the use of inappropriate sarcasm in communications and the sharing of malicious gossip or rumours.

Disrespectful behaviour can be harmful to both you and to others. It can lower the public's expectations and confidence in you and your council and councillors and politicians more generally. It influences the willingness of fellow councillors, officers, and the public to speak up or interact with you because they expect the encounter will be unpleasant or uncomfortable. Ongoing disrespectful behaviour can undermine willingness of officers to give frank advice, damage morale at a council, and ultimately create a toxic culture and has been associated with instances of governance failure.

Freedom of expression

The requirement to treat others with respect must be balanced with the right to Freedom of expression. Article 10 of the European Convention on Human Rights protects your right to hold your own opinions and to express them freely without government interference. This includes the right to express your views aloud or in writing, such as in published articles or leaflets or on the internet and social media. Protection under Article 10 extends to the expression of views that may shock, disturb, or offend the deeply-held beliefs of others.

However, Article 10 is not an absolute but a qualified right which means that the rights of the individual must be balanced against the interests of society. Whether a restriction on freedom of expression is justified is likely to depend on a number of factors, including the identity of the speaker, the context of the speech and its purpose, as well as the actual words spoken or written. Democracy depends on people being free to express, debate and criticise opposing viewpoints. The courts have generally held that the right to free expression should not be curtailed simply because other people may find it offensive or insulting. A balance must still be struck between the right of individuals to express points of view which others may find offensive or insulting, and the rights of others to be protected from hatred and discrimination.

Freedom of expression is protected more strongly in some contexts than others. In particular, a wide degree of tolerance is accorded to political speech, and this enhanced protection applies to all levels of politics, including local government. Article 10 protects the right to make incorrect but honestly made statements in a political context but it does not protect statements which the publisher knows to be false. Political expression is a broad concept and is not limited to expressions of or criticism of political views but extends to all matters of public administration including comments about the performance of public

duties by others. However, gratuitous personal comments do not fall within the definition of political expression.

Public servants such as local government officers are subject to wider levels of acceptable criticism than other members of the public when matters of public concern are being discussed. However, the limits are not as wide as they are for elected politicians such as councillors. Officers do not necessarily have the same right of reply to such comments as councillors do and councillors should take care not to abuse or exploit this imbalance.

Recent case law has confirmed that local authority officers should be protected from unwarranted comments that may have an adverse effect on good administration and states that it is in the public interest that officers are not subject to offensive, abusive attacks and unwarranted comments that prevents them from carrying out their duties or undermine public confidence in the administration.

Is the Respect provision of the Code a gag on councillors?

This provision of the Code (Paragraph 1) is not intended to stand in the way of lively debate in councils. Such discussion is a crucial part of the democratic process. Differences of opinion and the defence of those opinions through councillors' arguments and public debate are an essential part of the cut and thrust of political life. Councillors should be able to express their opinions and concerns in forceful terms. Direct language can sometimes be appropriate to ensure that matters are dealt with properly. The Code is not intended to stifle the expressions of passion and frustration that often accompany discussions about council business.

Can councillors challenge officers?

In the everyday running of a council, it is inevitable that councillors will have disagreements with officers from time to time. Councillors can challenge and express disagreement with policies and procedures and this disagreement might, in the appropriate context, manifest itself as challenge to the way in which an officer or officers handled particular matters.

However, councillors should not raise issues about an officer's performance unless it is done in the correct way and at the appropriate forum in accordance with your council's processes and procedures. It should not be raised in a public meeting or through a published attack in the media.

If a councillor's conduct is unfair, unreasonable, or demeaning the Code will be relevant. If a councillor's challenge is abusive or offensive it is likely to breach the Code.

What kinds of conduct are not covered?

A very clear line must be drawn between the Code of Conduct's requirement of respect for others, including councillors with opposing views, and the freedom to disagree with the views and opinions of others. In a democracy, members of public bodies should be able to express disagreement publicly with each other.

What if a member of the public is being unnecessarily disrespectful to me?

Councillors are allowed to respond to criticism, and where that criticism is robust, then they can be robust in response. However, councillors should always seek to try to be civil and

demonstrate leadership in their communication. Even where councillors have been wrongly accused, responding in an angry, defensive way can often escalate the situation.

There has been a growing tendency for members of the public to use social media channels to unfairly criticise councillors. For this reason, many councils and County Associations now offer social media guidance and training to councillors in addition to the civility in public life resources available on the [LGA's website](#).

Examples

The complaint alleged that the councillor posted on their blog a highly critical comment and an offensive caption about a former councillor, who had passed away and whose funeral had taken place the previous day. The councillor was found to have breached the provisions of his council's Code of Conduct relating to councillors treating others with respect; as well as conducting themselves in a manner which could reasonably be regarded as bringing their role or their authority into disrepute.

The complaint alleged that a councillor commented under a pseudonym on a village Facebook group referring to possible nepotism in the awarding of funding to a community group by the council. He was found to have breached the Code of Conduct in making the posts because he had failed to treat others with respect and, in doing so, he had conducted himself in a manner which brought his role and his council into disrepute.

The complaint alleged that a councillor had made remarks of an abusive, insulting and personal nature to the complainant, a police officer, and also made a number of unfounded allegations about him during two telephone calls to a police station made in his capacity as a councillor. It was found that the comments amounted to an unacceptable personal attack on the complainant and that the councillor had breached the respect provisions in his council's Code of Conduct.

Bullying

As a councillor:

I do not bully any person.

Bullying, harassment, discrimination, and victimisation (either directly or indirectly) are unacceptable and should not be tolerated. It is important to recognise the impact such behaviour can have on any individual experiencing it, as well as on the wider organisation in terms of morale and operational effectiveness.

Bullying may be characterised as offensive, intimidating, malicious, insulting, or humiliating behaviour, an abuse or misuse of power that can make a person feel vulnerable, upset, undermined, humiliated, denigrated or threatened. Power does not always mean being in a position of authority and can include both personal strength and the power to coerce through fear or intimidation. Bullying may be obvious or be hidden or insidious. Such conduct is usually part of a pattern of behaviour which attempts to undermine an individual or a group of individuals, is detrimental to their confidence and capability, and may adversely affect their health.

Bullying can take the form of physical, verbal, and non-verbal conduct but does not need to be related to protected characteristics. Bullying behaviour may be in person, by

telephone or in writing, including emails, texts, or online communications such as social media. The standards of behaviour expected are the same, whether you are expressing yourself verbally or in writing.

Bullying can affect anyone, in any career, at any time, at any level and within any workplace. Such behaviour can take the form of easily noticed, physically threatening or intimidatory conduct with immediate impact, or it can take place behind closed doors, or be much more subtle or camouflaged and difficult to identify, at least at first. It can start, for example, with what appear to be minor instances, such as routine 'nit-picking' or fault-finding, but which become cumulative or develop into more serious behaviour over time, enabling the perpetrator to isolate and control the person.

Some bullies lack insight into their behaviour and are unaware of how others perceive it. Others know exactly what they are doing and will continue to bully if they feel they are unlikely to be challenged. Bullying can sometimes be overlooked, as a result of common euphemisms being used by way of explanation or justification, referring to someone as having a "poor leadership style" or a "bad attitude," for example, or to the problem being due to a "personality clash".

You should always be mindful of the overall potential impact of the behaviour on others. First and foremost, bullying can have a significant impact on the recipient's well-being and health. Bullying can have an impact on a local council's effective use of resources and provision of services. Officers who are subject to bullying are frequently away from their posts, sometimes for extended periods, on sickness or stress-related leave. Bullying can impact on a councillor's ability to represent their residents effectively. It can also discourage candidates from standing in local elections, making local councils less representative of their communities, and impacting local democracy.

Like disrespectful behaviour, bullying can be difficult to define. When allegations of bullying are considered it's likely that the person handling the complaint will consider both the perspective of the alleged victim, and whether the councillor intended their actions to be bullying. They will also consider whether the individual was reasonably entitled to believe they were being bullied.

Conduct is unlikely to be considered as bullying when it is an isolated incident of a minor nature, where it is targeted at issues, rather than at an individual's conduct or behaviour, or when the behaviour by both the complainant and councillor contributed equally to the breakdown in relations. However, the cumulative impact of repeated 'minor' incidents should not be underestimated.

Examples of bullying include but are not limited to:

- verbal abuse, such as shouting, swearing, threats, insults, sarcasm, ridiculing or demeaning others, inappropriate nicknames, or humiliating language
- physical or psychological threats or actions towards an individual or their personal property
- practical jokes
- overbearing or intimidating levels of supervision, including preventing someone from undertaking their role or following agreed policies and procedures
- inappropriate comments about someone's performance

- abuse of authority or power, such as placing unreasonable expectations on someone in relation to their job, responsibilities, or hours of work, or coercing someone to meet such expectations
- ostracising or excluding someone from meetings, communications, work events or socials
- sending, distributing, or posting detrimental material about other people, including images, in any medium
- smear campaigns.

Does this mean that councillors cannot raise concerns about officers or fellow councillors?

Bullying behaviour should be contrasted with the legitimate challenges which a councillor can make in challenging policy or scrutinising performance. An example of this would be debates in council meetings about policy or asking the clerk to explain the rationale for the guidance they have given. You are entitled to challenge fellow councillors and officers as to why they hold their views. However, if your criticism is a personal threat or abusive or offensive in nature, you are likely to cross the line of what is acceptable behaviour.

Preventing bullying conduct from developing

Ideally, a culture of honest and clear communication should be sought, with respect for the individual and for the confidentiality required when managing individual performance-related issues. The bullying of officers might be reduced by establishing a specific protocol, which addresses issues such as councillor-officer work relations and appropriate behaviour ([Councillor - officer protocol](#)). The protocol can include such matters as acceptable times to contact the clerk by telephone at home or call at the clerk's home on council business.

Officers also need to be mindful that councillors can come from a wide range of backgrounds and may have been part of workplaces where the culture and expected standards are very different from what the clerk or other officers expect; as a result, the councillor simply may not be aware of the impact that their communications have had on the officer. Early discussion about emerging issues is important to help avoid matters escalating and help establish more effective working arrangements for the future.

Bullying and harassment and the law

In some cases, acts of bullying or harassment can be civil offences, which can be brought to an employment tribunal or a county court.

In some cases, conduct that amounts to bullying and harassment may also amount to criminal offences, which can be tried in the criminal courts. There is not an exhaustive list of acts of bullying or harassment that may constitute a criminal offence. Examples may include, but are not limited to:

- physical assault
- making threats of violence or death threats
- stalking
- hate crimes
- sexual harassment

Intimidation of councillors

Councillors can face behaviours which could amount to bullying and intimidation when carrying out their role.

The LGA and the Welsh Local Government Association have jointly developed a [‘Councillors’ guide to intimidation: Practical steps that you and your local authority can undertake to protect yourself as a person in a public position’](#). The guide covers topics such as how to handle abuse, both face-to-face, letters or online, guidance on personal safety, lone working and online abuse and the legal and practical remedies, including the nature of the criminal offences involved.

Harassment

As a councillor:

I do not harass any person.

The Protection from Harassment Act 1997 states that harassment includes behaviour which alarms a person or causes a person 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 victim in a manner that could be expected to cause distress or fear in any reasonable person. Harassment of any kind whether direct or indirect is in no-one’s interest and should not be tolerated. It is important to recognise the impact such behaviour can have on any individual experiencing it, as well as on the wider organisation in terms of morale and operational effectiveness.

Like bullying, harassment can take the form of physical, verbal, and non-verbal conduct but does not need to be related to protected characteristics. Harassment may be in person, by telephone or in writing, including emails, texts, or online communications such as social media. It may manifest obviously or be hidden or insidious.

The factors likely to be considered when assessing allegations of harassment are whether the councillor knows or ought to know that their actions constitute harassment, whether a reasonable person would consider the actions to be harassment and the impact of the behaviour/conduct on victim.

Examples of harassment include but are not limited to:

- sending unwelcome emails
- unnecessarily repetitive, intrusive questioning
- unwelcome physical contact such as touching or invading ‘personal space’
- haranguing
- intimidation
- inappropriate remarks or questioning such as comments about someone’s appearance, lewd comments, and offensive jokes
- overbearing or intimidating levels of supervision, including preventing someone from undertaking their role or following agreed policies and procedures
- inappropriate comments about someone’s performance

- placing unreasonable expectations on someone in relation to their job, responsibilities, or hours of work, or coercing someone to meet such expectations
- sexual harassment

What does the law say about harassment?

In some cases, acts of harassment can be civil offences, which can be brought to an employment tribunal or county court.

In some cases, conduct that amounts to harassment may also amount to criminal offences, which can be tried in the criminal courts. There is not an exhaustive list of acts of harassment that may constitute a criminal offence. Examples may include, but are not limited to physical assault:

- making violent or death threats
- stalking
- hate crimes
- sexual harassment

Example

The complaint alleged that a councillor had behaved in a disrespectful and harassing manner towards two female councillors and female officers. It was established that the councillor had made unwarranted and inappropriate physical contact with the councillors and officers at an official event and had also made remarks towards the officers which were patronising and demeaning. The councillor was found to be in breach of the Code of Conduct.

Discrimination

As a councillor:

I promote equalities and do not discriminate unlawfully against any person.

Councillors have a central role to play in ensuring that equality is integral to the council's performance and strategic aims. They can articulate the council's vision and public commitment to equality across public services.

The Equality Act 2010 imposes positive duties on local authorities to promote equality and to eliminate unlawful discrimination and harassment. Under the Act your council may be liable for any discriminatory acts which you commit as a councillor.

This will apply when you do something in your official capacity in a discriminatory manner. You must be careful not to act in a way which may amount to any of the prohibited forms of discrimination, or to do anything which hinders your council's fulfilment of its positive duties under the Act. Such conduct may cause your council to break the law, and you may find yourself subject to a complaint that you have breached this paragraph of the Code of Conduct. If you are unsure about the particular nature of the duties of your council you should seek advice from the clerk.

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

There are four main forms of discrimination:

Direct discrimination: treating people differently because of their age, disability, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sex, or sexual orientation.

Indirect discrimination: treatment which does not appear to differentiate between people because of their age, disability, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sex, or sexual orientation but which disproportionately disadvantages them.

Harassment: engaging in unwanted conduct on the grounds of age, disability, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sex, or sexual orientation, which violates another person's dignity or creates a hostile, degrading, humiliating or offensive environment.

Victimisation: treating a person less favourably because they have complained of discrimination, brought proceedings for discrimination, or been involved in complaining about or bringing proceedings for discrimination.

Examples of discriminatory behaviour include but are not limited to:

- exclusion or victimisation based on the Protected Characteristics
- treating someone less favourably or limiting their opportunities based on any of the Protected Characteristics
- comments, slurs, jokes, statements, questions, or gestures that are derogatory or offensive to an individual's or group's characteristics
- promoting negative stereotypes relating to individual's or group's characteristics
- racial or ethnic slurs, insults, or jokes
- intolerance toward religious customs, conventions and practices
- mimicking, mocking, or belittling a person's disability
- homophobic, biphobic or transphobic comments or slurs
- discriminating against pregnant people or mothers
- declaring ('outing') someone's religion or sexuality or threatening to do so against their will
- deliberate, unwarranted application of a council's practice, policy or rule in a way that may constitute indirect discrimination

- instructing, causing, inducing, or knowingly helping someone to commit an act of unlawful discrimination under the Equality Act 2010.

A councillor's personality and life experiences will naturally incline them to think and act in certain ways. They may form views about others based on those experiences, such as having an affinity with someone because they have a similar approach to life or thinking less of someone because they are from a different generation. This is known as "unconscious bias" and it can lead people to make decisions based on biases or false assumptions. Councillors need to be alert to the potential of unconscious bias and ensure they make decisions based on evidence, and not on assumptions they have made based on biases.

How can councillors cause their council to be in breach of the Equality Act?

The Code of Conduct is not intended to stifle democratic debate. Councillors should always remember that Article 10 of the European Convention on Human Rights gives a high level of protection to comments that are genuinely made during political debate, even if most people would find them offensive.

Some councillors have particular roles which may give a higher risk for the potential for discrimination; for example, if you are on an appointment panel for a position in the council, or you are able to award local grants in the neighbourhood and will need to decide which organisations to support.

Merely arguing, or even voting, against a proposal which is aimed at complying with a positive anti-discriminatory duty would not be enough by itself to risk breaking this part of the Code. Simply having a party-political or personal position on an issue is unlikely to amount to a breach of this provision because it does not, of itself, involve the council doing anything.

Under the Equality Act 2010, a council is made liable for any discriminatory acts which a councillor commits. This will apply where they say or do something in their official capacity in a discriminatory manner.

Examples

The complaint alleged that a councillor 'liked' several racially discriminatory comments on social media and one comment advocating violence against Travellers. The hearing panel found that 'Liking' of the offensive comments did amount to a failure to treat those who were the subject of such comments with respect and a failure to promote equalities in breach of the Code of Conduct.

A councillor was a member of the council's recruitment panel to appoint a new clerk. Five applicants were shortlisted. After one candidate had finished his presentation and left the room the councillor said, "good candidate, shame he's black". The hearing panel found that the Code of Conduct had been breached.

Impartiality of officers

As a councillor:

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 council as a whole. 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.

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

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

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

The chair of the council and committee chairs may have additional responsibilities. These responsibilities will result in increased expectations and relationships with officers that are more complex. Such councillors must still respect the impartiality of officers and must not ask them to undertake work of a party-political nature or compromise their position with other councillors or other officers.

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

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

It is important for both sides to respect these differences and ensure that they work in harmony. Getting that relationship right is an important skill. That is why the Code requires councillors to respect an officer's impartiality and professional expertise. In turn officers should respect a councillor's democratic mandate as the people accountable to the public for the work of the council. It is also important for a council to have a councillor-officer protocol [councillor-officer protocol](#) which sets out how this relationship works and what both councillors and officers can expect in terms of mutual respect and good working relationships.

Officers may sometimes give you advice that you do not want to hear or does not suit your views. They must be allowed to do this without fear of recriminations to allow for good decision-making looking at all relevant options.

That means in your dealing with officers you must not seek to influence them improperly or put undue pressure on them. For example, you should not get officers to help you with

matters relating to your private business. You should not provide or offer any incentive or reward in return for acting in a particular way or reaching a particular decision.

Officers are required to remain politically neutral and not demonstrate their support for specific parties or candidates.

The fundamentally held principle is that “the local government system of the UK has long resided on a bond of trust between elected members and a permanent corps of local government officer... that relationship of trust stems from the right of council members to expect that they are being assisted in their functions by officers who are politically neutral and whose loyalty is to the council as a whole¹”.

Examples

A council was renewing its grounds maintenance contract and was seeking quotes from suppliers. A councillor became involved in the process and sought to influence the clerk on where to seek the quotes, he also sent discourteous and disrespectful correspondence to the clerk. In doing so, he lost sight of his overall responsibility to the council to allow its officers to perform their functions. He was found to have breached the Code of Conduct.

What does working on behalf of the authority mean?

Councils deliver services in a range of ways. Often services will have been contracted out to outside bodies. For example, if you have a play area, equipment repair services may be carried out by outside contractors. Their employees delivering that contract are doing so on behalf of the council and you should not use your position to interfere improperly in delivery of that service.

What if I disagree with the views of an officer?

You are perfectly entitled to disagree with officers. They are there to give you impartial professional advice and you do not need to accept their advice without question. When you do question them however, you should treat them with respect and recognise that they are professionals.

If you feel dissatisfied with the advice you are given you should raise through appropriate management channels in line with your council's [councillor-officer protocol](#), see guidance on respect, bullying and harassment in Part 2.

Where you have a declarable interest in a matter you are discussing with an officer you should make that clear to the officer – see guidance on declarations of interest in Part 3. Where it is an interest which would stop you from taking part in a meeting you should not discuss those matters with officers except where you are seeking professional advice in the same way as any member of the public could – for example, assistance with making an application – and the officer should make a note that an interest has been declared. If you need to speak to an officer about the matter, you should arrange a meeting as a member of the public and not seek to use your position to gain preferential or quicker access.

¹ Ahmed v United Kingdom (2000) 29 EHRR 1

Having regard to officer advice

Councillors take decisions every day that affect the lives of those who live and work within your community. It is therefore important that those decisions are made having regard to all available evidence and weighing up all sides of the argument.

Decisions can be challenged if they are unreasonable, and the council could find itself facing an expensive legal bill if it takes a decision which is unlawful. When considering any decision, you must have regard to any professional advice you have been offered. The Proper Officer and the Responsible Financial Officer (both usually the clerk) have a statutory duty to report formally to the council where they believe a council action or expenditure is, or may be, unlawful. Similarly, when it comes to elections, you will need to have regard to any advice given to you by the returning officer of your principal authority who is entirely independent of and separate from the council and is required to be politically neutral.

You must also give reasons for all decisions in accordance with statutory requirements and any reasonable requirements imposed by your council. Giving reasons for decisions is particularly important in relation to regulatory decisions and decisions where people's rights are affected. Where councillors disagree with officer recommendations in making a decision, councillors will need to take particular care in giving clear reasons for the decision.

If you seek advice as an individual councillor, or advice is offered to you, for example, on whether or not you should register or declare an interest, you must have regard to this advice before you make your mind up. Failure to do so may lead to a breach of the Code of Conduct.

If in any doubt – be safe and always seek advice from your clerk before taking any action.

Councils should adopt a protocol for councillor-officer relations and the document should be accessible on their websites.

Confidentiality and access to information

As a councillor:

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:
 - i. reasonable and in the public interest; and
 - ii. made in good faith and in compliance with the reasonable requirements of the local authority; and

iii. I have consulted the monitoring officer prior to its release.

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.

I do not prevent anyone from getting information that they are entitled to by law.

Councils must work openly and transparently. 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 council must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

Confidential information

While council business is by law generally open and councils should always operate as transparently as possible, there will be times – for example, when discussing a named individual, confidential HR matters or commercially sensitive information – when it is appropriate for council business to be kept confidential or treated as exempt information.

In those circumstances, you must not disclose confidential information, or information which you believe to be of a confidential nature, unless:

- you have the consent of the person authorised to give it
- you are required by law to do so
- the disclosure is made to a third party for the purposes of obtaining professional advice (for example, your lawyer or other professional adviser) provided that person agrees not to disclose the information to any other person
- the disclosure is in the public interest

Disclosure in the public interest

Disclosure ‘in the public interest’ is only justified in limited circumstances, when all the following four requirements are met:

- the disclosure must be reasonable
- the disclosure must be in the public interest
- the disclosure must be made in good faith
- the disclosure must be made in compliance with any reasonable requirements of your council

In relation to the disclosure of confidential information in the public interest, the four requirements are outlined in more detail below.

The first requirement, that the disclosure must be reasonable, requires you to consider matters such as:

- **Whether you believe that the information disclosed, and any allegation contained in it, is substantially true.** If you do not believe this, the disclosure is unlikely to be reasonable.
- **Whether you make the disclosure for personal gain.** If you are paid to disclose the information, the disclosure is unlikely to be reasonable.

- **The identity of the person to whom the disclosure is made.** It may be reasonable to disclose information to the police or to an appropriate regulator. It is less likely to be reasonable for you to disclose the information to the world at large through the media, social media, via emails, or in general discussion.
- **The extent of the information disclosed.** The inclusion of unnecessary detail, and in particular, private matters such as addresses or telephone numbers, is likely to render the disclosure unreasonable.
- **The seriousness of the matter.** The more serious the matter disclosed, the more likely it is that the disclosure will be reasonable.
- **The timing of the disclosure.** If the matter to which the disclosure relates has already occurred, and is unlikely to occur again, the disclosure may be less likely to be reasonable than if the matter is continuing or is likely to reoccur.
- **Whether the disclosure involves your authority failing in a duty of confidence owed to another person.**

The second requirement, that the disclosure must be in the public interest, needs to involve one or more of the following matters or something of comparable seriousness, that has either happened in the past, is currently happening, or is likely to happen in the future:

- a criminal offence is committed.
- your council or some other person fails to comply with any legal obligation to which they are subject.
- a miscarriage of justice occurs.
- the health or safety of any individual is in danger.
- the environment is likely to be damaged.
- that information tending to show any matter falling within the above is deliberately concealed.

The third requirement, that the disclosure is made in good faith, will not be met if you act with an ulterior motive, for example, to achieve a political advantage or to settle a score with a political opponent.

The fourth requirement, that you comply with the reasonable requirements of your council, means that before making the disclosure you must comply with your council's policies or protocols on matters such as whistle-blowing and confidential information. You must first raise your concerns through the appropriate channels set out in such policies or protocols.

In summary, to decide whether the disclosure is reasonable and in the public interest, you may need to conduct a balancing exercise weighing up the public interest in maintaining confidentiality against any countervailing public interest favouring disclosure. This will require a careful focus on how confidential the information is, on any potentially harmful consequences of its disclosure, and on any factors, which may justify its disclosure despite these potential consequences. If in doubt you should always seek advice from the clerk. Always keep a note of the reason for your decision.

In some situations, it is extremely unlikely that a disclosure can be justified in the public interest. These will include where the disclosure amounts to a criminal offence, where the information disclosed is protected by legal professional privilege or where the information contains sensitive information as defined under the Data Protection Act 2018.

Circumstances in which a council can treat information as confidential

The presumption under local government law is that council business is open unless it falls within a specific category of confidential or exempt information as set out in legislation.

These categories are:

- information given to the council by a Government Department on terms which forbid its public disclosure or
- information the disclosure of which to the public is prohibited by or under another Act or by Court Order.

Generally personal information which identifies an individual, must not be disclosed under the data protection and human rights rules.

Exempt information means information falling within the following categories (subject to any condition):

- relating to any individual.
- which is likely to reveal the identity of an individual.
- relating to the financial or business affairs of any particular person (including the council holding that information).
- relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the council or a Minister of the Crown and employees of, or officer-holders under the council.
- in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
- which reveals that the council proposes:
 - to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - to make an order or direction under any enactment
 - relating to any action taken or to be taken in connection with the prevention, investigation, or prosecution of crime.

Where information is legally classified as 'confidential' under the above categories the public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed. Likewise, public access to reports, background papers, and minutes will also be excluded.

Where an officer recommends that a report to a decision-making committee should be treated as exempt information under the above categories the committee must still agree that the matter should be heard in a closed session. The committee may disagree with any recommendation and decide that those legal tests have not been met; or they may agree that those tests have been met but nevertheless it is in the public interest that the matter be considered in an open session. Again, you should keep a record of the rationale for the decision.

Once the council has agreed that the matter be treated as exempt, public access to relevant reports, background papers and minutes will also be excluded and an individual councillor must abide by that collective decision or risk breaching the Code if they disclose that information (papers and content of discussion) without lawful excuse.

Does confidentiality under the Code apply only to information which is classified as confidential or exempt by law?

No. The Code goes wider than matters simply considered in a formal council setting. Information is a broad term. It includes facts, advice, and opinions. It covers written material, including tapes, videos, CDs, DVDs, and other electronic media. It covers material in unwritten form, including intellectual property. Information can only be confidential if all the following apply:

- it has the necessary 'quality of confidence' about it (trivial information will not be confidential but information that you would expect people to want to be private would be);
- it was divulged in circumstances importing an obligation of confidence (information properly in the public domain will not be confidential);
- disclosure of it would be detrimental to the party wishing to keep it confidential.

For example, you may be told confidential information by a resident in the course of your duties. That is why the Code is written broadly to cover information classed as confidential which you may come across in your duties.

You should use your judgment when you are given information. An individual does not have to explicitly say that information is confidential if they tell you something which a reasonable person would regard as sensitive. You may, however, wish to clarify if somebody tells you something whether they want you to treat it as confidential.

Examples

A resident had made a complaint against a council officer. The officer asked one of the councillors for information as to what was happening with the case and the councillor inadvertently shared confidential information. This was found to be a breach of the Code.

A councillor circulated information about an officer's medical condition to other councillors. He was found to have disclosed information which should reasonably be regarded as being of a confidential nature and without the officer's consent in breach of the Code of Conduct.

What does consent by the person authorised to give it mean?

If somebody, for example a resident, has told you something in confidence – for example in the line of casework – you may later want to put that in the public domain as part of pursuing that case. You should always check with the individual before you disclose something you believe is confidential to ensure that they are comfortable with that information being disclosed. You should also be clear with them as to how you may use the information, they give you to help resolve their issue.

In what circumstances am I required to disclose confidential information by law?

This would be where a law enforcement or regulatory agency or the courts required disclosure of information.

In what way could I use information I have obtained to advance myself or others?

As a councillor you will receive commercially sensitive or other confidential information. You must not use that information to your own advantage. For example, if you know the

council is considering the purchase of a piece of land, you should not use that information in your private dealings to seek to purchase the land.

How does this relate to the Data Protection Act 2018?

As part of their role councillors will receive personal information. They should seek to ensure they are familiar with how the Data Protection Act 2018 applies to their role in handling such information through training, and if they are not sure to seek advice from the clerk or another appropriate officer in the council.

Although councillors are not required to register as a data controller, they will receive personal information from residents in their area. They should only use it for the purpose for which it has been given and must ensure this information is held securely and only share with others that are entitled to it.

In contrast, the council is responsible for information they provide to councillors and ensuring they know how it can be used.

Access to information

Transparency is a very important principle underpinning local democracy and public decision-making. The public are entitled to see information about the way decisions are made unless there are specific reasons why that information is confidential. Your council should have a publication scheme setting out what information is accessible to the public and you as an individual councillor must not prevent any person from accessing information which they are entitled to by law. This includes information under the Freedom of Information Act 2000 or those copies of minutes, agendas, reports, and other documents of your council which they have a right to access.

If in doubt seek advice from the clerk or other relevant council officers.

The 'need to know'

As a councillor, you are not automatically entitled to access all information the council holds. For example, the council may deal with highly confidential and sensitive information about employees.

In addition to rights set out in law or conferred by your standing orders, you have a right to inspect documents if you can demonstrate a "need to know". This isn't a right to a roving commission but must be linked to your performance of your duties and functions as a councillor. For example, the need could more easily be demonstrated by membership of a relevant committee, such as a staffing committee than simply because you are interested in seeing the information. Councils have more justification for denying free access to particularly sensitive papers such as staffing records. You should not seek to get information if you have a declarable interest in it.

If you feel you are not being given access to information you seek, you can seek advice from the clerk.

You can also exercise the "need to know" in respect of attending meetings. Access to Information Rules set out rights of access to documents for councillors to carry out their functions.

Where you are given access to documents which are not available to members of the public, you should ensure that any confidential information is used and protected in an appropriate and secure manner and shared with authorised persons only.

Can I use council information for matters outside the council?

A councillor is entitled to access information held by the council for the performance of their duties as a councillor. If a councillor wishes to use council information for any purpose other than in connection with their duties as a councillor, and that information is not in a publicly available document or other publicly viewable state (e.g on a council webpage). However, that councillor should submit a freedom of information request so that it can be given to them to use freely.

The general rule is that any information held by the council and given directly to a councillor may only ever be used for the purpose for which it was provided. That purpose may add particular restrictions, for example where it relates to an individual resident or sensitive matter. The purpose should not be for anything other than use in connection with the proper performance of the councillor's duties as a councillor. The exceptions to this are where the information has already been published, it has been given as a result of a request under Freedom of Information or Environmental Information Regulations or it is in the public interest ('whistleblowing') for which provisions are made in the Code of Conduct as explained above.

Please see the [ICO website](#) for helpful guidance on data protection and freedom of information.

Disrepute

As a councillor:

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. Article 10 of the European Convention on Human Rights protects your right to freedom of expression, and political speech as a councillor is given enhanced protection but this right is not unrestricted. You should be aware that your actions might have an adverse impact on your role, other councillors and/or your council and may lower the public's confidence in your ability to discharge your functions as a councillor or your council's ability to discharge its functions.

In general terms, disrepute can be defined as a lack of good reputation or respectability. In the context of the Code of Conduct, a councillor's behaviour in office will bring their role into disrepute if the conduct could reasonably be regarded as either:

- reducing the public's confidence in them being able to fulfil their role; or
- adversely affecting the reputation of your council's councillors, in being able to fulfil their role.

Conduct by a councillor which could reasonably be regarded as reducing public confidence in their council being able to fulfil its functions and duties will bring the authority into disrepute.

For example, circulating highly inappropriate, vexatious or malicious e-mails to residents, making demonstrably dishonest posts about your council on social media or using abusive and threatening behaviour might well bring the role of councillor into disrepute. Making grossly unfair or patently untrue or unreasonable criticism of your council in a public arena might well be regarded as bringing your local authority into disrepute.

What distinguishes disrepute to “your role or local authority” from disrepute to you as a person?

The misconduct will need to be sufficient to damage the reputation of the councillor’s role or council, as opposed simply to damaging the reputation of the individual concerned.

Certain kinds of conduct may damage the reputation of an individual but will rarely be capable of damaging the reputation of the role of councillor or the reputation of the authority.

Here are some of the situations that might tip the balance in favour of disrepute to the role of councillor or to the authority in particular cases:

- Situations where councillors have put their private interests above the public interest, which they are expected to promote as councillors, and therefore reduced the standing of their role. For example, councillors using their position to secure a secret personal profit.
- Similarly, situations where a councillor defies important and well-established rules of the council for private gain.
- Where a councillor engages in conduct which directly and significantly undermines the council’s reputation as a good employer or responsible service provider.

Examples

A councillor posted a tweet reading “Cllr Blogs why don’t you just throw in the towel, just go before you cause any more damage to the reputation of the council. You have failed. I hope that the Serious Fraud Office is brought in to investigate your conduct. #failedleadership.” The complainant stated that she found the tweet ‘very offensive’ and bullying and also considered that the tweet would reasonably bring the councillor’s office and the authority into disrepute. The councillor was found to have brought his authority into disrepute by reducing public confidence in the council.

A councillor brought his role and authority into disrepute by taking advantage of a council mistake and failing to prevent council-employed contractors from working on his privately-owned garden. The council mistakenly sent a tree surgeon to perform hedge maintenance on his land, which bordered on council-owned land. The councillor only told the council about the mistake after the work had been completed and then said he could not be charged for the work.

The chair of a council made a deeply inappropriate remark at a council meeting that was reported in the local media and was accused of bringing his role and authority into disrepute. It was clear in both the meeting and the local media reporting that other councillors expressed concerns about his comments and found them inappropriate. It was found that he had not brought his authority into disrepute but that he had brought his role into disrepute.

Misuse of position

As a councillor:

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 councillor 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.

You should not use, or attempt to use, your public office either for your or anybody else's personal gain or loss. For example, your behaviour would be improper if you sought to further your own private interests through your position as a councillor.

Involving yourself in a decision in which you have an interest, to seek to benefit yourself or another would be a breach of this paragraph of the Code. For guidance on how to conduct yourself when you have an interest and how to balance your rights as an individual and your responsibilities as a public decision maker see the chapter on registration of interests.

Councillors who own land, or whose relatives or close associates own land, need to be particularly cautious where planning matters are concerned. This applies equally to local councillors when your local council is consulted on planning matters. Similarly, while it is reasonable to expect councillors to help local groups apply to the council, for example, for a grant, it is quite improper to seek to influence the decision to be taken by the council and would also be in breach of paragraph 3 of the Code.

What kinds of attempts to advantage or disadvantage would be improper?

There are circumstances where it will be proper for a councillor to seek to confer an advantage or disadvantage and other circumstances where it will not.

Being a councillor can involve making hard choices and balancing a range of interests. Most decisions will inevitably benefit some people and will be to the detriment of others. It's important when you make those decisions to make them in what you think is the public interest and not be influenced by private interests.

For example, there can be no objection to councillors voicing their opposition to the closure of a local public library. This conduct is clearly intended to secure an advantage for the users of the library. What is crucial is that councillors' attempts to secure this advantage are clearly part and parcel of their duties as a local representative. Therefore, these activities are not improper.

The term 'improperly' is not defined in the Code of Conduct. This ensures that the scope of the provision is not unnecessarily limited. The underlying principle is that councillors are elected or appointed to public office to serve the public interest.

A councillor's conduct would be improper if they were to use their public position to further private interests of themselves or associates, or to settle old scores with enemies, to the detriment of the public interest. Any conduct that unfairly uses a councillor's public position to promote private interests over the public interest will be improper.

What if the attempt to confer an advantage or disadvantage fails?

The wording of the Code of Conduct makes it clear that the use of position provision (paragraph 6) covers failed attempts as well as situations where an advantage or disadvantage has actually been achieved.

For example, if you have tried to influence fellow councillors to vote in a particular way which would be to your personal advantage and/or that of your family/close associates you would have breached this provision of the Code even if they did not in fact vote that way.

Examples

Most alleged improper uses of position are in connection with matters in which the councillors have interests.

A councillor who was a 'joint co-ordinator' of a community group did not notify the council of her position in this group. She took part in the considerations and voted on the decision to negotiate a new lease in respect of a workshop used by this community group. A standards committee found that she had used her position improperly as the decision on which she voted benefited a group in which she clearly had an interest which she had not disclosed to the council.

A councillor was found to have improperly used his position and secured an advantage for a member of the public by asking the clerk to make a payment which had not been approved by the council in breach of the Code of Conduct. The payment was for repairs to a private road used by the councillor to get to his allotment.

Misuse of resources and facilities

As a councillor:

I do not misuse local authority resources.

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

- act in accordance with the local authority's requirements; and
- 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 your council to assist you in carrying out your duties as a councillor.

Examples include:

- office support
- stationery
- equipment
- transport
- access and use of council 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 council's own policies regarding their use.

You must make sure you use the council's resources for proper purposes only. It is not appropriate to use, or authorise others to use, the resources for political purposes, including party political purposes. When using the council's resources, you must have regard, if applicable, to any Local Authority Code of Publicity made under the Local Government Act 1986.

The [Code of Recommended Practice on Local Authority Publicity](#) published by the Department for Communities & Local Government provides guidance on the content, style, distribution, and cost of local authority publicity.

You must be familiar with the rules applying to the use of resources made available to you by your council. Failure to comply with the council's rules is likely to amount to a breach of the Code.

If you authorise someone (for example a member of your family) to use your council's resources, you must take care to ensure that this is allowed by the council's rules.

You should never use council resources for purely political purposes, including designing and distributing party political material produced for publicity purposes.

However, your council may authorise you to use its resources and facilities for legitimate political purposes in connection with your council's business. For example, dealing with correspondence from your residents. In this case, you must be aware of the limitations placed upon such use for these purposes. Using your council's resources outside of these limitations is likely to amount to a breach of the Code.

You should never use council resources purely for private purposes, for example using a photocopier to print off flyers for your business unless your council's procedures allow for you to repay any costs accrued.

What are the "resources of the local authority"?

The resources of the council include services and facilities as well as the financial resources of the council.

Resources could include any land or premises, equipment, computers, and materials. The time, skills, and assistance of anybody employed by the council, or working on its behalf, are also resources, as is information held by the council which it has not published.

What constitutes using resources "improperly for political purposes"?

The Code acknowledges that party politics can have a proper role to play, both in the conduct of council business and in the way that councillors carry out their duties.

However, councillors and clerks will need to exercise considerable care to ensure that this provision is not abused. You must ensure that there is a sufficient connection between the use of resources and the business of the council. Only improper use of resources will be a breach of the Code of Conduct.

This part of the Code complements [Section 2 of the Local Government Act 1986](#), which prevents the publication of material "designed to affect public support for a political party". The Code, however, goes further than the Code of Recommended Practice on Local Authority Publicity. It covers not only the publication of campaigning material but also any other activity that is intended to promote purely party-political interests.

You must have regard to any applicable local authority code of publicity made under the powers contained in Section 4 of the Local Government Act 1986. Publicity is defined as "any communication, in whatever form, addressed to the public at large or to a section of the public". It will cover meetings, websites, and social media postings as well as printed and other written material.

You should be particularly scrupulous about the use of council resources when elections are pending, particularly those resources relating to publicity. When using the council's resources in these circumstances, you should not appear to be seeking to influence public opinion in favour of you, your party colleagues, or your party.

How do you know what the council's requirements for the use of resources are?

Your council should have a protocol dealing with use of council resources. A typical protocol would cover the following topics:

- use of council premises
- councillor-officer relationships including use of officer time
- information technology, for example computer equipment and the use of associated software, including the use of such equipment at home
- telephones
- photocopying
- use of stationery and headed notepaper
- postage
- use of council transport
- allowances and expenses

Your council may also have a separate protocol on the use of social media which would also be relevant.

The key principle underlying all such protocols should be that public office and public resources should not be used to further purely private or party-political purposes.

It is worth noting that where you authorise someone such as a family member to use the council's resources, you must check whether the council's rules allow this.

Example

The complaint alleged a town councillor used his computer equipment provided by his council for private purposes by downloading inappropriate adult pornographic images and sending a number of letters to a local newspaper, which he falsely represented as being from members of the public. He was found to have misused the council's equipment in breach of the Code and had brought his office into disrepute.

Complying with 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 council or its governance. If you do not understand or are concerned about the principal authority's processes in handling a complaint you should raise this with the monitoring officer.

As a councillor:

I undertake Code of Conduct training provided by my local authority.

Councillors should be competent for the work they undertake, and this includes the way in which you conduct yourself when carrying out your role as a councillor. Training helps to develop such competence, ensuring that you understand the Code of Conduct and how it applies to you.

As a councillor you are responsible for your own actions and will be held personally responsible if you breach your council's Code of Conduct. Therefore, it is essential that, where you are offered the opportunity by your council, you equip yourself with sufficient knowledge of the Code to ensure that you comply with it at all times.

I cooperate with any Code of Conduct investigation and/or determination.

The Code of Conduct is a cornerstone of good governance. It is important for public trust that it is seen to be taken seriously by individual councillors as well as the council as a whole.

While being the subject of a complaint that you have breached the Code of Conduct and having your conduct investigated may at times be unpleasant and stressful it is essential that councillors cooperate with any Code investigations and determinations. Failure to cooperate will not stop an investigation but may simply drag matters on and does not allow you to put across your side of the story so increases the risk that inferences are drawn about your unwillingness to cooperate and that you will be found in breach of the Code.

It is equally important if you have made a complaint which the principal authority has decided merits investigation that you continue to cooperate. Complaints made simply to damage the reputation of an individual through inferences but which you are not willing to support through your cooperation will damage relationships and will also damage the reputation of you and your council.

If you are asked to assist the investigator as a potential witness it is again important that you do so to allow as fully rounded a picture as possible to be drawn so that any determination on a case has as much evidence as necessary in order to reach the correct decision. You should let the investigator know if you need any reasonable adjustments made.

I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.

However much you may be concerned about allegations that you or a fellow councillor failed to comply with the Code of Conduct, it is always wrong to intimidate or attempt to intimidate any person involved in the investigation or hearing. Even though you may not have breached the Code of Conduct, you will have your say during any independent investigation or hearing, and you should let these processes follow their natural course. If

you seek to intimidate a witness in an investigation about your conduct, for example, you may find yourself subject to another complaint that you breached this paragraph of the Code of Conduct.

When does the duty not to intimidate start and how do I avoid allegations of intimidation?

Once there is the possibility of a complaint that the Code of Conduct has been broken, councillors need to be alert to how their behaviour towards potential witnesses or officers involved in handling of their case may be viewed. However innocently the contact is intended or may appear, great care should be taken when councillors deal with people involved with their case.

You should refer to your principal authority's procedures and protocol for dealing with alleged breaches of your Code of Conduct.

I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

Fair, consistent, and proportionate sanctions help to ensure the integrity of the standards framework and thus maintain public trust and confidence in councillors, your role, and your authorities. It is important that councillors and local authorities take standards of conduct seriously and the use of sanctions helps to demonstrate this.

Failure to comply with sanctions can bring the standards framework into disrepute.

Part 3 - Protecting your reputation and the reputation of the local authority

Registration of gifts, hospitality and interests

Gifts and hospitality

As a councillor:

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.

I register with the monitoring officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.

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 council, 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 the clerk for guidance.

What does “hospitality” mean?

Hospitality can be defined as any food, drink, accommodation, or entertainment freely provided or heavily discounted.

How much detail should I include on the register?

Where you register gifts or hospitality you should include the name of the person or organisation who gave you the gift or hospitality; the date on which you received it; the reason it was given; and its value or estimated value.

How do I know if gifts or hospitality have been offered to me because of my role as a councillor?

The Code says you must register any gift or hospitality received in your capacity as a councillor if the estimated value exceeds £50 or such other limit as agreed by your council.

You should ask yourself whether you would have received the gift or hospitality if you were not on the council. If you are in doubt as to the motive behind an offer of a gift or hospitality, we recommend that you register it or speak to the clerk before deciding whether to accept it. You should also refer to the council’s policy on gifts and hospitality.

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, or gifts which you do not accept. However, you should apply common sense when you consider how receipt of a gift might be interpreted. For example, if a birthday present arrives from a family friend who is also the chair of a local community group just before a funding application from the group is due to be considered, then you need to think about how this would be interpreted by a reasonable member of the public.

What about gifts or hospitality I do not accept?

The Code makes it clear that the presumption is that you do not normally accept gifts or hospitality. While gifts or hospitality can be offered for benign reasons it is important for your reputation, the reputation of the council and the need to reassure the public that decision-making is not being improperly influenced that you do not accept gifts or hospitality wherever possible.

Simply accepting gifts or hospitality and then registering it does not mean that it may be seen as reasonable. Accepting an expensive meal from somebody who is negotiating for a contract with the council, for example, is not ‘made right’ by being recorded on a public register.

There will be times, however, where turning down hospitality or gifts could be seen as causing unnecessary offence. For example, if you have been invited as a councillor to a local festival or faith celebration along with other members of the community then it may

be entirely appropriate to accept the hospitality. However, you should always exercise particular caution if the organisers are involved in ongoing negotiations with the council on a particular matter.

Where you are offered a gift or hospitality but decline it you should nevertheless notify the principal authority's monitoring officer. That helps the council to identify if there are any patterns and to be aware of who might be seeking to influence the council.

What about gifts or hospitality that falls below the limit in the Code?

You should always notify the principal authority's monitoring officer of any gift or hospitality offered to you if it could be perceived as something given to you because of your position, especially where the gift or hospitality is from somebody who has put in an application to the council (or is about to) even where that hospitality falls below £50 or the limit set by the council.

While that would not be a matter for the public register it again allows the council to be aware of any patterns.

Also, an accumulation of small gifts you receive from the same source over a short period of say a couple of months that add up to £50 or over should be registered in the interests of transparency.

What if I do not know the value of a gift or hospitality?

The general rule is, if in doubt as to the value of a gift or hospitality, you should register it, as a matter of good practice and in accordance with the principles of openness and accountability in public life. You may therefore have to estimate how much a gift or hospitality is worth. For example, if you attend a dinner as a representative of the council which has been pre-paid by the sponsors you would need to make an informed judgment as to its likely cost.

What if I'm at an event but don't have the hospitality or only have a small amount?

The best way to preserve transparency is for you to assess the hospitality on offer, whether it is accepted or not. This is because it would clearly not be in your interests to be drawn into arguments about how much you yourself ate or drank at a particular occasion. For example, you may find yourself at a function where relatively lavish hospitality is on offer, but you choose not to accept it. You may go to a champagne reception but drink a single glass of orange juice for example.

As a guide you should consider how much a person could reasonably expect to pay for an equivalent function or event run on a commercial basis. What you have been offered is the value of the event regardless of what you actually consumed. Clearly where you are in any doubt the prudent course is to register the hospitality.

Is there a minimal threshold where I wouldn't have to notify the monitoring officer?

The Code is about ensuring that there is transparency and accountability about where people may be trying to influence you or the council improperly. However, in the course of your duties as a councillor you will be offered light refreshments or similar on many occasions. It is perfectly acceptable to have a cup of tea or biscuits at a meeting with residents at the local community centre for example and there may be times when an

external meeting lasts all day and the organisers offer you a sandwich lunch and refreshments.

[The Government's guide to the Bribery Act for employers](#) says that 'the Government does not intend that genuine hospitality or similar business expenditure that is reasonable and proportionate be caught by the Act, so you can continue to provide bona fide hospitality, promotional or other business expenditure. In any case where it was thought the hospitality was really a cover for bribing someone, the authorities would look at such things as the level of hospitality offered, the way in which it was provided and the level of influence the person receiving it had on the business decision in question. But, as a general proposition, hospitality or promotional expenditure which is proportionate and reasonable given the sort of business you do is very unlikely to engage the Act.'

You should use your discretion and think how it might look to a reasonable person but always seek the views of the clerk if in doubt.

What are 'normal expenses and hospitality associated with your duties as a councillor'?

As well as the minimal threshold hospitality above there may be times when you are paid expenses which include an element for food and drink as part of your role.

The focus of the Code is on the source of the hospitality and its nature. Hospitality does not need to be registered where it is provided or reimbursed by the council or where it is clearly ancillary to the business being conducted, such as an overnight stay for an away-day. Therefore, hospitality at a civic reception or mayor's ball would not need to be registered.

However, the hospitality should be registered if it is provided by a person or body other than the council and is over and above what could reasonably be viewed as ancillary to the business conducted. You might meet dignitaries or business contacts in council offices. However, if such meetings take place in other venues, such as at cultural or sporting events, this should be registered as hospitality.

If you are away at a conference and you are offered entertainment by a private company or individual or attend a sponsored event you should consider registering it.

What if my role involves me attending regular events or receiving gifts or hospitality?

Some roles in a council will inevitably involve being offered more entertainment than others because of the 'ambassadorial' nature of the role. For example, the mayor or chair of the council may be invited to a number of functions.

Although the mayor or chair, for example, may attend some social functions, they are not exempt from the requirement to register hospitality as individual councillors. However, where the hospitality is extended to the office holder for the time being rather than the individual, there is no requirement under the Code to register the hospitality against your individual register. The question a councillor needs to ask themselves is, "Would I have received this hospitality even if I were not the mayor/chair?" If the answer is yes, then it must be registered.

If matters are recorded on a mayor or chair's register any entry on the register should make it clear that gifts or hospitality are being accepted because of the office held and, where possible, any gifts accepted should be 'donated' to the council or to charity or as raffle prizes for example.

Gifts that are clearly made to the council, for example a commemorative goblet which is kept on display in the council's offices, do not need to be registered in the councillor's register of gifts and hospitality. However, such gifts ought to be recorded by the council for audit purposes.

Register of interests

Section 29 of the Localism Act 2011 requires the monitoring officer of the local council's principal authority to establish and maintain a register of interests of members of the council.

You need to register your interests so that the public, council officers 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.

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the monitoring officer of your council's principal authority 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).

You must register two different categories of interests:

Disclosable Pecuniary Interests – these are categories of interests which apply to you and your partner. The categories are set out in regulations made under s27 of the Localism Act 2011 and knowing non-compliance is a criminal offence.

Other registerable interests – these are categories of interest which apply only to you and which should be registered as an aid to transparency.

Further details about these two categories follow. For guidance on when these interests give rise to a matter which needs to be declared at a meeting see the guidance on declaring interests in Part 3.

Declarations of interest

As a councillor:

I register and disclose my interests.

Section 29 of the Localism Act 2011 requires the monitoring officer of the local council's principal authority to establish and maintain a register of interests of councillors.

You need to register your interests so that the public, council officers 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 of the Code, is a criminal offence under the Localism Act 2011.

Appendix B of the Code sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from the clerk.

This part of the Code is about the registering of your interests and then how to go about declaring or managing your interests.

At heart there is a simple principle – as public decision-makers, decisions must be made in the public interest and not to serve private interests. However, the rules to set out whether you have an interest or not in any given situation can be complex given the infinite variety of issues that may arise. This guidance is to help you steer a way through those rules.

The Code therefore requires councillors to declare interests in certain circumstances. Disclosure, in the register and at meetings, is about letting members of the public and interested parties know where you are coming from when involved in decision making and is to enable you to be 'up front' about who you are and what your conflicts of interest might be. Conflicts of interest in decision making as a councillor, and what in public law is known as 'apparent bias', are an established part of the local government legal landscape. The Seven Principles of Public Life and the Model Code require councillors to act impartially (i.e. not be biased) when carrying out their duties (see also guidance on bias and predetermination).

A single councillor who is guilty of bias is enough to strike out the whole decision when challenged before the courts. This can cause huge cost and reputational damage for the council, yet is seldom due to actual corruption or even consciously favouring a personal interest over the public interest on the part of the councillor involved and may have no repercussions for them personally.

The object of this part of the Code is therefore twofold.

Firstly, it is to provide an explanation and a guide to the public and councillors as to what is or isn't a conflict of interest and then how a conflict between the interest you may hold as an individual councillor and the public interest you must hold as a decision maker of a public authority can be best managed.

Secondly, the Code provides a means to hold an individual councillor to account for their actions when they fail to manage that conflict of interest properly and put the decision of

the public authority, including the public purse, and decisions around individuals' daily lives, at risk.

The test at law for apparent bias is 'would a fair-minded and informed observer, having considered the facts, conclude that there was a real possibility of bias'. This is why you will see this question reflected in the Code when you are asked to consider whether or not you should participate in a meeting where you have a conflict of interest.

The Code contains three different categories of interests – Disclosable Pecuniary Interests (DPI); Other Registerable Interests (ORI); and Non-Registerable Interests (NRI).

For the first two categories these are interests which must be recorded on a public register except in limited circumstances (see guidance on Registration of Interests). The third category do not need to be recorded on the register but will need to be declared as and when they arise.

This means an interest may arise not just from interests already on your register. There will also be times when, although the interest does not personally involve you, it may involve a relative or close associate. You are not expected to register every interest of those people, but you will need to declare them as and when they might arise. These are referred to in the Code as 'non-registerable interests'.

As a brief summary, the requirements of the Code apply where:

- you or someone you are associated with has an interest in any business of your council, and
- where you are aware or ought reasonably to be aware of the existence of that interest, and
- you attend a meeting of your council at which the business is considered.

You must disclose to that meeting the existence and nature of your interests at the start of the meeting, or when the interest becomes apparent. It is usual to have for any declarations of interest at the start of the meeting but it is good practice also to ask again at the start of any agenda item. For example, members of the public may only be present for a specific item so will not have heard the declaration at the start, and a councillor may only become aware of the interest part-way through the meeting or item in any case.

And there will be times that because your interest is so close to the matter under discussion you will not be able to take part in that item of business. Those circumstances are explained in greater detail for each category of interest below.

This means there are three types of interest which you may have to declare:

- Disclosable Pecuniary Interests (Part A of the Register);
- Other Registerable Interests (Part B); and
- Non-registerable interests.

Guidance is given below on each of these categories in turn.

Disclosable Pecuniary Interests

(Annex B, paragraphs 4 and 5)

Disclosable Pecuniary Interests (DPIs) were introduced by [s30 of the Localism Act 2011](#). They are a category of interests which relate to the councillor and/or their partner, such as financial interests of you or your partner such as your house or other property, or if you have a job or own a business. The categories are set out in regulations made under the Act and are in Table 1 of Annex B of the Code.

‘Partner’ is defined by regulations as your ‘spouse or civil partner, 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.’

They must be registered and, where they come up in a meeting, declared. Failure knowingly to register or declare a DPI is a criminal offence under the Localism Act.

The Localism Act says that if you are present at a meeting of the Council, or any committee, sub-committee, joint committee or joint sub-committee of the council, and you have a Disclosable Pecuniary Interest in any matter to be considered or being considered at the meeting:

- you may not participate in any discussion of the matter at the meeting
- you may not participate in any vote taken on the matter at the meeting
- if the interest is not registered, you must disclose the interest to the meeting
- if the interest is not registered and is not the subject of a pending notification, you must notify the monitoring officer of the interest within 28 days.

The Act says you need to declare the nature of the interest only if it is not on the public register. In addition, your council’s rules might require you to leave the room where the meeting is held while any discussion or voting takes place.

However, the Model Code states that it is important to declare the nature of the interest and to withdraw while the item is being dealt with. This aids transparency for the public and helps avoid accusations that you may be seeking to influence the outcome by remaining in the room even if your council’s rules don’t explicitly require it.

If you have a DPI, you may in certain circumstances be granted a dispensation to take part (see guidance on Dispensations).

When does a Disclosable Pecuniary Interest arise?

The Localism Act uses the phrase ‘you have a DPI in any matter...’

This wording has led to some confusion as to what circumstances would lead to the need to declare a DPI. The Explanatory Notes to the Localism Act say that s31 of the Act “requires a member of a relevant authority to disclose a disclosable pecuniary interest that they are aware of (apart from a sensitive interest), at a meeting or if acting alone, where any matter to be considered relates to their interestIt prohibits a member from participating in discussion or voting on any matter relating to their interest or, if acting alone, from taking any steps in relation to the matter (subject to any dispensations).” [our emphasis].

This means you have a DPI in a matter when the matter being discussed directly relates to your registered interest or that of your partner, rather than simply affecting it.

For example, if you have registered 1 Acacia Avenue as your address, you would have a DPI if you put in a planning application for 1 Acacia Avenue, or if the whole of Acacia Avenue was being considered for a Resident Parking Zone.

You would not have a DPI if 3 Acacia Avenue had put in a planning application as the matter does not directly relate to your registered interest. You may however have a non-registerable interest (see below) as the application may indirectly affect your property.

Other Registerable Interests

(Paragraphs 6, 8 and 9 of Annex B)

The second category of interests are Other Registerable Interests (ORIs).

If you have an ORI – that is an interest which falls within the categories in Table 2 in Annex B - the Code says you should not participate in the relevant business in two circumstances:

- when a matter directly relates to the finances or well-being of that interest. (paragraph 6); or
- when a matter affects the finances or well-being of that interest to a greater extent than it affects the majority of inhabitants; and a reasonable member of the public would thereby believe that your view of the public interest would be affected (paragraphs 8 and 9).

An interest 'directly relates' to an outside body where the council is taking a decision which directly relates to the funding or well-being of that organisation.

For example, under a) if you are a member of a local group which has applied for funding from the council, or if you are a member of an organisation which has submitted a planning application, the decision directly relates to that organisation.

In such a case you must not take part in any discussion or vote on the matter. You can speak on the matter before withdrawing but only where the public are also allowed to address the meeting. For example, you may want to put forward the group's case as to why it has applied for funding, but representatives from competing organisations would also need to be able to make their case.

If the public are not allowed to address the meeting on that item, you would need, if necessary, to get another councillor who did not have an ORI to make any relevant case.

If the council is simply discussing that outside organisation but not making a decision which relates to its finances or well-being that does not directly relate to the organisation as there is no direct impact on the organisation which would give rise to a conflict of interest.

Under b) if you are on the committee of the local village hall and an application for a licence for another venue in the village is made which may take trade away from the village hall then the matter would affect the village hall and a reasonable person would believe that would affect your view of the public interest so those two tests are met.

You would not have an interest if the council was discussing early planning for an event, which may or may not be held in the village hall as there would be no direct financial

impact at that time. When the plans crystallised then an interest would arise as a decision would be made which would have financial implications.

There will also be circumstances where you do not need to declare an interest even though the matter may be relevant to the wider aims of an organisation of which you are a member. For example, if you are a member of a charity such as the Royal Society for the Protection of Birds (RSPB), you do not need to declare an interest every time the council might discuss matters relating to habitats or conservation issues. Those issues may reflect the wider aims of RSPB, but they do not directly relate to or affect the organisation and your mere membership of the organisation has no bearing on the matter.

If you were in a position of control or general management in that body and the organisation was campaigning actively on the specific issue being discussed or you personally were campaigning actively on that specific issue the situation would be different. In those circumstances you may have an interest and there is a risk of predetermination. Where there is doubt you should always seek advice from the clerk.

As with DPIs you can be granted a dispensation (see below) and if the interest has not been registered or notified to the monitoring officer you should do so within 28 days of the meeting.

Non-Registerable Interests

(paragraphs 7, 8 and 9 of Annex B)

The third category of interests is Non-Registerable Interests (NRIs).

An NRI arises where the interest is that of yourself or your partner which is not a DPI or of a relative or close associate (see definition below).

As a councillor you are not expected to have to register the interests of your relatives or close associates but under the Code you are expected to declare them as and when relevant business occurs which affects their finances or well-being. The Code says you should not participate in the relevant business in two circumstances:

1. when a matter directly relates to that interest; or
2. when a matter affects that interest to a greater extent than it affects the majority of inhabitants and a reasonable member of the public would thereby believe that your view of the public interest would be affected

For example, under a) if your son has submitted a planning application the matter directly relates to your relative. You must not take part in any discussion or vote on the matter.

For example, under b) there has been an application made to build several units of housing on a field adjacent to your business partner's home. It is not their application, but they will be more affected by the application than the majority of people so again you would be expected to declare the interest and withdraw.

Similarly, an application for the property next door to you does not directly relate to your property so it is not a DPI, but you would instead need to declare an NRI.

In all of these cases you can speak on the matter before withdrawing but only where the public are also allowed to address the meeting. If the public are not allowed to address the

meeting on that item, you would need if necessary, to get another councillor who did not have an NRI to make any relevant case or to represent the wider views of residents.

As with DPIs you can be granted a dispensation (see below).

What is the difference between ‘relates to’ and ‘affects’?

Something relates to your interest if it is directly about it. For example, the matter being discussed is an application about a particular property in which you or somebody associated with you or an outside body you have registered has a financial interest.

‘Affects’ means the matter is not directly about that interest but nevertheless the matter has clear implications for the interest – for example, it is a planning application for a neighbouring property which will result in it overshadowing your property. An interest can of course affect you, your family or close personal associates positively and negatively. So, if you or they have the potential to gain or lose from a matter under consideration, an interest would need to be declared in both situations.

What does “affecting well-being” mean?

The term ‘well-being’ can be described as a condition of contentedness and happiness. Anything that could affect your quality of life or that of someone you are closely associated with, either positively or negatively, is likely to affect your well-being. There may, for example, be circumstances where any financial impact of a decision may be minimal but nevertheless the disruption it may cause to you or those close to you could be significant. This could be on either a temporary or permanent basis. Temporary roadworks in your street may affect your well-being on a temporary basis. Closure of a local amenity may have a more permanent impact on your well-being if you use it more than the majority of people in the area.

What are the definitions of relative or close associate?

The Code does not attempt to define “relative” or “close associate”, as all families vary. Some people may have very close extended families, but others will have more distant relations. You should consider the nature of your relationship with the person (e.g. whether they are a close family member or more distant relation). The key test is whether the interest might be objectively regarded by a member of the public, acting reasonably, as potentially affecting your responsibilities as a councillor. It would be a person with whom you are in either regular or irregular contact with over a period of time who is more than an acquaintance. It is someone a reasonable member of the public might think you would be prepared to favour or disadvantage when discussing a matter that affects them. It may be a friend, a colleague, a business associate or someone whom you know through general social contacts. A close associate may also be somebody to whom you are known to show animosity as you might equally be viewed as willing to treat them differently.

What if I am unaware of the interest?

You can only declare an interest in a matter if you are aware of the interest. For example, a sports club of which your father-in-law is a chair may have made an application to the council. You may not be aware that he is the chair, and you are not expected to have to ask about the social affairs of your relatives or acquaintances simply because you are a councillor. However, you would need to declare an interest as soon as you became aware.

A reasonable member of the public would expect you to know of certain interests of course, so it is, for example, reasonable that you would be expected to know your daughter's address or job but not necessarily any shareholdings she might have. While it is therefore your decision as to whether or not to declare an interest, you should always consider how it might seem to a reasonable person and if in doubt always seek advice from the clerk.

Do I always have to withdraw if I have an Other Registerable Interest or a Non-Registerable Interest to declare?

Where you have declared a DPI the Localism Act says you must always withdraw from participation unless you have a dispensation.

If the matter is an ORI or NRI you must always withdraw from participation where the matter directly relates to that interest unless you have a dispensation.

If it is something which affects the financial interest or well-being of that interest you are asked to declare it and the Code then asks you to apply a two-part test before considering whether to participate in any discussion and/or vote:

- Does the matter affect the interest more than it affects the majority of people in the area to which the business relates?

For example, if a major development affects the settlement where your sister lives and your sister would be no more affected than anybody else – for example, she lives at the other end of the settlement rather than next door to the development, the answer would be no. If the answer is yes, you then ask:

- Would a reasonable member of the public knowing all the facts believe that it would affect your judgment of the wider public interest?

This is similar to the test for bias (see guidance on predetermination and bias) and if the answer is yes to that question then you must not take part in the meeting.

Examples

You help to run a food bank and are considering a motion to investigate the causes of poverty. A reasonable member of the public would not think that fact would affect your view of the wider public interest.

You are over 65 and are taking part in a discussion about provisions for older people. You would be more affected than the majority, but a reasonable member of the public would not think that fact would affect your view of the wider public interest.

You are discussing closure of allotments where your brother has a plot. A reasonable member of the public would think that fact would affect your view of the wider public interest because of the direct effect on your brother.

What does 'withdraw from the meeting' mean?

When you withdraw from the meeting that means you must not be present in the room during the discussion or vote on the matter. If the public are allowed to speak at the meeting then you would be granted the same speaking rights as the public and would need to comply with the same rules – for example, giving notice in advance or abiding by time limits. However, unlike the public you would then withdraw once you had spoken.

This would be true at a committee meeting, for example, even if you are not a member of the committee but are simply attending as a member of the public. By staying in the room, even though you are not permitted to speak or vote, it is a long-held doctrine of case law that a councillor may still influence the decision or might gather information which would help in the furtherance of his or her interest. It is therefore in the public interest that a councillor, after having made any representations, should withdraw from the room, and explain why they are withdrawing.

These rules would apply to virtual meetings as they would to physical meetings. For example, after having spoken you should turn off your microphone and camera and may be moved to a 'virtual waiting room' while the item is discussed.

Dispensations

Wherever you have an interest the Code allows you to apply for a dispensation. The Localism Act sets out arrangements for applying for a dispensation where you have a DPI but is silent about dispensations for other types of interest as they are not statutory interests. A similar process should however be set out in your standing orders or Dispensation Policy for ORIs and NRIs.

A dispensation must be applied for in writing to the 'Proper Officer' (the clerk) in good time before the relevant meeting and will be considered according to the council's scheme of delegation for considering a dispensation. The circumstances whereby a dispensation may be granted are where -

- It is considered that without the dispensation the number of persons prohibited from participating in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of the business.
- It is considered that without the dispensation the representation of different political groups on the body transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business.
- That the authority considers that the dispensation is in the interests of persons living in the authority's area.
- That the authority considers that it is otherwise appropriate to grant a dispensation.

What is a 'sensitive interest'?

There are circumstances set out in the Localism Act where you do not need to put an interest on the public register or declare the nature of an interest at a meeting although you would have to declare in general terms that you have an interest. These are so-called 'sensitive interests'.

An interest will be a sensitive interest if the two following conditions apply:

- a) That you have an interest (whether or not a DPI); and
- b) the nature of the interest is such that you and the principal authority's monitoring officer consider that disclosure of the details of the interest could lead to you or a person connected to you being subject to violence or intimidation.

Where it is decided that an interest is a “sensitive interest” you must inform the monitoring officer of the interest so that a record is kept but it will be excluded from published versions of the register. The monitoring officer may state on the register that the councillor has an interest, the details of which are excluded under that particular section.

Where the sensitive interest crops up in a meeting the usual rules relating to declaration will apply except that you will only be required to disclose that you hold an interest in the matter under discussion but do not have to say what that interest is. The Localism Act sets out the scheme where the DPI is a sensitive interest. Your council’s procedures should allow for similar arrangements for other registerable or declarable interests.

For example, if your sister has been subject to domestic violence such that the perpetrator has been served with a Domestic Violence Protection Order you would not be expected to disclose your sister’s address to a meeting.

What do I do if I need advice?

If you are unsure as to whether you have an interest to declare you should always seek advice from the clerk.

The Golden Rule is be safe –seek advice if in doubt before you act.

Bias and Predetermination

Bias and predetermination are not explicitly mentioned in the Code of Conduct. The Code provisions on declarations of interest are about ensuring you do not take decisions where you or those close to you stand to lose or gain improperly (see guidance on declarations of interest)

There is however a separate concept in law dealing with bias and predetermination which exists to ensure that decisions are taken solely in the public interest rather than to further private interests.

Both the courts and legislation recognise that councillors are entitled, and indeed expected, to have and to have expressed their views on a subject to be decided upon by the council. In law, there is no pretence that such democratically accountable decision-makers are intended to be independent and impartial as if they were judges or quasi-judges.

Nonetheless, decisions of public authorities do involve consideration of circumstances where a decision-maker must not act in a way that goes to the appearance of having a closed mind and pre-determining a decision before they have all of the evidence before them and where they have to act fairly. Breaches of the rules of natural justice in these circumstances have and do continue to result in decisions of local authorities being successfully challenged in the courts. These issues are complex, and advice should be sought and given in the various situations that come up, which is why there are no direct paragraphs of the Code covering this, although it does overlap with the rules on declarations of interest.

While declaring interests will to some extent deal with issues of bias, there will still be areas where a formal declaration is not required under the Code, but councillors need to be clear that they are not biased or predetermined going into the decision-making process.

Otherwise the decision is at risk of being challenged on appeal or in the courts. To quote a leading judgment in this field "All councillors elected to serve on local councils have to be scrupulous in their duties, search their consciences and consider carefully the propriety of attending meetings and taking part in decisions which may give rise to an appearance of bias even though their actions are above reproach." ²

The rules against bias say that there are three distinct elements.

The first seeks accuracy in public decision-making.

The second seeks the absence of prejudice or partiality on the part of you as the decision-maker. An accurate decision is more likely to be achieved by a decision-maker who is in fact impartial or disinterested in the outcome of the decision and who puts aside any personal strong feelings they may have had in advance of making the decision.

The third requirement is for public confidence in the decision-making process. Even though the decision-maker may in fact be scrupulously impartial, the appearance of bias can itself call into question the legitimacy of the decision-making process. In general, the rule against bias looks to the appearance or risk of bias rather than bias in fact, in order to ensure that justice should not only be done but should manifestly and undoubtedly be seen to be done.

To varying degrees, these "requirements" might be seen to provide the rationales behind what are generally taken to be three separate rules against bias: "automatic" (or "presumed") bias, "actual" bias, and "apparent" bias.

The rationale behind "automatic" or "presumed" bias appears to be that in certain situations (such as if you have a pecuniary or proprietary interest in the outcome of the proceedings) then it must be presumed that you are incapable of impartiality. Since a motive for bias is thought to be so obvious in such cases, the decisions are not allowed to stand even though no investigation is made into whether the decision-maker was biased in fact. In these circumstances you should not participate in the discussion or vote on the issue. These are covered by the Code's requirement to declare certain interests and withdraw from participation (see guidance on declaration of interests).

A single councillor who is guilty of bias is enough to strike out the whole decision when challenged before the courts. This can cause huge cost and reputational damage for the council yet is seldom due to actual corruption or even consciously favouring a personal interest over the public interest on the part of the councillor involved and may have no repercussions for them personally.

Predetermination

The Localism Act 2011 has enshrined the rules relating to pre-disposition and predetermination into statute. In essence you are not taken to have had, or appeared to have had, a closed mind when making a decision just because you have previously done anything that directly or indirectly indicated what view you may take in relation to a matter and that matter was relevant to the decision.

² Kelton v Wiltshire Council [2015] EWHC 2853 (Admin)

Predetermination at a meeting can be manifested in a number of ways. It is not just about what you might say, for example, but it may be shown by body language, tone of voice or overly-hostile lines of questioning for example.

You are therefore entitled to have a predisposition one way or another as long as you have not pre-determined the outcome. You are able to express an opinion providing that you come to the relevant meeting with an open mind and demonstrate that to the meeting by your behaviour, that you are able to take account of all of the evidence and make your decision on the day.

How can bias or predetermination arise?

The following are some of the potential situations in which predetermination or bias could arise.

Connection with someone affected by a decision

This sort of bias particularly concerns administrative decision-making, where the council must take a decision which involves balancing the interests of people with opposing views. It is based on the belief that the decision-making body cannot make an unbiased decision, or a decision which objectively looks impartial, if a councillor serving on it is closely connected with one of the parties involved.

For example, a principal authority councillor also belongs to a local council that has complained about the conduct of an officer of the principal authority. As a result of the complaint 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.

Contrast this with:

The complaint about the officer described above is made by the local office of a national charity of which the councillor is an ordinary member and is not involved with the local office. The councillor should be able to participate in this situation because the matter is not concerned with the promotion of the interests of the charity.

Improper involvement of someone with an interest in the outcome

This sort of bias involves someone who has, or appears to have, inappropriate influence in the decision being made by someone else. It is inappropriate because they have a vested interest in the decision.

For example, a principal authority receives an application to modify the Definitive Map of public rights of way. A panel of councillors are given delegated authority to make the statutory modification Order. They have a private meeting with local representatives of a footpath organisation before deciding whether the Order should be made. However, they do not give the same opportunity to people with opposing interests.

Prior involvement

This sort of bias arises because someone is being asked to make a decision about an issue which they have previously been involved with. This may be a problem if the second decision is a formal appeal from the first decision, so that someone is hearing an appeal from their own decision. However, if it is just a case of the person in question being

required to reconsider a matter in the light of new evidence or representations, it is unlikely to be unlawful for them to participate.

Commenting before a decision is made

Once a lobby group or advisory body has commented on a matter or application, it is likely that a councillor involved with that body will still be able to take part in making a decision about it. But this is as long as they do not give the appearance of being bound only by the views of that body. If the councillor makes comments which make it clear that they have already made up their mind, they may not take part in the decision.

If the councillor is merely seeking to lobby a public meeting at which the decision is taking place but will not themselves be involved in making the decision, then they are not prevented by the principles of predetermination or bias from doing so. Unlike private lobbying, there is no particular reason why the fact that councillors can address a public meeting in the same way as the public should lead to successful legal challenges.

For example, a council appoints a barrister to hold a public inquiry into an application to register a village green. The barrister produces a report where he recommends that the application is rejected. A councillor attends a meeting in one of the affected wards and says publicly: "speaking for myself I am inclined to go along with the barrister's recommendation". He later participates in the council's decision to accept the barrister's recommendation. At the meeting the supporters of the application are given an opportunity to argue that the recommendation should not be accepted.

This is unlikely to give rise to a successful claim of predetermination or bias. The statement made by the councillor only suggests a predisposition to follow the recommendation of the barrister's report, and not that he has closed his mind to all possibilities. The subsequent conduct of the meeting, where supporters of the application could try and persuade councillors to disagree with the recommendation, would confirm this.

Another example is where a developer entered into negotiations to acquire some surplus council land for an incinerator. Planning permission for the incinerator had already been granted. Following local elections there is a change in the composition and political control of the council. After pressure from new councillors who have campaigned against the incinerator and a full debate, the council's executive decides to end the negotiations. This is on the grounds that the land is needed for housing and employment uses.

The council's decision is unlikely to be found to be biased, so long as the eventual decision was taken on proper grounds and after a full consideration of all the relevant issues.

What do I do if I need advice?

If you are unsure as to whether your views or any action you have previously taken may amount to predetermination you should always seek advice from the clerk

The Golden Rule is be safe –seek advice if in doubt before you act.



HOLME VALLEY PARISH COUNCIL

TRAINING REPORT

Please complete this feedback form and forward to the Clerk either by email or paper copy as soon as possible and within six weeks of the training being completed.

Name of councillor/officer	
Title of training attended	
Training provider	
Date of training	
Main points of training worth feeding back to Council	
Do you recommend this training for other councillors/officers?	
Actions to be taken as a result of the training	

Please pass on a copy of any further resources received at the training to the Clerk for attaching to the evaluation.

Completed training reports for Councillors will be noted at a meeting of the FULL COUNCIL.

Training reports for officers will be received by the STAFFING COMMITTEE.

A statement regarding training received across the year will be received at the ANNUAL COUNCIL

Received by Clerk: _____

Noted at FULL COUNCIL/STAFFING COMMITTEE on: _____

MEETING held in May each year.

THE REPORT OF A GRANTS WORKING GROUP

July 2024

MEMBERS OF THE GROUP

Cllr Pat Colling, Chair

Cllr Mary Blacka

Cllr Jenny Holmes

Cllr Glenn Kirkby

Deputy Clerk Rich McGill

1. BACKGROUND AND OBJECTIVES

A working group reported in January 2023 and made numerous recommendations to reduce time and work for officers, committee members and, most importantly, the public. These recommendations were approved and adopted by Holme Valley Parish Council in December 2023.

Although the processes were slimmed-down and working was easier, unanticipated grey areas kept occurring and this working group was formed to clarify and provide further guidelines and principles.

2. SCOPE

The group agreed the following areas for scrutiny.

- Priorities for grant funding
- Application and report forms
- Exclusion criteria and processes
- Criteria for rolling grants

3. RECOMMENDATIONS

3.1 Priorities for grant funding

In line with HVPC's agreed objectives grants to be prioritised should:

- Promote social engagement
- Benefit those in greatest need
- Protect the social and physical environment
- Respect and improve the natural environment and biodiversity
- Protect and enhance the local heritage
- Address the Climate Emergency
- Support tourism and festivals

Some of these will be difficult to evaluate but proposed actions and some assessment of the impact in these areas will be required.

3.2 Application and assessment forms

See accompanying PDFs

3.3 Selection processes and criteria

Some applications will not match HVPC's objectives and priorities and are less likely to be considered. To save the time of applicants and councillors some probable exemptions are listed below.

There will be occasions when the funds available will not be sufficient to fulfil all applications. It is not always appropriate simply to reduce the amount given to each application. Where it is necessary to choose between applications the council's priorities should be considered and the examples below are useful guidelines.

These are guidelines only, we need to retain the flexibility to respond to community needs.

3.3.1 Grounds for possible rejection

3.3.1.i. Groups which could reasonably have been expected to obtain funding from another, perhaps more appropriate, source

3.3.1.ii. Groups which have previously received grants and have not submitted a Grant Evaluation Form

3.3.1.iii. Places of worship/religious bodies where the activity is for the furtherance of a religion or religious activity.

- HVPC will consider grant applications from groups who use church property for their activities and who need equipment, but not for improvements to the property itself.

3.3.1.iv. Schools and other Public Sector bodies

- HVPC will not usually award grants for items and activities previously provided by statutory bodies such as the Education Authority or the NHS.
- This would apply to capital investment, extra-curricular activities such as school trips, and projects/activities which benefit only the school and its children.
- Exceptions to this would be projects which benefit the wider community – for instance a school improving a garden for use by the whole neighbourhood - would be considered.

3.3.1.v. Individuals, or individuals within a group, e.g., one or two scouts from a local group going to an international jamboree.

This is recognised as difficult to define precisely, but the cause should benefit a reasonably-sized group of valley residents. Our aim is that the grants we agree should benefit as many people as possible.

3.3.1.vi. Fundraising.

Any costs of fundraising events even if the ultimate beneficiary is a local individual or organisation. Supporting fundraising activities would amount to HVPC underwriting the event without having any control of whether the beneficiaries fulfil its criteria.

3.3.1.vii. Projects where most of the costs requested in the application would go only to beneficiaries living outside of the HVPC area. Projects or activities which include, but spread beyond, the valley will be judged on their merits

3.3.1.viii. Limits on sports clubs, bands etc.

- Basic equipment which benefits only the members will not usually be considered
- Items/projects/activities which would benefit the wider community would be considered.

3.3.1.ix. Community Interest Companies and similar groups.

C.I.C.s vary considerably and, while most will qualify, not all will be considered.

- CICs which are run only by the paid workers themselves would probably be excluded

- Only those with a constitution or Aims and Objectives document and volunteer directors/a committee/board of trustees/management board will be considered
- CICs which hold money for volunteer-led projects could be considered

3.3.2. Processes

- A grants policy is needed so that inadmissible applications can be eliminated before they reach Committees
- These can be eliminated soon after the last date for submissions by a Screening Group comprising the Chair, Appropriate Clerk and at least one other councillor.
- Grant Evaluation Reports will be published on the HVPC web site.

3.4. Rolling grants

These will reduce administration time, enable the council to make more accurate and more timely forecasts of expenditure and will help us work towards our stated intention of creating 3-year plans

3.4.i. Rolling grants can be considered for any Community Asset or Project/Event.

3.4.ii Rolling grants can be considered by Finance & Management or Service Provision Committees.

3.4.ii. The process

- Initial applications to be made through the normal grant process.
- Where the application has been made for the same amount for 2 consecutive years, an annual rolling grant should be considered.
- Once approved by the appropriate Council Committee, a rolling grant form should be completed, and will be honoured for the term of the current Council.
- Groups must complete a brief application each year with an updated financial statement and accounts information for the continuance of their rolling grant.

Applying for a Parish Council Grant

Awarding grants is one of the key ways in which the Parish Council can help the community. We want to give grants that are in line with the Parish Council's stated objectives. So please read these guidelines before completing your application. But if you'd like help or advice about grants, the Parish Council Clerking Team will be happy to help.

WHEN TO APPLY

- Grant applications are considered twice yearly in September and February. Closing dates for applications are 31st August and 31st January.
- In an emergency, an application can be submitted outside of that cycle.

WHO CAN APPLY

Voluntary groups and societies, clubs, not-for-profit organisations and charities operating in the Holme Valley where the benefit will be for some or all of residents of the Holme Valley.

Community Interest Companies (CICs) or similar

- CICs vary considerably and not all CICs will be considered
- Local projects, rooted in the community, run by volunteers, doing something for local people are encouraged to apply for grants.
- CICs which hold money for volunteer-led projects could be considered.
- Only CICs with a constitution or Aims and Objectives document will be considered
- Only companies and groups with volunteer directors or with a committee/board of trustees/management board will be considered.
- CICs which are run only by the paid workers themselves would probably be excluded.

CRITERIA

- The grant must meet the needs of the community and be of positive benefit.
- The applicant must be financially sustainable.
- The applicant must provide appropriate and realistic costing.
- The group/organisation must be able to use the grant effectively

PRIORITIES

- Promote social engagement
- Benefit those in greatest need.
- Address the Climate Emergency
- Respect and improve the natural environment and biodiversity
- Protect the social and physical environment
- Protect and enhance the local heritage
- Promote prosperity through tourism and festivals

EXCLUSIONS

We want to be able to respond to the needs of the community but there are some exclusions that guide our decisions

1. Places of worship/religious bodies where the activity is for the furtherance of a religion or religious activity.
 - HVPC will consider grant applications from groups who use church property for their activities and who need equipment, but not for improvements to the property itself. So, for instance, a craft group could apply for funding for a loom, but not for a new window.
2. Schools and other Public Sector bodies
 - HVPC will not award grants for items and activities previously provided by statutory bodies such as the Education Authority or the NHS. This would apply to the bodies themselves, e.g., a school, or supporters e.g., 'friends' groups or PTAs. This would apply to capital investment, or extra-curricular activities. Examples include:
 - Activities/projects previously provided by statutory funds.
 - Trips.
 - Projects/activities which benefit only the school and its children and not the wider community. HOWEVER, if a school was, for instance, improving a garden for use by the whole neighbourhood, this will be considered.
3. Individuals, or individuals within a group, e.g., one or two scouts from a local group going to an international jamboree. This is recognised as difficult to define precisely, but the cause must benefit a reasonably sized group of valley residents. Our aim is that the grants we agree should benefit as many people as possible.
4. Groups who have previously received grants but have failed to submit evidence of how the grant was used.
5. Groups that could reasonably have been expected to obtain funding from another more appropriate source.

ACTIVITIES THAT WOULD NOT BE CONSIDERED

1. Fundraising. Any costs of fundraising events even if the ultimate beneficiary is a local individual or organisation. This could be a charity fund raiser events like black tie balls or local marathons. Funding these would amount to HVPC underwriting the event without having any control of whether the beneficiaries fulfil its criteria.
2. Projects where most of the beneficiaries are outside of the Holme Valley. Activities which spread beyond the valley will be judged on their merits
3. Basic equipment for sports clubs / bands etc. Items which would benefit the wider community could be considered. So, for instance, instruments would be excluded but grants for trainer instruments for younger members, or improvements to club facilities used by non-members could be awarded

ROLLING ANNUAL GRANTS

Some applications will be considered for Rolling Annual Grants.

- Rolling grants can be considered by Finance & Management or Service Provision Committees.
- Rolling grants can be considered for any Community Asset or Community Benefit project or event.

Rolling Grants Process

- Initial applications will be made through the normal grant process.
- Where the application has been made for the same amount for 2 consecutive years, a rolling annual grant should be considered.
- If a similar grant has been applied for twice yearly and approved, i.e. 4 applications over the 2 consecutive years. The rolling grant should be only considered annually.
- If a grant for a project/event has been made for 2 years, but the budget spend is for slightly different items, a rolling grant form can still be considered.
- Once approved by the appropriate Council Committee, a rolling grant form, should be completed, and will be honoured for the term of the current Council.
- Groups will need to complete a brief application each year with an updated Financial Statement and appropriate Accounts.

All recipients of grants will be expected to supply receipts and finally submit a Grant Evaluation Report.

If you require any further guidance on completing the application form, the Parish Council Clerk or Deputy Clerk/RFO will be happy to help.

clerk@holmevalleyparishcouncil.gov.uk

deputyclerk@holmevalleyparishcouncil.gov.uk

Tel: 01484 684670

Holme Valley Parish Council

The Civic, Huddersfield Road, Holmfirth HD9 3AS

Email: clerk@holmevalleyparishcouncil.gov.uk

Tel: 01484 687460



Grant Application Form

Please complete and return to the clerk by email or post as above.

Grants are awarded in September and February. Your application must be submitted by the end of August to be considered in September and the end of January to be considered in February.

There is an explanation of the types of grants available in Section 6, p4.

In under 20 words, tell us what the grant would pay for?

1 Contact Details	
Name of organisation	
Address	
Postcode	
Contact person	
Position in group	
Correspondence address	
Postcode	
Daytime phone	
Evening phone	
Email	

2 About your organisation

What sort of group are you? - put an 'x' in the box	<ul style="list-style-type: none"> • Unregistered community group <input style="float: right;" type="checkbox"/> • Registered charity <input style="float: right;" type="checkbox"/> • Other (please state) <input style="float: right;" type="checkbox"/> <p style="margin-left: 20px;">➤</p>										
Charity Registration No	If applicable										
When did the group start?											
How many people are involved in running your group?	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%; text-align: right;">Trustees</td> <td style="width: 20%;"></td> </tr> <tr> <td style="text-align: right;">Unpaid Management Committee</td> <td></td> </tr> <tr> <td style="text-align: right;">Paid F/T Staff</td> <td></td> </tr> <tr> <td style="text-align: right;">Paid P/T Staff</td> <td></td> </tr> <tr> <td style="text-align: right;">Volunteers (excluding Management Committee)</td> <td></td> </tr> </table>	Trustees		Unpaid Management Committee		Paid F/T Staff		Paid P/T Staff		Volunteers (excluding Management Committee)	
Trustees											
Unpaid Management Committee											
Paid F/T Staff											
Paid P/T Staff											
Volunteers (excluding Management Committee)											

3 Your Finances (your last full financial year)

Financial Year	
Income	
Expenditure	
Reserves held	
Describe the position of any reserves ie how much is held against contingencies and whether any is earmarked for specific projects	

4 Your Bank Account

If your group does not have its own bank account, are you planning to use the bank account of another organisation with its permission? (Delete as needed)	YES	NOT APPLICABLE
---	-----	----------------

Account Name	
Sort Code	
Account Number	

5

Your Project

Outline the project that you are seeking a grant for (Maximum 500 words)

Why do you feel your project is worthwhile? (Maximum 500 words)

How will your project benefit the people of the Holme Valley? (Maximum 200 words)

The Parish Council can only give out grants that directly benefit the people of the Holme Valley

Who in the Holme Valley will benefit? How many people will benefit? (Maximum 200 words)

- ◆ the general population, ◆ children under 16, ◆ young people under 25, ◆ older people over 60,
- ◆ disabled people, ◆ people of minority ethnic origin, ◆ particular groups, ◆ other

How will your project address the ongoing climate emergency? (Maximum 200 words)

Grant 1: Assets Grants

- This grant applies to "built" public amenities such as a community hall, band-room, clubhouse, park or outdoor space in community ownership. It includes the Parish Council's own buildings. This grant might pay for repairs, renovations, or new developments to these locations. In very special circumstances, other expenditure of a community asset may be funded from this budget line.
- Maximum award is £5,000.

**Grant 2: Projects, Events and Other Activities Grants**

- This applies to all other grants. Applicants from community groups could apply for funding support for one-off events like festivals, for short-term projects, for equipment and resources and anything else which may benefit the people and community of the Holme Valley.
- Maximum award is £1,500.



- **If you are unsure about which grant to apply for, please contact the Parish Council on 01484 687460 or email: clerk@holmevalleyparishcouncil.gov.uk**
- **The Parish Council can award more money than the maximum award in very special circumstances.**

7

Your Project Budget Plan

Item	Cost	Where will the funding come from? - <small>reserves, fundraising, donations, other grant awards or Holme Valley PC</small>	Amount requested from the Parish Council
Project Total Cost		Total amount requested from HVPC	

Has the group applied elsewhere for other grants to fund this project? *If yes, please give details.*

Has the group received a grant from the Parish Council in the last five years?	YES / NO Please give details
---	-------------------------------------

8 Documentation

Please ensure you enclose the following with your application:

1. This Application form	YES
2. Your constitution or group rules (if you have them, if not please describe your management structure on a separate sheet)	YES NO N/A
3. Last 3 years accounts (if you have them)	YES NO N/A
4. Copy of bank statements for the last 6 months	YES NO N/A
5. Copies of written estimates/quotations for capital purchases (if relevant)	YES NO N/A
6. A business plan (only for applications over £5,000) or a one-year action plan (for applications over £2,000)	YES NO N/A
7. Anything else: -	YES NO N/A

9 Declaration

- I am authorised to make the application on behalf of the above organisation.
- I have read and noted the Council’s criteria relating to this application and agree to abide by the conditions listed if a grant is awarded.
- I have filled in every section of the application form.
- I certify that the information contained in this application is correct.
- If the information in the application changes, I will inform the Council.
- I give permission for the Council to record the details of my group electronically and to contact us by phone, mail or email regarding this application.
- If the application is successful, I give permission for the Council to publicise the project in the local media and on its website.
- I agree to provide a report, including photographs, to the Council, indicating how the grant awarded has been spent, within two months of completion.

This declaration must be signed by an authorised person, eg Committee Member, Office Holder or Trustee.

Name	
Signature	
Position in organisation	
Date	

Send the completed application form, together with all supporting documentation, preferably in PDF format to: clerk@holmevalleyparishcouncil.gov

Alternatively, you can send the paperwork to: Holme Valley Parish Council, The Civic, Huddersfield Road, Holmfirth, HD9 3AS.

Holme Valley Parish Council

The Civic, Huddersfield Road, Holmfirth HD9 3AS

Email: clerk@holmevalleyparishcouncil.gov.uk

Tel: 01484 687460



Grant Evaluation

- The Parish Council likes to hear how community groups have used the money awarded to them
- As the money awarded is public money, we also need to make sure that the money has been spent appropriately and as agreed

Name of Organisation	
Amount of award	£
Purpose for which the grant was awarded (Maximum 20 words)	

The Story of Your Project

- *Tell us what you did with the money awarded to you (Maximum 500 words)*
- *Attach a few photos*

The Story of Your Project contd.

What you achieved

What were the benefits of your project?
(Maximum 500 words)

Who benefited from the project?
(Maximum 200 words)

How many people benefited?
(Maximum 200 words)

Was the project inclusive?
How were marginalised groups (elderly, disabled, young people etc) able to participate?

Reflecting on climate change, did the project address any aspects of the climate emergency? How?

Did you achieve what you were trying to do?
(Maximum 200 words)

Finance and Expenditure

We ask groups to retain their receipts and invoices, and to keep a record of what they've spent for auditing purposes

	Grant awarded	£
--	----------------------	---

Date	Description of expenditure (use another sheet if necessary)	Amount
		£
		£
		£
		£
		£
		£
		£
		£
		£
		£
		£
	Total expenditure	£
	Amount of grant remaining (if any)	£

Any amount of the award unspent may have to be returned to the Parish Council

Person completing this form		Date	
Position in organisation			

Send the completed application form, together with all supporting documentation, preferably in PDF format to: clerk@holmevalleyparishcouncil.gov.uk

Alternatively, you can send the paperwork to: Holme Valley Parish Council, The Civic, Huddersfield Road, Holmfirth, HD9 3AS.

Have you considered inviting a Member of the Parish Council to come and see your project and how your grant money has been spent? Why not give the Parish Council a ring and arrange a visit 01484 687460?

HOLME VALLEY PARISH **DRAFT** FINANCIAL REGULATIONS¹

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¹ This was the first new model Financial Regulations produced by NALC in over 5 years, and has some significant and modernising changes from the previous version.

In preparing this draft Financial Regulations the working group endeavoured to:

- protect the Parish Council from fraud and risk
- make the approval of expenditure and payments easier than currently (whilst managing financial risk)
- give Council and its Committees improved facility to manage its ongoing projects and funds
- safeguard officers from having to use their own funds; and
- reflect the actual financial processes and practices of the Parish Council.

Text highlighted in **yellow** is where the working group has had to make a decision on the text to adopt but, essentially, has just adopted the text suggested in the model Financial Regulations. Sections highlighted in yellow should not be especially controversial. Text highlighted in **pink** represent a more significant change that the working group wished to flag up to Council as the change is likely to be more notable with some attendant potential benefits and risks to the Parish Council.

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These Financial Regulations were adopted by the council at its meeting held on [enter date].

1. General

- 1.1. These Financial Regulations govern the financial management of the council and may only be amended or varied by resolution of the council. They are one of the council's governing documents and shall be observed in conjunction with the council's Standing Orders.
- 1.2. Councillors are expected to follow these regulations and not to entice employees to breach them. Failure to follow these regulations brings the office of councillor into disrepute.
- 1.3. Wilful breach of these regulations by an employee may result in disciplinary proceedings.
- 1.4. In these Financial Regulations:
 - 'Accounts and Audit Regulations' means the regulations issued under Sections 32, 43(2) and 46 of the Local Audit and Accountability Act 2014, or any superseding legislation, and then in force, unless otherwise specified.
 - "Approve" refers to an online action, allowing an electronic transaction to take place.
 - "Authorise" refers to a decision by the council, or a committee or an officer, to allow something to happen.
 - 'Proper practices' means those set out in *The Practitioners' Guide*
 - *Practitioners' Guide* refers to the guide issued by the Joint Panel on Accountability and Governance (JPAG) and published by NALC in England or Governance and Accountability for Local Councils in Wales – A Practitioners Guide jointly published by One Voice Wales and the Society of Local Council Clerks in Wales.
 - 'Must' and **bold text** refer to a statutory obligation the council cannot change.
 - 'Shall' refers to a non-statutory instruction by the council to its members and staff.
- 1.5. The Responsible Financial Officer (RFO) holds a statutory office, appointed by the council. ~~The Clerk has been appointed as RFO and these regulations apply accordingly. DELETE~~ The RFO;
 - acts under the policy direction of the council;
 - administers the council's financial affairs in accordance with all Acts, Regulations and proper practices;
 - determines on behalf of the council its accounting records and control systems;
 - ensures the accounting control systems are observed;
 - ensures the accounting records are kept up to date;
 - seeks economy, efficiency and effectiveness in the use of council resources; and
 - produces financial management information as required by the council.

1.6. **The council must not delegate any decision regarding:**

- **setting the final budget or the precept (council tax requirement);**
- **the outcome of a review of the effectiveness of its internal controls**
- **approving accounting statements;**
- **approving an annual governance statement;**
- **borrowing;**
- **declaring eligibility for the General Power of Competence; and**
- **addressing recommendations from the internal or external auditors²**

1.7. In addition, the council shall:

- determine and regularly review the bank mandate for all council bank accounts;
- authorise any grant or single commitment in excess of **£10,000³**; and

2. Risk management and internal control

2.1. **The council must ensure that it has a sound system of internal control, which delivers effective financial, operational and risk management.**

2.2. The Clerk **with the RFO** shall prepare, for approval by the council, a risk management policy covering all activities of the council. This policy and consequential risk management arrangements shall be reviewed by the council at least annually.

2.3. When considering any new activity, the Clerk **with the RFO** shall prepare a draft risk assessment including risk management proposals for consideration by the council.

2.4. **At least once a year, the council must review the effectiveness of its system of internal control, before approving the Annual Governance Statement.**

2.5. **The accounting control systems determined by the RFO must include measures to:**

- **ensure that risk is appropriately managed;**
- **ensure the prompt, accurate recording of financial transactions;**
- **prevent and detect inaccuracy or fraud; and**
- **allow the reconstitution of any lost records;**

² As in Regulation 1.4, any text in **bold** is a legal requirement and cannot be amended. Any other body text could be amended as the Council sees fit for its purposes.

³ This **pink** highlighted text reflects the proposed amendment further on in the document, that Committees can approve single commitment expenditure up to £10,000, - an increase from the current £5,000. This would give committees more freedom to make quicker decisions on expenditure on projects. The working group members debated on increasing this to £7,500 or £10,000, and this is open to deliberation. The negative aspect of this may be giving committees and its members or small groups of members thereof too much influence on financial decision-making of significant amounts of money.

- identify the duties of officers dealing with transactions and
- ensure division of responsibilities.

2.6. At least once in each quarter, and at each financial year end, a member of the Finance and Management Committee other than the Chair or a cheque signatory shall be appointed to verify bank reconciliations (for all accounts) produced by the RFO. The member shall sign and date the reconciliations and the original bank statements (or similar document) as evidence of this. This activity, including any exceptions, shall be reported to and noted by the Finance and Management Committee.⁴

2.7. Regular back-up copies shall be made of the records on any council computer and stored either online or in a separate location from the computer. The council shall put measures in place to ensure that the ability to access any council computer is not lost if an employee leaves or is incapacitated for any reason.⁵

3. Accounts and audit

3.1. All accounting procedures and financial records of the council shall be determined by the RFO in accordance with the Accounts and Audit Regulations.

3.2. **The accounting records determined by the RFO must be sufficient to explain the council's transactions and to disclose its financial position with reasonable accuracy at any time. In particular, they must contain:**

- day-to-day entries of all sums of money received and expended by the council and the matters to which they relate;
- a record of the assets and liabilities of the council;

3.3. The accounting records shall be designed to facilitate the efficient preparation of the accounting statements in the Annual **Governance and Accountability** Return.

3.4. The RFO shall complete and certify the annual Accounting Statements of the council contained in the Annual **Governance and Accountability** Return in accordance with proper practices, as soon as practicable after the end of the financial year. Having certified the Accounting Statements, the RFO shall submit them (with any related documents) to the council, within the timescales required by the Accounts and Audit Regulations.

3.5. **The council must ensure that there is an adequate and effective system of internal audit of its accounting records and internal control system in accordance with proper practices.**

⁴ This is what Cllr Liles currently undertakes as the Internal Control Checker through the Finance Committee and is different and more detailed from the process of approving bank reconciliations in the Finance Committee.

⁵ All Parish Council files are kept on a cloud (Dropbox). Dropbox has their own backup servers. We do not currently backup all our files to a secondary, physical, external drive. One could be purchased. The current size of HVPC's filing system on Dropbox is 113GB. An external drive of a suitable size would cost less than £100.

- 3.6. **Any officer or member of the council must make available such documents and records as the internal or external auditor consider necessary for the purpose of the audit** and shall, as directed by the council, supply the RFO, internal auditor, or external auditor with such information and explanation as the council considers necessary.
- 3.7. The internal auditor shall be appointed by **the council** and shall carry out their work to evaluate the effectiveness of the council's risk management, control and governance processes in accordance with proper practices specified in the Practitioners' Guide.
- 3.8. The council shall ensure that the internal auditor:
- is competent and independent of the financial operations of the council;
 - reports to council in writing, or in person, on a regular basis with a minimum of one written report during each financial year;
 - can demonstrate competence, objectivity and independence, free from any actual or perceived conflicts of interest, including those arising from family relationships; and
 - has no involvement in the management or control of the council
- 3.9. Internal or external auditors may not under any circumstances:
- perform any operational duties for the council;
 - initiate or approve accounting transactions;
 - provide financial, legal or other advice including in relation to any future transactions; or
 - direct the activities of any council employee, except to the extent that such employees have been appropriately assigned to assist the internal auditor.
- 3.10. For the avoidance of doubt, in relation to internal audit the terms 'independent' and 'independence' shall have the same meaning as described in The Practitioners Guide.
- 3.11. The RFO shall make arrangements for the exercise of electors' rights in relation to the accounts, including the opportunity to inspect the accounts, books, and vouchers and display or publish any notices and documents required by the Local Audit and Accountability Act 2014, or any superseding legislation, and the Accounts and Audit Regulations.
- 3.12. The RFO shall, without undue delay, bring to the attention of all councillors any correspondence or report from internal or external auditors.

4. Budget and precept

- 4.1. **Before setting a precept, the council must calculate its council tax requirement for each financial year by preparing and approving a budget, in accordance with The Local Government Finance Act 1992 or succeeding legislation.**

- 4.2. Budgets for salaries and wages, including employer contributions shall be reviewed by the **Staffing Committee** at least annually in **October** for the following financial year and the final version shall be evidenced by a hard copy schedule signed by the Clerk and the **Chair of the Staffing Committee**.
- 4.3. No later than **December** each year, the RFO shall prepare a draft budget with detailed estimates of all **income and expenditure** for the following financial year **along with a forecast for the following three financial years**⁶, taking account of the lifespan of assets and cost implications of repair or replacement.
- 4.4. Unspent budgets for completed projects shall not be carried forward to a subsequent year. **Unspent funds for partially completed projects may only be carried forward (by placing them in an earmarked reserve) with the formal approval of the full council.**⁷
- 4.5. Each committee (if any) shall review its draft budget and submit any proposed amendments to the **Finance and Management Committee** not later than the end of **November** each year.
- 4.6. The draft budget **with any committee proposals and three-year forecast**, including any recommendations for the use or accumulation of reserves, shall be considered by the **Finance and Management Committee** and a recommendation made to the council.
- 4.7. Having considered the proposed budget and [three-year] forecast, the council shall determine its **council tax** requirement by setting a budget. The council shall set a precept for this amount no later than **the end of February** for the ensuing financial year.
- 4.8. Any member with council tax unpaid for more than two months is prohibited from voting on the budget or precept by Section 106 of the Local Government Finance Act 1992 and must and must disclose at the start of the meeting that Section 106 applies to them.**⁸

⁶ Given that this Parish Council had a target of longer-term planning, we have retained this regulation for a 3-year plan. This may be based on the multi-year plans of Committees, as well as potentially a built-in inflationary element. This is the responsibility of the RFO but with input from Committees.

⁷ The new model Financial Regulations is more prescriptive on rolling unspent money from a budget into an earmarked reserve than those previously. In recent years, Council has allowed Committees to roll all unspent money from its budget lines into an earmarked reserve. But the new, model Financial Regulations do not allow this and the only unspent money that could be rolled into an earmarked reserve is when a specified project has only partially been completed. So, for example, if a Committee had a budget line for an update of the website but the update didn't happen in time, that money could be moved to an earmarked reserve Website since the project was ongoing but incomplete. But any money unspent on a more non-specific, non-project-focused budget line like, say, "Office Equipment" could not be rolled over. If, though, within that budget line a specific purchase of office equipment was identified in Committee minutes as a project-target, that could be rolled over.

⁸ This is something we haven't done, so it will be part of the agenda and process of any meeting where voting takes place on a budget for Committees or full Council.

4.9. The RFO shall **issue the precept to the billing authority no later than the end of February** and supply each member with a copy of the agreed annual budget.⁹

4.10. The agreed budget provides a basis for monitoring progress during the year by comparing actual spending and income against what was planned.

4.11. **Any creation of an earmarked reserve, or addition to an earmarked reserve from general reserves shall only be agreed by the council.**¹⁰ **Any expenditure from an earmarked reserve shall be agreed by the council or relevant committee up to £10,000 net of VAT.**¹¹

5. Procurement

5.1. **Members and officers are responsible for obtaining value for money at all times.** Any officer procuring goods, services or works should ensure, as far as practicable, that the best available terms are obtained, usually by obtaining prices from several suppliers.

5.2. The RFO should verify the lawful nature of any proposed purchase before it is made and in the case of new or infrequent purchases, should ensure that the legal power being used is reported to the meeting at which the order is authorised and also recorded in the minutes.

5.3. Every contract shall comply with these the council's Standing Orders and these Financial Regulations and no exceptions shall be made, except in an emergency.

5.4. **For a contract for the supply of goods, services or works where the estimated value will exceed the thresholds set by Parliament, the full requirements of The Public Contracts Regulations 2015 or any superseding legislation (“the Legislation”), must be followed in respect of the tendering, award and notification of that contract.**

5.5. Where the estimated value is below the Government threshold, the council shall (with the exception of items listed in paragraph 6.12) obtain prices as follows:

5.6. **For contracts estimated to exceed £60,000 including VAT, the Clerk shall seek formal tenders from at least three suppliers agreed by the council OR advertise an open invitation for tenders in compliance with any relevant provisions of the Legislation. Tenders shall be invited in accordance with Appendix 1.**

5.7. **For contracts estimated to be over £30,000 including VAT, the council must comply with any requirements of the Legislation¹² regarding the advertising of**

⁹ Previously, the Clerk has done this but the new, model Regulations say it should be the RFO.

¹⁰ Only Council can set up an earmarked reserve or move money from general reserves to an earmarked reserve.

¹¹ This is a significant change. Currently, only Council can agree to spend money from earmarked reserves. This amendment to the regulation would give Committees the power to spend from their earmarked reserves, to disestablish their earmarked reserves, or move money between earmarked reserves under their remit. The £10,000 limit matches Regulation 1.7.

¹² *The Regulations require councils to use the Contracts Finder website if they advertise contract opportunities and also to publicise the award of contracts over £30,000 including VAT, regardless of whether they were advertised. [NB This is a NALC footnote.]*

contract opportunities and the publication of notices about the award of contracts.

- 5.8. For contracts greater than £3,000 excluding VAT the Clerk or RFO shall seek at least 3 fixed-price quotes;
- 5.9. where the value is between £500 and £3,000 excluding VAT, the Clerk or RFO shall try to obtain 3 estimates which might include evidence of online prices, or recent prices from regular suppliers.
- 5.10. For smaller purchases, officers shall seek to achieve value for money.
- 5.11. **Contracts must not be split into smaller lots to avoid compliance with these rules.**
- 5.12. The requirement to obtain competitive prices in these regulations need not apply to contracts that relate to items (i) to (iv) below:
- i. specialist services, such as legal professionals acting in disputes;
 - ii. repairs to, or parts for, existing machinery or equipment;
 - iii. works, goods or services that constitute an extension of an existing contract;
 - iv. goods or services that are only available from one supplier or are sold at a fixed price.
- 5.13. When applications are made to waive this financial regulation to enable a price to be negotiated without competition, the reason should be set out in a recommendation to the council {or relevant committee}. Avoidance of competition is not a valid reason.
- 5.14. The council shall not be obliged to accept the lowest or any tender, quote or estimate.
- 5.15. Individual purchases within an agreed budget for that type of expenditure may be authorised by:
- the Clerk, under delegated authority, for any items below £500 excluding VAT.¹³
 - the Clerk, in consultation with the Chair of the Council or Chair of the appropriate committee, for any items below £2,000 excluding VAT.¹⁴
 - a duly delegated committee of the council for all items of expenditure within their delegated budgets for items under £10,000 excluding VAT.¹⁵
 - in respect of grants, the Finance and Management Committee, the Service Provision Committee, or council itself within any limits set by council and in accordance with any policy statement agreed by the council.¹⁶

¹³ This means that the Clerk can issue a Purchase Order to commission work or make a purchase of supplies.

¹⁴ This means that the Clerk in consultation with a Chair can issue a Purchase Order to commission work or make a purchase of supplies.

¹⁵ This is in line with Regulations 1.7 and 4.11.

¹⁶ Currently, £5,000 for Community Assets and £1,500 for Projects, Events etc.

- the council for all items over £10,000.¹⁷

Such authorisation must be supported by a minute (in the case of council or committee decisions) or other auditable evidence trail.

- 5.16. No individual member, or informal group of members may issue an official order {unless instructed to do so in advance by a resolution of the council} or make any contract on behalf of the council.
- 5.17. No expenditure may be authorised that will exceed the budget for that type of expenditure other than by resolution of the council {or a duly delegated committee acting within its Terms of Reference} except in an emergency.
- 5.18. In cases of serious risk to the delivery of council services or to public safety on council premises, the clerk may authorise expenditure of up to £2,000 excluding VAT on repair, replacement or other work that in their judgement is necessary, whether or not there is any budget for such expenditure. The Clerk shall report such action to the Chair as soon as possible and to [the council] as soon as practicable thereafter.
- 5.19. No expenditure shall be authorised, no contract entered into or tender accepted in relation to any major project, unless [the council] is satisfied that the necessary funds are available and that where a loan is required, Government borrowing approval has been obtained first.
- 5.20. An official order or letter shall be issued for all work, goods and services above £250 excluding VAT unless a formal contract is to be prepared, or an official order would be inappropriate. Copies of orders shall be retained, along with evidence of receipt of goods.
- 5.21. Any ordering system can be misused and access to them shall be controlled by the RFO.

6. Banking and payments

- 6.1. The council's banking arrangements, including the bank mandate, shall be made by the RFO and authorised by the council; banking arrangements shall not be delegated to a committee. The council has resolved to bank with Unity Trust bank for its main, working bank account. The arrangements shall be reviewed annually for security and efficiency.
- 6.2. The council must have safe and efficient arrangements for making payments, to safeguard against the possibility of fraud or error. Wherever possible, more than one person should be involved in any payment, for example by dual online authorisation or dual cheque signing. Even where a purchase has been authorised, the payment must also be authorised, and only authorised payments shall be approved or signed to allow the funds to leave the council's bank.
- 6.3. All invoices for payment should be examined for arithmetical accuracy, analysed to the appropriate expenditure heading and verified to confirm that the work, goods or

¹⁷ This is in line with Regulations 1.7 and 4.11.

services were received, checked and represent expenditure previously authorised by the council before being certified **by the RFO**.

- 6.4. Personal payments (including salaries, wages, expenses and any payment made in relation to the termination of employment) may be summarised to avoid disclosing any personal information.
- 6.5. All payments shall be made by online banking or cheque, in accordance with a resolution of the council, or duly delegated committee, or a delegated decision by an officer, unless the council resolves to use a different payment method.
- 6.6. For each financial year the RFO may draw up a schedule of regular payments due in relation to a continuing contract or obligation (such as Salaries, PAYE, National Insurance, pension contributions, rent, rates, regular maintenance contracts and similar items), which the council or the Finance and Management Committee may authorise in advance for the year.
- 6.7. ~~A copy of this schedule of regular payments shall be signed by [two members] on each and every occasion when payment is made to reduce the risk of duplicate payments.~~¹⁸ Delete this.
- 6.8. A list of such payments shall be reported to the next appropriate meeting of the council or Finance and Management Committee for information only.
- 6.9. The Clerk and RFO shall have delegated authority to authorise payments only in the following circumstances:
- i. any payments of up to £500 excluding VAT, within an agreed budget.¹⁹
 - ii. payments of up to £2,000 excluding VAT in cases of serious risk to the delivery of council services or to public safety on council premises.
 - iii. any payment necessary to avoid a charge under the Late Payment of Commercial Debts (Interest) Act 1998 or to comply with contractual terms, where the due date for payment is before the next scheduled meeting of the council or Finance and Management Committee, where the Clerk and RFO certify that there is no dispute or other reason to delay payment, provided that

¹⁸ This seems very unwieldy and it is not clear how the Regulation would in fact reduce the risk of duplicate payments.

¹⁹ This is a significant change, and should give the Council and its Committees and its Officers working on behalf of Council and Committees greater latitude to approve payments. Until now, Officers have not been able to authorise payments meaning that sometimes out-of-the-ordinary payments may on occasion not be able to be paid for several months if there is no meeting of Council or Finance to approve them. Under this amendment, the Clerk and RFO could authorise payments up to £500. That is, that the Clerk or RFO is authorised, for example, to pay a bill like, say, an online subscription such as Dropbox or Microsoft 365, using a Unity Trust Multipay Card. The Multipay Card would have a transaction and weekly limit to minimise opportunities for fraud. The Clerk or RFO could also authorise online payments and set up a payment to be paid through Unity Trust. Until now an out of the ordinary payment could only be authorised by Council or the Finance Committee. Such an online payment will still need two mandated Councillors to log on and approve the payment to trigger the actual exchange of cash money. As Unity Trust is set up, only Officers (the Clerk, the RFO, the Assistant Clerk) can set up online payments, and only mandated Councillors (Council Chair and Committee Chairs) can approve online payments, so there is an additional layer of protection in this.

a list of such payments shall be submitted to the next appropriate meeting of council or **Finance and Management Committee**.

- iv. Fund transfers within the councils banking arrangements up to the sum of **£10,000**, provided that a list of such payments shall be submitted to the next appropriate meeting of council or **Finance and Management Committee**.

6.10. The RFO shall present a schedule of payments requiring authorisation, forming part of the agenda for the meeting, together with the relevant invoices, to the council or Finance and Management Committee. The council or committee shall review the schedule for compliance and, having satisfied itself, shall authorise payment by resolution. The authorised schedule shall be initialled immediately below the last item by the person chairing the meeting. A detailed list of all payments shall be disclosed within or as an attachment to the minutes of that meeting.

7. Electronic payments²⁰

- 7.1. Where internet banking arrangements are made with any bank, **the RFO** shall be appointed as the Service Administrator. The bank mandate agreed by the council shall identify a number of councillors who will be authorised to approve transactions on those accounts and a minimum of two people will be involved in any online approval process. **The Clerk may not be an authorised signatory, and no signatory should be involved in approving any payment to themselves.**²¹
- 7.2. All authorised signatories shall have access to view the council's bank accounts online.
- 7.3. No employee or councillor shall disclose any PIN or password, relevant to the council or its banking, to anyone not authorised in writing by the council or a duly delegated committee.
- 7.4. The Service Administrator shall set up all items due for payment online. A list of payments for approval, together with copies of the relevant invoices, shall be sent by email to **all** authorised signatories.
- 7.5. In the prolonged absence of the Service Administrator, **another officer** shall set up any payments due before the return of the Service Administrator.²²
- 7.6. Two **councillors who** are authorised signatories shall check the payment details against the invoices before approving each payment using the online banking system.

²⁰ Regulation **7. Electronic Payments**, outlines the processes whereby payments from the Unity Trust account may be made.

²¹ The working group decided to maintain the separate roles of mandated Councillors and mandated Officers, - that is, that Officers could set up payments but not authorise them, and Councillors could authorise payments but not set them up. This division of roles should be a layer of protection against fraud.

²² The RFO is the Service Administrator. The Clerk and the Assistant Clerk will both be able to set up payments if the RFO is absent.

- 7.7. Evidence shall be retained showing which members approved the payment online and a printout of the transaction confirming that the payment has been made shall be appended to the invoice for audit purposes.
- 7.8. A full list of all payments made in a month shall be provided to the next Finance and Management Committee meeting and appended to the minutes.
- 7.9. With the approval of the Finance and Management Committee in each case, regular payments (such as gas, electricity, telephone, broadband, water, National Non-Domestic Rates, refuse collection, pension contributions and HMRC payments) may be made by variable direct debit, provided that the instructions are signed/approved online by two authorised members. The approval of the use of each variable direct debit shall be reviewed by the Finance and Management Committee at least every two years.
- 7.10. Payment may be made by BACS or CHAPS by resolution of the council or the Finance and Management Committee provided that each payment is approved online by two authorised bank signatories, evidence is retained and any payments are reported to the council or the Finance and Management Committee at the next meeting. The approval of the use of BACS or CHAPS shall be renewed by resolution of the council at least every two years.
- 7.11. If thought appropriate by the council, regular payments of fixed sums with a variance of up to 10% of the whole amount²³ may be made by banker's standing order, provided that the instructions are signed or approved online by two members, evidence of this is retained and any payments are reported to council when made. The approval of the use of a banker's standing order shall be reviewed by the Finance and Management Committee at least every two years.
- 7.12. Account details for suppliers may only be changed upon written notification by the supplier verified by two of the Clerk and the RFO and a member. This is a potential area for fraud and the individuals involved should ensure that any change is genuine. Data held should be checked with suppliers every two years.
- 7.13. Members and officers shall ensure that any computer used for the council's financial business has adequate security, with anti-virus, anti-spyware and firewall software installed and regularly updated.
- 7.14. Remembered password facilities other than secure password stores requiring separate identity verification should not be used on any computer used for council banking.

8. Cheque payments

- 8.1. Cheques or orders for payment in accordance with a resolution or delegated decision shall be signed by two members.

²³ The working group decided to add in a variance on the Standing Orders because some of the Parish Council's standing orders vary by small amounts month on month. This specifically applies to standing orders to HMRC for income tax where the amounts vary by £0.20p back and forth every month.

- 8.2. A signatory having a family or business relationship with the beneficiary of a payment shall not, under normal circumstances, be a signatory to that payment.
- 8.3. To indicate agreement of the details on the cheque with the counterfoil and the invoice or similar documentation, the signatories shall also initial the cheque counterfoil and invoice.
- 8.4. Cheques or orders for payment shall not normally be presented for signature other than at, or immediately before or after a council **or committee meeting**. Any signatures obtained away from council meetings shall be reported to the council or **Finance and Management Committee** at the next convenient meeting.

9. Payment cards

- 9.1. **Any Corporate Multipay credit card issued for use will be specifically restricted to the Clerk and the RFO and will also be restricted to a single transaction maximum value of £2,000 unless authorised by council or finance committee in writing before any order is placed. The Corporate Multipay card will, further, have a weekly limit of £2,500.**²⁴
- 9.2. Card transactions and purchases made will be reported to the Finance and Management Committee.
- 9.3. Any **Corporate Multipay** credit card or trade card account opened by the council will be specifically restricted to use by the Clerk and RFO and any balance shall be paid in full each month.²⁵
- 9.4. **Personal cash, credit or debit cards of members or staff shall only be used for expenses of up to £250 including VAT, incurred in accordance with council policy.**²⁶

10. Petty Cash

- 10.1. **The council will not maintain any form of cash float. All cash received must be banked intact. Any payments made in cash by officers from their own money (for**

²⁴ The idea of subscribing to the Unity Trust Multipay Card would enable the Parish Council to get away from the current practice of Officers sometimes paying hundreds of pounds from their own funds for things for the Council. This particularly applies to online subscriptions for services (Dropbox, Microsoft 365, Canva, anti-virus) where the option for electronic banking payments are not available and so the Officer spends their own money which is later reimbursed. The idea behind the transaction limit of £2,000 is that the card could be used in emergency to pay under Regulation 5.18 "In cases of serious risk to the delivery of council services or to public safety on council premises, the clerk may authorise expenditure of up to £2,000 excluding VAT on repair, replacement or other work that in their judgement is necessary, whether or not there is any budget for such expenditure. The Clerk shall report such action to the Chair as soon as possible and to [the council] as soon as practicable thereafter." The idea behind the weekly limit of £2,500 would be to protect against fraud in that an Officer would not be able to spend £2,000 day after day after day because of the weekly limit.

²⁵ The Multipay Card is automatically paid off each month, so there is never interest pending. The working group thought it was useful that two Officers (Clerk and RFO) have a Multipay card, in the event of one being on holiday.

²⁶ We kept this option in as it is likely that Officers will still on occasion use their own funds for Council business and then subsequently be reimbursed.

example for postage or minor stationery items) shall be refunded on a regular basis, at least quarterly.

11. Payment of salaries and allowances

- 11.1. **As an employer, the council must make arrangements to comply with the statutory requirements of PAYE legislation.**
- 11.2. **Councillors allowances (where paid) are also liable to deduction of tax under PAYE rules and must be taxed correctly before payment.**
- 11.3. Salary rates shall be agreed by the council, or **the Staffing Committee**. No changes shall be made to any employee's gross pay, emoluments, or terms and conditions of employment without the prior consent of the council or the Staffing Committee.
- 11.4. Payment of salaries shall be made, after deduction of tax, national insurance, pension contributions and any similar statutory or discretionary deductions, on the dates stipulated in employment contracts.
- 11.5. Deductions from salary shall be paid to the relevant bodies within the required timescales, provided that each payment is reported, as set out in these regulations above.
- 11.6. Each payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a payroll control account or other separate confidential record. Payroll reports will be reviewed by the **Finance and Management Committee and Staffing Committee** to ensure that the correct payments have been made.
- 11.7. Any termination payments shall be supported by a report to the council, setting out a clear business case. Termination payments shall only be authorised by the full council.
- 11.8. Before employing interim staff, the council must consider a full business case.

12. Loans and investments

- 12.1. Any application for Government approval to borrow money and subsequent arrangements for a loan must be authorised by the full council and recorded in the minutes. All borrowing shall be in the name of the council, after obtaining any necessary approval.
- 12.2. Any financial arrangement which does not require formal borrowing approval from the **Secretary of State** (such as Hire Purchase, Leasing of tangible assets or loans to be repaid within the financial year) must be authorised by the full council, following a written report on the value for money of the proposed transaction.
- 12.3. The council shall consider the requirement for an Investment Strategy and Policy in accordance with Statutory Guidance on Local Government Investments, which must be written in accordance with relevant regulations, proper practices and guidance. Any Strategy and Policy shall be reviewed by the council at least annually.
- 12.4. All investment of money under the control of the council shall be in the name of the council.
- 12.5. All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.

12.6. Payments in respect of short term or long-term investments, including transfers between bank accounts held in the same bank, shall be made in accordance with these regulations.

13. Income

13.1. The collection of all sums due to the council shall be the responsibility of and under the supervision of the RFO.

13.2. The council will review all fees and charges for work done, services provided, or goods sold at least annually as part of the budget-setting process, following a report of the Clerk. The RFO shall be responsible for the collection of all amounts due to the council.

13.3. Any sums found to be irrecoverable and any bad debts shall be reported to the council by the RFO and shall be written off in the year. The council's approval shall be shown in the accounting records.

13.4. All sums received on behalf of the council shall be deposited intact with the council's bankers, with such frequency as the RFO considers necessary. The origin of each receipt shall clearly be recorded on the paying-in slip or other record.

13.5. Personal cheques shall not be cashed out of money held on behalf of the council.

13.6. The RFO shall ensure that VAT is correctly recorded in the council's accounting software and that any VAT Return required is submitted from the software by the due date.

14. Payments under contracts for building or other construction works

14.1. Where contracts provide for payment by instalments the RFO shall maintain a record of all such payments, which shall be made within the time specified in the contract based on signed certificates from the architect or other consultant engaged to supervise the works.

14.2. Any variation of, addition to or omission from a contract must be authorised by the Clerk to the contractor in writing, with the council being informed where the final cost is likely to exceed the contract sum by 5% or more, or likely to exceed the budget available.

15. Stores and equipment

15.1. The officer in charge of each section shall be responsible for the care and custody of stores and equipment in that section.

15.2. Delivery notes shall be obtained in respect of all goods received into store or otherwise delivered and goods must be checked as to order and quality at the time delivery is made.

15.3. Stocks shall be kept at the minimum levels consistent with operational requirements.

15.4. The RFO shall be responsible for periodic checks of stocks and stores, at least annually.

16. Assets, properties and estates

- 16.1. The Clerk shall make arrangements for the safe custody of all title deeds and Land Registry Certificates of properties held by the council.
- 16.2. The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date, with a record of all properties held by the council, their location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held, in accordance with Accounts and Audit Regulations.
- 16.3. The continued existence of tangible assets shown in the Register shall be verified at least annually, possibly in conjunction with a health and safety inspection of assets.
- 16.4. No interest in land shall be purchased or otherwise acquired, sold, leased or otherwise disposed of without the authority of the council, together with any other consents required by law. In each case a written report shall be provided to council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate where required by law).

No tangible moveable property shall be purchased or otherwise acquired, sold, leased or otherwise disposed of, without the authority of the council, together with any other consents required by law, except where the estimated value of any one item does not exceed £500. In each case a written report shall be provided to council with a full business case.

17. Insurance

- 17.1. The RFO shall keep a record of all insurances effected by the council and the property and risks covered, reviewing these annually before the renewal date in conjunction with the council's review of risk management.
- 17.2. The Clerk shall give prompt notification to the RFO of all new risks, properties or vehicles which require to be insured and of any alterations affecting existing insurances.
- 17.3. The RFO shall be notified of any loss, liability, damage or event likely to lead to a claim, and shall report these to the council and the Finance and Management Committee at the next available meeting. The RFO shall negotiate all claims on the council's insurers in consultation with the Clerk.
- 17.4. All appropriate members and employees of the council shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined annually by the council, or duly delegated committee.

18. Charities

- 18.1. Where the council is sole managing trustee of a charitable body, the Clerk and RFO shall ensure that separate accounts are kept of the funds held on charitable trusts and separate financial reports made in such form as shall be appropriate, in accordance with Charity Law and legislation, or as determined by the Charity Commission. The Clerk and RFO shall advise the charitable body regarding any

audit or independent examination as may be required by Charity Law or any Governing Document.²⁷

19. Suspension and revision of Financial Regulations

- 19.1. The council shall review these Financial Regulations **annually** and following any change of clerk or RFO. The Clerk shall monitor changes in legislation or proper practices and advise the council of any need to amend these Financial Regulations.
- 19.2. The council may, by resolution duly notified prior to the relevant meeting of council, suspend any part of these Financial Regulations, provided that reasons for the suspension are recorded and that an assessment of the risks arising has been presented to all members. Suspension does not disapply any legislation or permit the council to act unlawfully.
- 19.3. The council may temporarily amend these Financial Regulations by a duly notified resolution, to cope with periods of absence, local government reorganisation, national restrictions or other exceptional circumstances.

²⁷ The wording of this was changed from the model Financial Regulations which said that the Clerk and RFO would actively arrange for the independent examination of the Land Charity to take place when, as actually happens, it is the secretary of the Land Charity who arranges the independent examination.

Appendix 1 - Tender process

- 1) Any invitation to tender shall state the general nature of the intended contract and the Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases.
- 2) The invitation shall in addition state that tenders must be addressed to the Clerk in the ordinary course of post, unless an electronic tendering process has been agreed by the council.
- 3) Where a postal process is used, each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract. All sealed tenders shall be opened at the same time on the prescribed date by the Clerk in the presence of at least one member of council.
- 4) Where an electronic tendering process is used, the council shall use a specific email address that will be monitored to ensure that nobody accesses any tender before the expiry of the deadline for submission.
- 5) Any invitation to tender issued under this regulation shall be subject to Standing Order [\[insert reference of the council's relevant standing order\]](#) and shall refer to the terms of the Bribery Act 2010.
- 6) Where the council, or duly delegated committee, does not accept any tender, quote or estimate, the work is not allocated and the council requires further pricing, no person shall be permitted to submit a later tender, estimate or quote who was present when the original decision-making process was being undertaken.

HOLME VALLEY PARISH COUNCIL

BIODIVERSITY POLICY

BACKGROUND

Under the 2021 Environment Act, public authorities (including town and parish councils) operating in England must consider what they can do to conserve and enhance biodiversity.

This duty also means that town and parish councils can spend funds in conserving biodiversity.

Holme Valley Parish Council declared a Climate Emergency in March 2019, pledging that the Holme Valley would become carbon neutral by 2030. In December 2023, the Council adopted a new set of strategic objectives. The fourth objective is to *Address the climate emergency*.

There is a section in the Neighbourhood Development Plan, which was fully made in December 2021, devoted to Biodiversity.

All the Council's actions will be underpinned by a desire to address the climate emergency. This applies to the Council's own actions and that of grant recipients. Proposed actions will be measured against their impact on the natural environment and climate change.

DEFINITION

According to the Department of Food and Rural Affairs (*Biodiversity 2020*), biodiversity is the variety of all life on Earth. It includes all species of animals and plants – everything that is alive on our planet.

Biodiversity is important for its own sake and has its own intrinsic value. A number of studies have shown this value also goes further. Biodiversity is the building block of our 'ecosystems' that in turn provide us with a wide range of goods and services that support our economic and social wellbeing. These include essentials such as food, fresh water and clean air but also less obvious services such as protection from natural disasters, regulation of our climate, and purification of our water or pollination of our crops. Biodiversity also provides important cultural services, enriching our lives.

AIMS AND OBJECTIVES

The object of this policy is to work towards conserving and enhancing the biodiversity of the Holme Valley, in line with the provisions of the Kirklees Local Plan, 2019-2031, Policy LP30. In doing this we will work closely with other local organisations, particularly the Holme Valley Climate Action Partnership.

The Full Council and any committees of the Council will consider sustainability, environmental impact and biodiversity when making decisions and will develop and implement policies and strategies as required.

The Council will aim to improve the biodiversity of the area in the following ways:

- consider the potential impact on biodiversity represented by planning applications
- manage its land and property using environmentally friendly practices that will promote biodiversity.
- support local businesses in the adoption of low impact / nature positive practices
- encourage and support other organisations within the parish to manage their areas of responsibility with biodiversity in mind, by finding their initiatives.
- support residents and local organisations in enhancing and promoting biodiversity, by funding their initiatives.

ACTIONS

Planning applications

The Council will:

- when commenting on planning applications:
 - support site and building design that benefits biodiversity through the conservation and integration of existing habitats or provision of new habitats
 - support protection of sensitive habitats from development
 - consider whether the development would mean the loss of important habitats for wildlife in respect of all applications.
- consider what each proposed development might achieve in terms of biodiversity net gain.
- express a preference for the provision of new habitats to be on site, rather than a carbon off-setting elsewhere

Land and property management

The Council will:

- consider the conservation and promotion of local biodiversity with regard to the management of its open spaces. This will include adopting beneficial practices with regarding to cutting and removal of vegetation, application of chemicals and timing of maintenance work, paying attention to the Government's regulations for plant protection products.
- take special care in the specification of grounds maintenance contracts to ensure that the work, whilst reaching acceptable standards, does not harm the natural environment.
- source sustainable materials when procuring supplies for the Council's use
- consider biodiversity issues and the implementation of changes when managing its buildings.

Local community

The Council will:

- raise public awareness of biodiversity issues, including through its website and newsletters.
- engage with local businesses and residents regarding biodiversity in the community and how members of the community can assist and make a difference.
- where feasible, involve the community in biodiversity projects on its land including, for example tree planting, wildflower meadows, birdbox making.
- publicly applaud local growing initiatives
- assist with biodiversity initiatives, through the Council's grants programme

Partners

The Council will work in partnership with other organisations to protect, promote and enhance biodiversity within the council area, in particular with Holme Valley Climate Action Partnership (HVCAP).

MONITORING

This policy was adopted on **xx** (Minute reference **yy**) and will be reviewed in two years or sooner should legislation dictate.



From: [REDACTED]
Sent: 08 October 2024 13:23
To: Assistant Clerk
Subject: Planning application 2024/91155 at public conveniences, Station Road, Holmfirth, HD9 1AD

Dear Gemma Sharp,

I write in regard to the above application.

Following discussions with the Council's conservation team, they have advised as follows:

- The building is in a highly prominent location within the centre of the Holmfirth Conservation Area. The building and its roof planes are visible from several viewpoints, and it is on a prominent thoroughfare through Holmfirth. While the building is an addition of the 1980's it does form a part of the townscape. In addition to being within the Conservation Area, the building is situated close to several Listed Buildings including the Amiens Column which is directly to the south of the building.
- While we appreciate the reason submitted for the proposed panels, we consider that the proposed panels would have a cumulatively harmful impact on the character or the area. We would further add that the placing of panels in such a prominent location would set a harmful precedent for the area and could lead to further works being proposed which would bring further harm.
- We consider that the proposals would cause less than substantial harm, of which we do not consider there are sufficient benefits to outweigh the considered harm. There are other options which could be considered which would make the building more self-sustaining and would have a lesser degree of impact.

In light of their response, I consider it likely this proposal would not be considered supportable. As such, I would recommend consideration is given to withdrawal of this application as I do not envisage amendment to the scheme is possible to overcome the concerns. Please let me know how you wish to proceed by 14th October.

Kind regards,

[REDACTED]
Planning Assistant - Development Management
Planning & Building Control,
Place Directorate
PO Box 1720, Huddersfield, HD1 9EL

All responses to requests for information are informal opinions given in good faith based on the information presented to Officers and are not binding on the Council in the future. If you require a definitive opinion whether planning permission is or is not required which is legally binding you will need to formally apply for a certificate of lawful proposed or existing development

Any views or opinions expressed are in good faith, without prejudice to the formal consideration of any planning application, which will be subject to public consultation

(which will include the relevant Town or Parish Council) and ultimately be decided by the Council.

It should be noted that subsequent alterations to legislation or local, regional and national policies might affect the advice given.



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clerk@holmevalleyparishcouncil.gov.uk

From: [REDACTED]
Sent: 27 June 2024 13:10
To: clerk@holmevalleyparishcouncil.gov.uk
Cc: Gemma Sharp; deputyclerk@holmevalleyparishcouncil.gov.uk; [REDACTED]
Subject: Re: FW: WOVEN25 - A Year to Go !

Hi Jen,
Thanks for getting back in touch.

WOVEN in Kirklees is a biannual textiles festival that celebrates the heritage and innovation of textiles past, present and future across Kirklees. It is a Kirklees Council initiative, but it is owned by everyone. We work with community groups, schools, industry, heritage organisations, and a range of local groups to make it happen. ,

WOVEN25 will be the 4th festival, and after a period of evaluation and consultation, this will be a festival that focuses even more on what is happening within local communities, promoting and supporting where ever possible.

Please have a look at our website to find out more <https://woveninkirklees.co.uk/about-us/> and we would love to come and give a short presentation and answer any questions you may have.

Kind Regards
[REDACTED]

[REDACTED]
WOVEN Co-ordinator

Te [REDACTED]

I'm a freelancer working part time on WOVEN. Wednesdays are my regular WOVEN day.

On Jun 26 2024, at 10:09 AM, clerk@holmevalleyparishcouncil.gov.uk wrote:

Good morning, Emma

Please send me further details of this project so that I can better judge whether it is appropriate for the Parish Council to become involved.

Kind regards

Jen McIntosh

Mrs Jen McIntosh
Clerk

Holme Valley Parish Council
Holmfirth Civic Hall
Huddersfield Road
Holmfirth HD9 3AS

Tel: 01484 687460
Email: clerk@holmevalleyparishcouncil.gov.uk

Please note that the HVPC Office is open to the public Tuesdays and Thursdays 9.30am through to 2.30pm. At other times please leave a recorded message or contact me via email. The HVPC office is based on the Third Floor in Holmfirth Civic with access through the Exhibition Room.

My usual working pattern is Monday to Thursday.

From: Assistant Clerk <assistantclerk@holmevalleyparishcouncil.gov.uk>
Sent: Wednesday, June 26, 2024 9:18 AM
To: clerk@holmevalleyparishcouncil.gov.uk
Subject: FW: WOVEN25 - A Year to Go !

Hi Jen – not sure if you got the below, in case it's of interest?

From: Emma Manners <emma@hatchprojects.org.uk>
Sent: Wednesday, June 26, 2024 9:17 AM
To: admin@holmevalleyparishcouncil.gov.uk
Cc: Natalie Walton <Nat@hatchprojects.org.uk>
Subject: WOVEN25 - A Year to Go !

Dear members of Holme Valley Parish Council

It is now just a year to go before WOVEN25 !

The WOVEN team is going out and about across Kirklees meeting with key people within communities to discuss what communities are planning, or could be planning .

We would love to come along and meet with the Parish Council to see what wonderful celebratory textiles may happen in your area.

If we could get in the diary for sometime in the next few months that will be great.

Look forward to hearing from you
The WOVEN team.

Emma Manners
Woven Coordinator
07866609461

My Woven working day is Wednesday



A celebration of innovation
in textiles across Kirklees

VISIT OUR WEBSITE
woveninkirklees.co.uk

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COUNCIL

From: cllrjrylah@holmevalleyparishcouncil.gov.uk
Sent: 13 September 2024 15:53
To: Jen McIntosh
Cc: 'Cllr Pat Colling'
Subject: Charles Brook Convalescent Fund
Attachments: Charles Brook Convalescent Fund information v2.docx

Hi Jen

I've been contacted by Joanna Hobson who is a trustee of the Charles Brook Convalescent Fund. I know Joanna as we are both members of the Parish Church Tennis Club in Holmfirth. She contacted me in my Parish Council role, as the Charles Brook Convalescent Fund are looking for new Trustees, and she is hoping that one of the HV Parish Councillors might volunteer.

I was wondering whether Joanna could come to one of our PC meetings to give us some background about the charity, or alternatively could you send an email to Parish Councillors asking if anyone is willing to be a trustee. Beneficiaries of the trust must be from South Kirklees.

I've attached some information about the trust, sent to me by Joanna.

Thanks

Best wishes

Jane

CHARLES BROOK CONVALESCENT FUND
Registered Charity No: 229445

We are a Huddersfield based charity which provides grants to people convalescing after hospital care as an in-patient or an out-patient. We provide a range of goods and services currently up to a maximum of £300 per application.

The Charity meets once every 2 months for approximately 2 hours (in January, March, May, July, September and November) – the only exception being the Annual General Meeting in September which extends to approximately 3 hours.

The Trustees are responsible for allocating approximately £13,000pa to needy applications according to the Trust Deed. There are also emails regarding urgent applications and bank transfer authorisations via a banking app outside meetings to complete.

Trustees tend to come from a Social services/care worker background but this is in no way an essential and indeed other skill sets could be very useful.

CHARLES BROOK CONVALESCENT FUND
Registered Charity No: 229445

Grants available to persons meeting appropriate criteria.

The Trust Fund was set up to:

Apply the income of the Charity for the benefit of poor persons convalescing after treatment as in-patients or out-patients of the Huddersfield hospitals or those being treated in the community.

The main benefits to be conferred were and still are:

Special food and medicines, medical comforts, extra bedding, fuel and medical and surgical appliances.

Domestic equipment to enable satisfactory discharge from hospital or maintenance in the community.

In some cases, help towards a holiday where this is regarded as convalescence, can be granted

No loans or bonds will be given, and utility bills cannot be paid.

The Trustees may provide assistance to supplement that provided by public funds but may never replace that provision.

Applications

Applicants must live in the South Kirklees area as defined by Kirklees Council and NHS.

These must be completed on the appropriate form by the health professional responsible for the grant applicant. This may be the care workers, physiotherapist, CPN or doctor etc.

The form must be typed, fully completed including financial information of the grant applicant.

The form must indicate that the applicant has no savings over £500 and signed by the applicant to certify that to be the case. This signature should also confirm that in line with GDPR the applicant consents to the Charity holding personal data appertaining to the applicant.

A detailed justification of the application must be given.

The nature of the assistance required must be given and costed via quotes.

Payment of the Grant

Where possible and in 95% of all grants, the goods are ordered on behalf of the Charity and delivered to the grant applicant. The goods are invoiced and paid by cheque directly to the supplier by the Charity.

The contact name is:

Co-ordinator in Community Mental Health - Paul Ibbotson pibbotson@nhs.net

Geographic Area for the Charity

The area covered by Charles Brook is Huddersfield, The Holme and Colne Valleys, Denby Dale and Kirkburton (as per the Kirklees Council map for South Kirklees).

