

**Minutes of a Meeting of the Town Council held via Zoom on  
Monday 18 January 2021**

**PRESENT** Councillors David Amphill, David Bookless, Michael Boyd, John Breeds, Jonathan Breeds, Cheryl Creaser, Rebekah Gilbert (**Mayor** – Speaker of the Cinque Ports), Chris Hoggart, Pat Hughes, Jo Kirkham, Ian Potter, Andi Rivett (**Deputy Mayor**), Shaun Rogers, Andy Stuart

**IN ATTENDANCE** Richard Farhall - Town Clerk (Host); Jessica Neame – Deputy Town Clerk (Co-Host); Rother District Cllr Howard Norton.

*The meeting commenced at 6.38pm.*

**54 APOLOGIES**

Apologies for absence - and the reason as lodged with the Clerk – were accepted from Cllr Sam Wood.

It was noted that District Councillor Gennette Stevens had given her apologies

**55 CODE OF CONDUCT**

Cllr Hughes                      57a)                      Employed by the organisation (RDCT) that has been receiving an annual grant of £2,000 towards the running of the 326 bus service.

*The Mayor adjourned the meeting for Public Questions/Contributions. There was none and the meeting reconvened.*

**56 CODE OF CONDUCT: PROPOSED AMENDMENTS**

**a) Nolan Principles**

The Mayor invited Members to consider amending RTC's Code of Conduct so that it refers explicitly to – and incorporates in full – the Seven Principles of Public Life ('Nolan Principles').

**RESOLVED (unanimous) To approve the amendments suggested (coloured red) within the APPENDIX.**

**b) Paragraph 14**

Cllrs Boyd, Jonathan Breeds, Hughes, Kirkham, Potter and Stuart invited Members to consider amending paragraph 14 of the Council's Code of Conduct so as to broaden the types of interest that should be disclosed.

**RESOLVED (unanimous) To approve the amendments suggested (coloured green) within the APPENDIX.**

**57 DRAFT BUDGET 2021-22**

**a) First Draft**

Council was asked to consider the first Draft of the 2021-22 Budget, prior to finally approving the Budget (and agreeing the precept for 2021-22) at its next meeting (25.1.21).

The Clerk highlighted:

- Although the suggested precept for 2021-22 is just c£600 higher than this year, because the Council Tax base has gone down the impact on tax payers would be proportionately greater – meaning that a Band D tax payer would pay 5p more a week.
- Despite this year’s forecast income being down by c£20,000, principally because of expenditure being deferred to a future year, forecast expenditure is down c£32,000. Specific unspent provisions will be placed in a relevant Earmarked Reserve.
- This year’s forecast – and next year’s estimated – budgets utilise the Flat Mouth capital assets receipts as follows:
 

○ Ride-on mower	£7,500
○ Trailer for mower	£3,500
○ Cupola repairs (contribution)	£25,000
○ Pick -up truck (to replace Vitara)	<u>£10,000</u>
	<u>£46,250</u>

If capital receipts were not utilised, it is likely that the proposed precept for 2021-22 would be considerably higher and, possibly, the General Reserve could be entirely depleted.

Comments included: Many parishioners are suffering financially during the pandemic; it is likely that other precepting bodies will be looking to make up income shortfalls via Council Tax; parishioners could be under greater financial pressure in a year’s time – when (probably) there will be no furlough nor grants schemes in place; if a principal authority freezes tax it can result in service reductions; there is a strong case for RTC freezing its precept this year – but reducing the band D charge in the future could be problematic; RTC needs to ensure that it can afford any National Living Wage increases.

**RESOLVED To ask the Clerk to suggest adjustments to the Draft Budget 2021-22 to ensure that the charge payable by a Band D tax paper would be frozen.**  
Clerk

**c) Proposed Pugwash statue**

Members were asked whether they wished to make provision for this.

It was noted that the estimate considered originally by the Council had been firmed up – and that the artist had provided two options: a bronze statue (est: £34,682) and a resin alternative (est: £25,822.)

The Clerk advised that the Council’s capital assets receipts could, lawfully, be used to support this proposal.

Members remained very supportive of the initiative but considered that given the current general economic situation it was not an appropriate time for the Council to commit its own resources to the project. However, Members were keen to help to facilitate it in any other appropriate ways.

It was suggested that it might be possible to raise private funding.

**RESOLVED To (continue to) support the proposal in principle – and to re-assess whether the Council is in a position to support it financially in 12 months’ time.**  
Clerk

*The meeting ended at 7.18pm.*

Date ..... Chairman .....

# RYE TOWN COUNCIL CODE OF CONDUCT

### Introduction

Pursuant to section 27 of the Localism Act 2011, Rye Town Council ('the Council') has adopted this Code of Conduct to promote and maintain high standards of behaviour by its members and co-opted members whenever they conduct the business of the Council, including the business of the office to which they were elected or appointed, or when they claim to act or give the impression of acting as a representative of the Council.

This Code of Conduct is based on the **Nolan Principles** of selflessness, integrity, objectivity, accountability, openness, honesty, and leadership (**Appendix C**).

### Definitions

For the purposes of this Code, a 'co-opted member' is a person who is not a member of the Council but who is either a member of any committee or sub-committee of the Council, or a member of, and represents the Council on any joint committee or joint sub-committee of the Council, 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, a 'meeting' is a meeting of the Council, any of its committees, sub-committees, joint committees or joint sub-committees.

For the purposes of this Code, and unless otherwise expressed, a reference to a member of the Council includes a co-opted member of the Council.

### Member obligations

When a member of the Council acts, claims to act or gives the impression of acting as a representative of the Council, he/she has the following obligations.

1. He/she shall behave in such a way that a reasonable person would regard as respectful.

2. He/she shall not act in a way which a reasonable person would regard as bullying or intimidatory.
3. He/she shall not seek to improperly confer an advantage or disadvantage on any person.
4. He/she shall use the resources of the Council in accordance with its requirements.
5. He/she shall not disclose information which is confidential or where disclosure is prohibited by law.

### ***Registration of interests***

6. ***Within 28 days of this Code being adopted by the Council, or the member's election or the co-opted member's appointment (where that is later), he/she shall register with the Monitoring Officer the interests which fall within the categories set out in Appendices A and B.***
7. ***Upon the re-election of a member or the re-appointment of a co-opted member, he/she shall within 28 days re-register with the Monitoring Officer any interests in Appendices A and B.***
8. A member shall register with the Monitoring Officer any change to interests or new interests in Appendices A and B within 28 days of becoming aware of it.
9. A member need only declare the existence but not the details of any interest which the Monitoring Officer agrees is a 'sensitive interest'. A sensitive interest is one which, if disclosed on a public register, could lead the member or a person connected with the member to be subject to violence or intimidation.

### ***Declaration of interests at meetings***

10. Where a matter arises at a meeting which relates to an interest in Appendix A the member shall not participate in a discussion or vote on the matter. He/she only has to declare what his/her interest is if it is not already entered in the member's register of interests or if he/she has not notified the Monitoring Officer of it.

11. ***Where a matter arises at a meeting which relates to an interest in Appendix A which is a sensitive interest, the member shall not participate in a discussion or vote on the matter. If it is a sensitive interest which has not already been disclosed to the Monitoring Officer, the member shall disclose he/she has an interest but not the nature of it.***
12. Where a matter arises at a meeting which relates to an interest in Appendix B, the member shall not vote on the matter. He/she may speak on the matter only if members of the public are also allowed to speak at the meeting.
13. ***A member only has to declare his/her interest in Appendix B if it is not already entered in his/her register of interests or he/she has not notified the Monitoring Officer of it or if he/she speaks on the matter. If he/she holds an interest in Appendix B which is a sensitive interest not already disclosed to the Monitoring Officer, he/she shall declare the interest but not the nature of the interest.***
14. ***Where a matter arises at a meeting which relates to a ~~financial~~ material interest (an actual or potential benefit or detriment) of a friend, relative or close associate (other than an interest in Appendix A), the member shall disclose the nature of the interest and not vote on the matter. He/she may speak on the matter only if members of the public are also allowed to speak at the meeting. If it is a 'sensitive interest' the member shall declare the interest but not the nature of the interest.***

#### **Dispensations**

15. On a written request made to the Council's proper officer, the Council may grant a member a dispensation to participate in a discussion and vote on a matter at a meeting even if he/she has an interest in Appendices A and B if the Council believes that the number of members otherwise prohibited from taking part in the meeting would impede the transaction of the business; or it is in the interests of the inhabitants in the Council's area to allow the member to take part or it is otherwise appropriate to grant a dispensation.

## Appendix A

Interests described in the table below.

<b>Subject</b>	<b>Description</b>
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the Council) made to the member during the 12 month period ending on the latest date referred to in paragraph 6 above for expenses incurred by him/her in carrying out his/her duties as a member, or towards his/her election expenses.
	This includes any payment or financial benefit from a trade union within the meaning of the <a href="#">Trade Union and Labour Relations (Consolidation) Act 1992</a> .
Contracts	Any contract made between the member or his/her spouse or civil partner or the person with whom the member 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	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 member or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.
Licences	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 member's knowledge)—
	(a) the landlord is the Council; and
	(b) the tenant is a body that the member, or his/her spouse or civil partner or the person with whom the member 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 member'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 member, or his/her spouse or civil partner or the person with whom the member 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.

## **Appendix B**

An interest which relates to or is likely to affect:

- (i) any body of which the member is in a position of general control or management and to which he/she is appointed or nominated by the Council;
  
- (ii) any body—
  - (a) exercising functions of a public nature;
  - (b) directed to charitable purposes; or
  - (c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)of which the member of the Council is a member or in a position of general control or management;
  
- (iii) any gifts or hospitality worth more than an estimated value of £50 which the member has received by virtue of his or her office.

**Adopted 25.6.12**

**Effective date: 1.7.12**

**Amended 18.1.21**

## Appendix C

### The Seven Principles of Public Life (The Nolan Principles)

The Seven Principles of Public Life (also known as the Nolan Principles) apply to anyone who works as a public office-holder. This includes all those who are elected or appointed to public office, nationally and locally, and all people appointed to work in the Civil Service, local government, the police, courts and probation services, non-departmental public bodies (NDPBs), and in the health, education, social and care services. All public office-holders are both servants of the public and stewards of public resources. The principles also apply to all those in other sectors delivering public services.

**1 Selflessness**

Holders of public office should act solely in terms of the public interest.

**2 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 declare and resolve any interests and relationships.

**3 Objectivity**

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

**4 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.

**5 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.

**6 Honesty**

Holders of public office should be truthful.

**7 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.