09 April 2026

Under the Openness of Local Government Bodies Regulations 2014, members of the public, the press or the Council may record, film, photograph or broadcast the meeting whilst it is open to the public.

TO ALL MEMBERS OF THE COUNCIL

Dear Sir/Madam

You are hereby summoned to attend a meeting of the Full Council which will be held in the Council Chamber, Hebden Bridge Town Hall on **WEDNESDAY 15 APRIL 2026** at **7.30pm**.

Emma Green
Clerk to the Council

This meeting is open to the public unless the Members decide to exclude the public for any exempt or confidential item of business.

AGENDA

1. PUBLIC QUESTION TIME.
HRTC would like to invite public questions for the council. You may attend in person or submit questions electronically to info@hebdenroydtowncouncil.gov.uk no later than 2.00pm on the day of the meeting. A written response will be sent to the questioner.

2. APOLOGIES AND REASONS FOR ABSENCE.
To note apologies for absence and approve the reasons for absence where presented.

3. MEMBERS' INTERESTS' RELATING TO AGENDA ITEMS.
To receive and note interests relating to the agenda.

4. HEBDEN BRIDGE COMMUNITY ASSOCIATION
To receive an update from Hebden Bridge Community Association regarding the Hope Chapel project.

5. PLANNING APPLICATIONS
Interested members of the public, if they are present, will be invited to speak followed by Ward Councillors on applications within their ward followed by other Councillors.

a. **Application 26/00122/HSE** at 75 Caldene Avenue, Mytholmroyd, HX7 5AJ for First floor extension over garage, two storey infill between house and garage. Car port with balcony over. New porch to front. Change windows to bifolding doors to the rear. (Caldene ward)

b. **Application 26/00193/LBC** at Hebden Bridge Railway Station, Station Road, Hebden Bridge, HX7 6JE for Create cold store in the station waiting room. (Listed Building Consent). (Fairfield ward)

c. **Application 26/20026/TPO** at Throstle Bower Farm, Midgley Road, Mytholmroyd, HX7 5QT for Fell four trees (Tree Preservation Order). (White Lee ward).

d. **Application 26/00043/FUL** at 21 West End, Hebden Bridge, HX7 8UQ for Detached external dining booths, new boundary wall fencing, planting and decking (Retrospective). (West End ward).

e. **Application 26/00192/HSE** at Burlees Court, Burlees Lane, Dodd Naze, Hebden Bridge, HX7 8PH for Detached garage building ancillary to Burlees Court. (Birchcliffe ward).

f. **Application 26/00159/FUL** at Dean Head Farm, Blackstone Edge Road, Cragg Vale, HX7 5TR for Proposed Free Standing Solar Panels. (Cragg Vale ward).

g. **Application 26/00143/LBC** at Banks Farm And Cottages Raw Lane, Mytholmroyd, HX7 5RF for Installation of air-source heat pump within a purpose-built timber enclosure to rear garden, and installation of 7kW electric vehicle charging point to existing timber stable block. (White Lee ward).

h. **Application 26/00138/HSE** at Banks Farm And Cottages Raw Lane, Mytholmroyd, HX7 5RF for Installation of an air-source heat pump (ASHP) in timber screening and a 7 kW EV charger to the timber stable block (curtilage works). (White Lee ward).

The Chair proposes that the recommendations on the above planning applications are sent to the Environmental Services Department, Calderdale MBC. When the Chair or Deputy Chair cannot attend, Ward members be authorised to represent the view of Hebden Royd Town Council at meetings of the Planning Committee at Calderdale MBC.

6. APPLICATIONS FOR PLANNING PERMISSION <u>GRANTED</u> BY CALDERDALE MBC

✓ a. Application 25/01283/LBC at Rochdale Canal Overflow Weir North West Of Ellen Royd Bridge, Upper Foot, Luddenden Foot, Sowerby Bridge for Proposal to overbridge the weir for improved pedestrian access to the towpath (Listed Building Consent).

✓ b. Application 26/00124/HSE at 21 Ewood Hall Avenue, Mytholmroyd, HX7 5PH for Single storey side extension.

X c. Application 26/00112/VAR at Oaklands Brier Hey Lane, Mytholmroyd, HX7 5PJ for Variation of condition 1 on 23/00978/FUL - amendment to approved plans.

✓ d. Application 26/00034/HSE at 3 Ewood Court, Midgley Road, Mytholmroyd, HX7 5QX for Garden fence and gate between No.3 and No.2; and timber fence infill.

7. APPLICATIONS FOR PLANNING PERMISSION <u>REFUSED</u> BY CALDERDALE MBC

X a. Application 24/01302/FUL at 26 Burnley Road, Mytholmroyd, HX7 5LN for Proposed change of use from commercial to 1 bedroom dwelling.

X b. Application 25/00610/FUL at White Lion Hotel, St Georges Square, Hebden Bridge, HX7 8EX at Freestanding timber decking with integrated pergola and partial roof covering.

X c. Application 25/00611/LBC at White Lion Hotel, St Georges Square, Hebden Bridge, HX7 8EX for Freestanding timber decked area with integrated pergola and partial roof covering. (Listed Building Consent).

8. HRTC & HBPH STATEMENT OF ACCOUNT

To receive the Statement of Account for Hebden Royd Town Council and the Hebden Bridge Picture House and to decide on actions as appropriate (To be circulated prior to the meeting).

9. HRTC & HBPH PAYMENT SCHEDULE

To receive schedule, note items of information and to authorise payments totalling £44,913.77.

10. COMMUNICATIONS

To receive communications from the Clerk & Mayor

a. Calderdale Energy Park Statutory Consultation

11. SERVICE TO THE COMMNITY AWARD – YOUTH SECTION

To consider an additional nomination in respect of the award and to decide on actions.

12. POLICY RELATING TO ARRANGEMENTS FOR EFFECTIVE I.T. AND DATA MANAGEMENT

To consider the following documents for adoption and to decide on actions as appropriate.

a. Website Privacy Notice
b. Website Accessibility Notice
c. I.T. Policy

13. COMMITTEE MEMBERSHIP AND RESPRESENTATIVES TO OUTSIDE BODIES

To consider the arrangements for the election of councillors to committees and outside bodies for the council year 2026-27 and to decide on actions (enc).

14. CALDERDALE ENERGY PARK

To consider adoption of the statement and to nominate two councillors to represent Hebden Royd Town Council at the Calderdale Energy Park Parish Council Forum

As proposed by Cllr Woodhead

"Further to a public survey undertaken in 2025 and information made available to the community since that time, Hebden Royd Town Council is committed to stand with the mandate given by its community.

The Town Council strongly opposes the development the Calderdale Energy Park on the grounds of destruction of peat, associated flood risks and C02 emissions. There are many other concerns most notably the impact on the natural habitat and biodiversity of this Site of Special Scientific Interest and Special Area of Conservation."

15. MAYOR'S REPORT/DEPUTY MAYOR'S REPORT

To receive and note the activities of the Mayor (enc).

16. MINUTES OF THE STAFFING COMMITTEE held 16 MARCH 2026

To receive minutes for information. (Any member may comment on or ask questions regarding the decisions taken to the Chair of the Committee, or in the absence of the Chair the Deputy Chair) (enc).

17. MINUTES OF THE LOCAL ENVIRONMENT COMMITTEE held 18 MARCH 2026

To receive minutes for information. (Any member may comment on or ask questions regarding the decisions taken to the Chair of the Committee, or in the absence of the Chair the Deputy Chair). (enc).

18. MINUTES OF THE TOWN COUNCIL held 18 MARCH 2026

To consider minutes and approve as a correct record. (enc).

19. MINUTES OF THE COMMUNITY FUNDING COMMITTEE held 25 MARCH 2026

To receive minutes for information. (Any member may comment on or ask questions regarding the decisions taken to the Chair of the Committee, or in the absence of the Chair the Deputy Chair). (enc).

20. MINUTES OF THE STRATEGY & REVIEW COMMITTEE held 8 APRIL 2026

To consider minutes, endorse recommendations therein and approve as a correct record (enc).

21. WORKING GROUPS

To receive reports from and to decide on appropriate actions.

22. REPRESENTATIVES TO OUTSIDE BODIES

To receive reports from representatives to outside bodies and other organisations.

23. EXCLUSION OF THE PRESS AND PUBLIC

To resolve to exclude members of the public and press under the Public Bodies (Admissions to Meetings) Act 1960 during consideration of items of a confidential nature.

Payment and Receipt Schedule **Hebden Bridge Picture House**
15/04/2026

Accounts to be Paid

Item no:	Payee	Details	Invoice No	Amount	Payment
a	PPS	Cleaning Supplies	INVKEI-84189	£ 109.56	BACS
b	PPS	Cleaning Supplies	INVKEI-84196	£ 85.08	BACS
c	PPS	Cleaning Supplies	INVKEI-85478	£ 100.20	BACS
d	Cathedral Leasing Limited	Hygiene Services	MI/1754311	£ 225.11	BACS
e	Grenke	Kiosk	176077/2026	£ 241.78	BACS
f	Jimmys	Kiosk	INV25611838	£ 806.29	BACS
g	JL Brooks	Kiosk	670796	£ 236.40	BACS
h	JL Brooks	Kiosk	673125	£ 215.31	BACS
i	Just Jennys	Kiosk	8569	£ 130.80	BACS
j	Just Jennys	Kiosk	8588	£ 147.60	BACS
k	Maize & Grace	Kiosk	Inv-2026-319	£ 859.20	BACS
l	Slack Bottom Fudge	Kiosk	IT2026005	£ 48.00	BACS
m	The Buttercup Bakery	Kiosk	No353	£ 108.80	BACS
n	The Buttercup Bakery	Kiosk	No354	£ 271.00	BACS
o	The Buttercup Bakery	Kiosk	No355	£ 85.60	BACS
p	Turner & Wrights	Kiosk	310294	£ 401.92	BACS
q	Vocation Brewery	Kiosk	171107	£ 145.56	BACS
r	Print Bureau	Marketing	PB9082	£ 24.00	BACS
s	Savoy Systems	Oscar	C-0426-34	£ 657.19	BACS
t	AM Digital	Projection	AMD2650	£ 688.32	BACS
u	Curzon	Royalties	9468	£ 187.60	BACS
v	Curzon	Royalties	9471	£ 195.30	BACS
w	Disney	Royalties	2297271	£ 941.20	BACS
x	Lions Gate	Royalties	80228940	£ 144.00	BACS
y	Luke Hutchinson - GenErika	Royalties	8 April 2026	£ 345.00	BACS
z	Metfilm	Royalties	INV-2871	£ 120.00	BACS
aa	Park Circus	Royalties	1480989	£ 252.00	BACS
bb	Park Circus	Royalties	1481440	£ 199.75	BACS
cc	Park Circus	Royalties	1481439	£ 192.00	BACS
dd	Park Circus	Royalties	1481218	£ 72.00	BACS
ee	Park Circus	Royalties	1478943	£ 168.00	BACS
ff	Seventh Art	Royalties	34531	£ 592.01	BACS
gg	Sgeul Media Ltd	Royalties	01/04/26	£ 216.25	BACS
hh	Trafalgar	Royalties	382221	£ 402.50	BACS
ii	Tull Stories	Royalties	TS1326/HBPH	£ 155.65	BACS
jj	Universal	Royalties	22314802075-1	£ 289.20	BACS
kk	Universal	Royalties	22314802449-1	£ 626.40	BACS
ll	Vertigo	Royalties	SI014171	£ 144.00	BACS
mm	Warner Bros	Royalties	23365895	£ 6,350.30	BACS
nn	Warner Bros	Royalties	23365203	£ 344.75	BACS
				£ 17,525.63	

Direct Debits

Item no:	Payee	Details	Invoice No	Amount	
a	The Co-operative Bank	Banking	130	*£ 62.08*	*DD*
b	Clover	Office	AVS2612854 15/02/26	*£ 50.40*	*DD*
c	Clover	Office	AVS2612854 15/03/26	*£ 50.40*	*DD*
d	Croft	Office	80100	*£ 153.61*	*DD*
e	EE	Office	V02416172933	*£ 52.80*	*DD*
f	Scottish Power	Utilities	614005405301	*£ 52.75*	*DD*
g	Scottish Power	Utilities	618003997664	*£ 10.04*	*DD*
				£ 432.08	

Payments paid by Clerk

Item no:	Payee	Details	Invoice No	Amount	
a	Amazon	Kiosk	GB6UJQIABEI	*£ 47.99*	*Card*
b	Jimmys	Kiosk	INV25611842	*£ 673.91*	*BACS*
c	Matthew Clark	Kiosk	4059938	£ 532.50	BACS
d	Matthew Clark	Kiosk	3993961	£ 469.55	BACS
e	Matthew Clark	Kiosk	4117869	£ 438.31	BACS
f	Matthew Clark	Kiosk	4077181	£ 654.41	BACS
g	Lisa Murdoch	Marketing	08/04/26	£ 51.73	BACS
h	Amazon	Office	GB6UIUVABEI	*£ 23.60*	*Card*

i	Amazon	Office	GB622PTAABEI	£	*3.96*	*Card*
j	Amazon	Office	GB61V8U9ABEI	£	*25.79*	*Card*
k	Conic	Royalties	3075	£	*41.65*	*BACS*
l	Sony	Royalties	1679504-1	£	*488.26*	*BACS*
m	Universal	Royalties	22314797975-1	£	*232.50*	*BACS*
n	Universal	Royalties	22314800680-1	£	*657.30*	*BACS*
o	Business Stream	Utilities	10028288	£	*538.43*	*BACS*
					£ 4,879.89	

PAYMENTS **£ 22,837.60**

Authorised by			
Councillor	Councillor	Clerk	Date

Payment and Receipt Schedule
15.04.26

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Hebden Royd Town Council
Accounts to be Paid

Item No.:	Payee	Details	Invoice No	Amount	Cost Centre	Payment
a	The Privacy Worx Ltd	Monthly DPO Fee	INV-2001	£ 216.00	DPO & FOI Guidance	BACS
b	Business Stream	High Hirst from 24 Aug - 23 Nov	9313968	£ 141.26	Local Environment	BACS
c	Business Stream	High Hirst from 24 Nov - 23 Feb	1992709	£ 19.20	Local Environment	BACS
d	Dodnaze Community Association	Room Booking	INV-0049	£ 15.00	Local Environment	BACS
e	Chunky's Kitchen	Cold Buffet for 60ppl - Mayor Making	1 - 08/04/26	£ 600.00	Office	BACS
f	Dalton Smith Accountants	Payroll Services Feb	INV-0526	£ 202.80	Office	BACS
g	Euro Digital Systems	Monthly Print Support	163906	£ 201.20	Office	BACS
h	Grenke	C8030 01/04/26 to 30/06/26	161989/2026	£ 1,154.38	Office	BACS
i	Hebden Bridge Community Assoc	Recharge Data, IT, Phone, Cleaning	19173	£ 153.00	Office	BACS
j	Hebden Bridge Community Assoc	Recharges - Keys and Fobs	19242	£ 15.00	Office	BACS
k	P3	HP Pro Business PC	39099	£ 777.60	Office	BACS
l	P3	AOC 23.8 FHD 1920x1080	39158	£ 198.00	Office	BACS
m	P3	Mircosoft Office 365	39417	£ 177.42	Office	BACS
n	The Shredding Alliance	Shredding	157856	£ 59.88	Office	BACS
o	YLCA	Membership Subscription	5997	£ 1,496.00	Office	BACS
p	Zonkey	Council website hosting annual fee	INV-20584	£ 792.00	Office	BACS
q	Blachere Illumination Uk	Hire of Product	SI500328	£ 13,799.45	Project & Events	BACS
r	Calderdale Council	Happy Hounds Event Fee	IN25202725	£ 31.00	Project & Events	BACS
s	G&S Toilet Hire Ltd	Hire for Happy Hounds	SI-37324	£ 204.00	Project & Events	BACS
t	Pennine Signs	Happy Hounds Banners	34097	£ 48.00	Project & Events	BACS
u	YLCA	Creating and Maintaining Ponds	INV-5495	£ 10.00	Training	BACS
	YLCA	Allotments Agreements	INV-5378	£ 27.40	Training	BACS
				£ 20,338.59		

Accounts previously paid by the Town Clerk

No.:	Payee	Details	Invoice No	Amount	Cost Centre	
a	Amazon	Office Supplies	GB61SBRLABEI	*£ 15.98*	Office	*Card*
b	Amazon	Office Supplies	GB6004B5YU84HI	*£ 9.97*	Office	*Card*
c	Amazon	Office Supplies	GB61TOFPABEI	*£ 24.94*	Office	*Card*
d	Amazon	Office Supplies	GB62EOUEABEI	*£ 7.96*	Office	*Card*
e	Amazon	Office Supplies	GB62EOU0ABEI	*£ 6.29*	Office	*Card*
f	Amazon	Office Supplies	GB62DXMSABEI	*£ 57.80*	Office	*Card*
g	Amazon	Office Supplies	GB62DWS3ABEI	*£ 69.99*	Office	*Card*
h	Adobat Systems	Acrobat Pro	IEE2026005727293	*£ 242.64*	Office	*Card*
i	Amazon	Craft Supplies	GB6GF7GABEI	*£ 17.10*	Project & Events	*Card*
j	Amazon	Craft Supplies	GB60000T4H22PI	*£ 10.78*	Project & Events	*Card*
k	Amazon	Craft Supplies	GB6000040CJYFI	*£ 10.04*	Project & Events	*Card*
l	Amazon	Craft Supplies	GB6HLMUABEI	*£ 13.27*	Project & Events	*Card*
m	Amazon	Craft Supplies	GB6HMA9ABEI	*£ 20.88*	Project & Events	*Card*
n	Wex Photo Video	Digital Camera	WO0000892455	*£ 380.99*	Project & Events	*Card*
				£ 888.63		

Direct Debits

No.:	Payee	Details	Invoice No	Amount	Cost Centre	
a	EE	EE charges February 2026	V02437686380	£ 79.99	Office	*DD*
b	EE	EE charges March 2026	V02447356115	£ 79.20	Office	*DD*
c	Peninsula	Employment Services	U005543303	*£ 689.76*	Office	*DD*
				£ 848.95		

TOTAL PAYMENTS **£ 22,076.17**

Authorised by			
Councillor	Councillor	Clerk	Date

Fw: Calderdale Energy Park Statutory Consultation: Wednesday 08 April until Wednesday 10 June 2026

From Emma Green - Hebden Royd Town Council <Emma.Green@hebdenroydtowncouncil.gov.uk>
Date Thu 2026-04-09 12:45
To Emma Green - Hebden Royd Town Council <Emma.Green@hebdenroydtowncouncil.gov.uk>

Dear Sir / Madam,

Proposed Calderdale Energy Park
Statutory Consultation on proposed application for development consent
Section 42(a) and (b) of the Planning Act 2008

The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 ("the 2017 Regulations")

Calderdale Windfarm Ltd (CWFL) proposes to submit an application to the Secretary of State under section 37 of the Planning Act 2008 ("the 2008 Act") for a development consent order (DCO) for the proposed Calderdale Energy Park ("the Proposed Development"), located at Walshaw Moor, Calderdale, West Yorkshire.

We are commencing a statutory consultation on the proposed application in accordance with the requirements of the 2008 Act on **08 April 2026.**

During the pre-application process, we must consult with a variety of persons and organisations about the proposed application in accordance with the requirements of the 2008 Act and the 2017 Regulations. We are writing to you as you have been identified as a consultee for the purposes of section 42(1) of the 2008 Act and/or Regulation 11 of the 2017 Regulations.

Calderdale Energy Park – the Proposed Development

The main site, where the Turbine Area will be located, covers approximately 2,227 hectares (ha) of land at Walshaw Moor, situated north of Hebden Bridge, in West Yorkshire. The Turbine Area lies within the administrative boundary of Calderdale Council.

The Applicant is progressing a point of connection via the proposed Bradford West Cable Corridor. At this stage, an indicative grid connection route is proposed to facilitate connection of the Proposed Development to the existing Bradford West Substation. This potential route would traverse the administrative area of Calderdale Council before entering the administrative boundary of the City of Bradford Council.

The exact locations for site access, highway improvements, and associated access tracks to the Turbine Area have not yet been finalised. The proposed Eastern Access Route sits within the administrative boundaries of Calderdale Council and City of Bradford Council, while the proposed Western Access Route spans the administrative boundaries of Calderdale Council, City of Bradford Council, and Pendle Borough Council.

The Proposed Development will involve the installation, operation (and maintenance) and decommissioning of the following components:

Turbine Area

- Up to 34 wind turbines, with associated foundations, turning heads, crane hardstandings and external transformer units. The gross electrical output capacity of the wind turbines will be over 100MW (approximately 240MW based on current technology); and
- Associated infrastructure, which is anticipated to include onsite substation and infrastructure, internal access tracks and watercourse crossing infrastructure (e.g. bridge and culvert crossings), a meteorological mast, underground internal electrical cable arrays, borrow pits, temporary construction compounds, a temporary onsite concrete batching plant, drainage and landscaping, lighting, CCTV and fencing and enclosures.

Access Routes

- Provision of the Western Access Route and Eastern Access Route, including external site access junctions and highway works to deliver access from the existing road network to the Turbine Area.

Bradford West Cable Corridor

- Export cables to connect the onsite substation to the Bradford West Substation.

Environmental mitigation

- Onsite environmental mitigation and enhancements are proposed and potential offsite ecological mitigation and compensation measures are also being considered, as is open access land and common land compensation.

It is anticipated that the proposed DCO will, among other things, authorise:

- The construction, operation, maintenance and decommissioning of the Proposed Development including associated and ancillary development;
- The compulsory acquisition of land, rights in or over land and imposition of restrictions, powers to override, suspend or extinguish rights over land and the temporary use of land;
- The application, modification and/or disapplication of legislation relevant to the Proposed Development including that relating to the compulsory acquisition of land; and
- Such ancillary, incidental and consequential provisions, licences, property rights, permits and consents as are necessary and/or convenient.

The Secretary of State for Energy Security and Net Zero has issued a direction under section 35 of the 2008 Act that the Proposed Development is nationally significant and is to be treated as development for which development consent under the 2008 Act is required. Regardless, the Proposed Development is now classified as a Nationally Significant Infrastructure Project (NSIP) for the purposes of the 2008 Act. Accordingly, CWFL is required to make an application to the Secretary of State for a DCO to obtain the consent we need to construct, operate, maintain and in time decommission the Proposed Development. You can find out more about the DCO process on the Planning Inspectorate's National Infrastructure Planning website: https://infrastructure.planninginspectorate.gov.uk/

The Proposed Development is an Environmental Impact Assessment (EIA) development, as defined by the 2017 Regulations. This means that the Proposed Development constitutes development for which an EIA is needed. An Environmental Statement will accompany the DCO application. To support the statutory consultation, we have published a Preliminary Environmental Information Report (PEIR) which sets out the potential environmental effects of the proposals. The PEIR can be viewed on the project website at https://www.calderdaleenergypark.co.uk/document-library/.

Consultation on the Proposed Development

This letter is formal notice that CWFL is carrying out statutory consultation on the Proposed Development pursuant to the 2008 Act. The consultation will run from **Wednesday 08 April 2026 until 11:59pm on Wednesday 10 June 2026** ("the Consultation Period").

Alongside our consultation with section 42 consultees, we are consulting with the public on our proposals in accordance with our Statement of Community Consultation (SoCC), which sets out how we will consult with the local community about the Proposed Development.

A newspaper notice prepared in accordance with sections 47 and 48 of the 2008 Act, advertising where the SoCC and consultation materials can be viewed has been published in local and national newspapers. In accordance with Regulation 13 of the 2017 Regulations, a copy of that notice is enclosed.

Invitation to Parish Councils – Parish Council Webinar

In addition to the public consultation events, we are holding an online briefing session specifically for parish councils during the Consultation Period. This session will provide an overview of the Proposed Development, the consultation process, and an opportunity to ask questions directly to the project team. The webinar will take place on **Tuesday 12 May 6:30-8:00pm**, and parish councils are invited to attend, registration is available via the link below.

Webinar registration: https://events.teams.microsoft.com/event/e678bd29-8ad7-4c2a-8054-94abfabb4c4f@873b7292-5469-4a05-9740-0332e6cbc72d

Consultation Events

During the Consultation Period, a series of public consultation events will be held. These events will provide an opportunity to view details about the Proposed Development and speak with the project team. Dates, times and

locations for these events are below:

Date	Time	Location
Friday 17 April	2:00pm – 7:00pm	Denholme Community Centre, Main Road, Denholme, BD13 4BL
Saturday 18 April	1:00pm -5:00pm	Oxenhope Community Centre, Shaw Lane, Oxenhope, BD22 9LH
Tuesday 21 April	1:00pm – 7:00pm	Hebden Bridge Town Hall, St George's Street, Hebden Bridge, HX7 7BY
Saturday 09 May	11:00am -3:00pm	Trawden Forest Community Centre, Church Street, Trawden, BB8 8RU
Tuesday 19 May	1:00pm-7:00pm	Haworth Village Hall, Butt Lane, Haworth, Keighley, BD22 8QJ
Thursday 21 May	2:00pm -7:00pm	Primet Community Centre, Primet Hill, Colne, BB8 9NF

Online events

We will be holding one online webinar throughout the consultation period; the details of the event are below. You can register for the webinar via the link below: https://events.teams.microsoft.com/event/57aedd98-578c-4d46-a60a-067024f70dc6@873b7292-5469-4a05-9740-0332e6cbc72d

Date	Time	Location
Thursday 14 May	6:30pm - 8:00pm	Online

Consultation Documents

The full set of consultation documents will be available on the project website from 8 April 2025 at https://www.calderdaleenergypark.co.uk/document-library/.

Attached to this email are the following materials, which provide further details of this consultation and our proposals:

- The Calderdale Energy Park Newsletter;
- The Calderdale Energy Park Feedback Form;
- The Calderdale Energy Park Consultation Brochure; and
- A copy of the s47/s48 Newspaper Notice.

In addition to the above we have produced the following materials that can be accessed via the project website:

- The SoCC;
- The PEIR
- The PEIR Non-Technical Summary;
- Site area plans; and
- Calderdale Energy Park non-statutory consultation report and documentation produced for non-statutory consultation.

Hard copies of the consultation newsletter, brochure, feedback form and Non-Technical Summary will be available at be no extra charge and can be requested to be sent via post or collected from the in-person consultation events. A hard copy of the PEIR will be available to view at the consultation events.

Copies of the PEIR contained on a USB stick can be provided on request free of charge. Requests for hard copies of the PEIR will be reviewed on a case-by-case basis, to cover printing costs a reasonable copying charge may apply. The maximum cost for a full hard copy of the PEIR, including all appendices and figures, is £12,000 to be paid for by the recipient. The charge will be calculated based on cost per individual volume requested as follows: Volume 1 - Main Report, £1500; Volume 2 - Figures, £6000 and Volume Three - Appendices, £4500. If you would like to request a hard copy of any of the consultation documents or if you

need other more accessible formats of the consultation materials, please contact us using the contact details below.

Consultation Feedback

We invite you to review the consultation documents and provide your comments on the Proposed Development. Please submit your responses **by 11:59pm on Wednesday 10 June 2026** using one of the following methods:

- Completing the feedback form online at https://www.calderdaleenergypark.co.uk/have-your-say/
- By returning a printed copy of the enclosed response form to us at Freepost CALDERDALE ENERGY PARK (no stamp required)
- Emailing us at info@calderdalenergypark.co.uk
- Writing to us at Freepost CALDERDALE ENERGY PARK (no stamp required)
- Attending a consultation event and completing a printed feedback form which can be handed into the team in-person or sent to us via the freepost address above

Responses received after the deadline may not be considered. We cannot guarantee acceptance of consultation feedback submitted via other channels.

CWFL requests that responses state the grounds of representation, indicate who is making it, and provide an address to which any correspondence relating to the representation may be sent.

CWFL may be required to make copies of consultation responses available to the Planning Inspectorate. All personal information received as part of the statutory consultation will be handled in accordance with our privacy policy which can be found at https://www.calderdaleenergypark.co.uk/privacy-policy/.

If you have any questions about the Proposed Development, please do not hesitate to get in touch with us using the contact details provided above or by calling 01422 702 506.

Yours sincerely,

Christian Egal
Project Director
Calderdale Energy Park

Hebden Royd Town Council – Privacy Notice

Privacy Notice

Hebden Royd Town Council ("we", "us", "our") is the data controller for the personal data described in this notice.

Contact details
Hebden Royd Town Council
The Town Hall
St George's Street
Hebden Bridge
HX7 7BY
Email: info@hebdenroydtowncouncil.gov.uk

Data Protection Officer
The Council has appointed a Data Protection Officer (DPO).
Email: dpo@theprivacyworx.com

What this notice covers

This notice explains how we process personal data in connection with:

- Our websites and online services
- Council services and activities
- Events and community activities
- Allotments
- Finance and accounts
- Elections and democratic services
- CCTV at council premises

Information about cookies and similar technologies used on our websites is provided separately in our Cookie Notice.

How we collect personal data

We collect personal data:

- Directly from you when you contact us, apply for services, make bookings, or submit forms
- Automatically through the operation and security of our websites and IT systems
- From third parties such as service providers, contractors, event organisers, other public bodies, or regulators
- Through CCTV systems operating at council premises

Purposes of processing and lawful bases

Website use and online enquiries
Data: contact details, enquiry content, IP address, device and browser information
Purpose: responding to enquiries, operating and securing websites, improving services
Lawful basis: Article 6(1)(e) – public task

Events, culture and community activities
Data: contact details, booking and participation information
Purpose: managing events, communications, records and financial reconciliation
Lawful basis: Article 6(1)(b) – contract; Article 6(1)(e) – public task

Allotments
Data: contact details, application and tenancy information, payment records
Purpose: managing allotments, waiting lists, tenancies and communications
Lawful basis: Article 6(1)(b); Article 6(1)(e)

Finance and accounts
Data: contact details, payment and transaction information
Purpose: processing payments, managing grants and charges, audit and accounting
Lawful basis: Article 6(1)(c) – legal obligation; Article 6(1)(e)

Elections and democratic services
Data: name, address, electoral and correspondence information
Purpose: administering elections and meeting statutory democratic duties
Lawful basis: Article 6(1)(c); Article 6(1)(e)

CCTV
Data: images of individuals
Purpose: safeguarding people, protecting property, preventing and detecting crime, supporting investigations
Lawful basis: Article 6(1)(e)

Legal and regulatory matters
Data: relevant personal data depending on context
Purpose: handling complaints, claims, legal proceedings, regulatory requests
Lawful basis: Article 6(1)(c); Article 6(1)(e)

Who we share personal data with

We may share personal data with:

- IT, website, hosting and software providers
- Ticketing, payment and event service providers
- Professional advisers (legal, audit, insurance)
- Security and CCTV service providers
- Law enforcement and regulators where required by law

We do not sell personal data.

International transfers

We do not routinely transfer personal data outside the UK. Where processing takes place outside the UK, appropriate safeguards are used in line with UK data protection law.

How long we keep personal data

Personal data is retained only for as long as necessary for the relevant purpose and in accordance with our records management and retention requirements.

Your rights

You have the right to access, rectify, erase, restrict or object to processing, and to lodge a complaint with the Information Commissioner's Office (ICO). Further information is available at www.ico.org.uk.

Automated decision-making

We do not use automated decision-making or profiling.

Information obtained from other sources (Article 14)

In some cases, we receive personal data from third parties, including contractors, other public bodies, event organisers, or via CCTV. Where required, we will provide privacy information unless a legal exemption applies.

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Web Accessibility Statement

Website Accessibility Statement for Hebden Royd Town Council

This website is run by Hebden Royd Town Council. We want as many people as possible to be able to use this website. For example, that means you should be able to:

- Zoom in up to 300% without the text spilling off the screen
- Navigate most of the website using just a keyboard
- Navigate most of the website using speech recognition software
- Listen to most of the website using a screen reader (including the most recent versions of JAWS, NVDA and VoiceOver)

We've also tried to make the website text as simple as possible to understand.

AbilityNet has advice on making your device easier to use if you have a disability.

How accessible this website is

We know some parts of this website are not fully accessible:

- Most older PDF documents are not fully accessible to screen reader software
- Any instances of live video streams may not have captions
- There's a limit to how far you can magnify the map on our 'contact us' page

What to do if you cannot access parts of this website

If you need information on this website in a different format like accessible PDF, large print, easy read, audio recording or braille, or would like to report an accessibility problem with this website, please contact:

- Email: info@hebdenroydtowncouncil.gov.uk
- Call: 01422 842181

We'll consider your request and get back to you in 10 days.

Enforcement procedure

The Equality and Human Rights Commission (EHRC) is responsible for enforcing the Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018 (the 'accessibility regulations'). If you're not happy with how we respond to your complaint, contact the Equality Advisory and Support Service (EASS).

Technical information about this website's accessibility

Hebden Royd Town Council is committed to making its website accessible, in accordance with the Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018.

Compliance Status

This website is partially compliant with the Web Content Accessibility Guidelines version 2.2 AA standard, due to the non-compliances listed below.

Non compliance with the accessibility regulations

Some images do not have a text alternative, so people using a screen reader cannot access the information. This fails WCAG 2.2 success criterion 1.1.1 (non-text content). In almost all cases, these images will be for decorative purposes only.

We plan to add text alternatives for all images. When we publish new content we'll make sure our use of images meets accessibility standards.

Content that's not within the scope of the accessibility regulations

PDFs and other documents

Many of our older PDFs and Word documents do not meet accessibility standards – for example, they may not be structured so they're accessible to a screen reader. This does not meet WCAG 2.2 success criterion 4.1.2.

Some of our PDFs and Word documents are essential to providing our services. For example, we may have PDFs with information on how users can access our services, and forms published as Word documents. In these instances, we plan to either fix these or replace them with accessible HTML pages over time.

The accessibility regulations do not require us to fix PDFs or other documents published before 23 September 2018 if they're not essential to providing our services.

Live & recorded video

Live & recorded video streams that do not have captions will fail WCAG 2.2 success criterion 1.2.4 (captions – live).

We do not plan to add captions to live video streams because live video is exempt from meeting the accessibility regulations.

What we're doing to improve accessibility

Issues with PDFs and other documents

We are aware that some older documents are not accessible, going forward we are working to ensure all new documents comply with accessibility requirements.

If you have accessibility issues with an older document, please contact us and we will provide it in a different format.

How we tested this website

This website was last tested on 1 April 2025. The test was carried out by Zonkey Solutions Ltd.

We tested representative templates using ChromeVox screen reader and ace and WAVE a11y tools.

Preparation of this accessibility statement

This statement was prepared on 16 April 2025.

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Hebden Royd Town Council IT Security Policy

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Software Management

1. Introduction

1.1. This section sets out how the software which runs on our Council's IT systems and services is managed. It includes controls on the installation, maintenance and use of software, with appropriate procedures for upgrades to minimise the risk to information and information systems.

2. Scope

2.1. This policy is applicable to all equipment that connects to the Council's fixed and wireless network.

2.2. This policy should be familiar to all staff involved in the specification, installation and maintenance of software.

3. Software Security Management

3.1. All software procurement or installation should only be undertaken with the approval of the Clerk.

3.2. There must be a nominated individual responsible for every item of software deployed on the Council's network.

3.3. Software applications are to be managed by suitably trained and qualified staff to oversee their day to day running, and to preserve security and integrity in collaboration with nominated individual application owners. Refer to IT support if required.

3.4. All staff managing software applications shall be given relevant training in information security issues.

3.5. The procurement or implementation of new or upgraded software must be carefully planned and managed in conjunction with IT Services or the Clerk. Any development for or by the Council must document the requirements for Information Security.

3.6. Information security risks associated with the procurement or implementation of new, or upgraded, software must use a combination of procedural and technical controls to mitigate any risks.

3.7. All software implemented should be subject to the Council's release management, version control, change approval and management processes.

4. Change Control

4.1. For all Council's owned and managed equipment, formal change control procedures, with comprehensive audit trails, must be used for all changes or upgrades to business software.

4.2. All changes to operating systems and ancillary software must be properly authorised and must be tested appropriately before changes are moved to the live environment to ensure there is no adverse impact on Council's operations or security.

5. Software Development

5.1. Modifications to vendor supplied software shall be avoided as far as possible, and only strictly controlled essential changes shall be permitted, after agreement with the vendor and IT Services or the Clerk, and the development of interfacing software shall only be undertaken in a planned and controlled manner.

5.2. Upgrades or other changes to locally developed software must be assessed to mitigate any potential risk to information security.

6. Software Regulation

6.1. The use of illegal software and using software for illegal activities is not permitted and may lead to disciplinary action.

6.2. All software installed on Council's computer systems must have an appropriate licence covering its intended use.
6.3. Use of software which tests or attempts to break Council's system or network security is prohibited unless the Clerk has been notified and has given authorisation.
6.4. Use of software which causes operational problems, causes inconvenience to others, or which makes demands on resources which are excessive or cannot be justified, will be prohibited.
6.5. Software found on Council's IT systems and services which incorporates malware of any type is liable to be automatically or manually removed or deactivated.
6.6. Any system that monitors the activities of other people, including for the purpose of gathering personal information is not permitted unless authorised by the Clerk.

Network Management

1. Introduction

1.1. This section will define how the Council's networks are designed and how IT systems, services and devices are connected to them. It includes appropriate technical and procedural controls to reduce risk and meet the requirements of the Data Protection Policy
2. Scope
2.1. To define the Council's policy for designing, controlling and managing the Council's network.
2.2. Enabling the movement of data that supports the Council's business and disabling the movement of data that hinders the Council's business needs over the networks for which the Council is responsible.

3. Definitions

3.1. End User Network Device – any network enabled device which is the initial source or ultimate destination in a data network.
3.2. Network Device – a device such as a switch or router through which data passes on its journey to or from an End User Network Device.
3.3. Network Interface – part of a network device or end user network device that enables it to communicate via a network, there may be more than one interface on a device.
3.4. Local Area Network (LAN) – a computer network that spans a relatively small area, such as a building.
3.5. Clerk– The person appointed by the Council as the person responsible for the management of the Council's network.
3.6. System Owner – The manager of individual systems or services such as email or websites. Can include classroom PC groups or LAN partitions.

4. Management of the Network

4.1. The Council's network shall be managed by suitably authorised and qualified staff appointed by the Clerk to oversee its day to day running and to preserve its security and integrity in collaboration with nominated individual system owners.
4.2. Planned reconfiguration of the network will use formal, auditable change control procedures and appropriate risk management.
4.3. Where there is a risk to the security or quality of service to the network, the Clerk is authorised to make emergency changes to restore service.
4.4. The overall control of the IP address scheme is managed by the Network Services manager, although this may be delegated to nominated system owners for limited IP address management.

4.5. Users of the network are advised that network management procedures may include procedures such as:

4.5.1. Probing devices to test security.

4.5.2. Monitoring of network traffic to detect operational issues.

4.5.3. Recording of network traffic to detect possible policy violations.

4.5.4. Validation that data travelling across the network is legitimate and does not have virus content, is not of an offensive nature, and cannot be detrimental to performance or management of any device or end user device on the network.

4.5.5. Monitoring, filtering and blocking of websites and other services where necessary in order to fulfil the Council's statutory and regulatory responsibilities

5. Network Architecture

5.1. The network must be designed and configured to deliver performance, reliability and security suitable for the requirements of the Council.

5.2. The network shall be segregated into separate VLANs on the basis of security requirements. These domains can have controls to prevent unauthorised access to the Council's critical business systems, where appropriate.

5.3. LANs in individual buildings or departments should normally be designed and installed by the network management team. In other cases, the Clerk reserves the right to check the installation before connecting it to the Council's core network.

5.4. No changes to the network infrastructure, such as the introduction of a router, switch or wireless access point, is permitted without prior approval from the Network Services manager.

5.5. Records of all active and inactive network device locations and configurations shall be maintained.

6. Physical Security and Integrity

6.1. Reasonable measures based on a risk assessment, and regulatory compliance must be taken to protect rooms containing servers, active network devices and patching panels from threats such as fire, water, accidental damage, security breaches and theft.

6.2. Physical access to rooms containing servers, active network devices and patching panels shall be restricted to:

6.2.1. A list of authorised staff maintained by the relevant system.

6.2.2. Other individuals providing that their entry has been approved by the relevant system.

6.3. Any device that is running a service that conflicts with centrally managed services such as DHCP, etc. must not be connected to the network without prior agreement with the.

7. Controlling Access

7.1. Access control procedures must provide adequate safeguards through robust identification and authentication techniques.

7.2. Only devices owned by the Council or recognised partner organisations may be connected to the wired network, except under special circumstances, approved by the Network Services manager.

7.3. Personal devices may be used on the wireless network only after registration and authentication.

7.4. All devices connecting to the Council's network both wired and wireless must conform to Council's policies.

7.5. Remote administrative connection to the Council's network and resources will only be permitted from authorised users and devices over suitably secured connections.

User Management

1. Introduction

1.1. This section governs:

1.1.1. The creation, management and de-provisioning of user accounts.

1.1.2. The granting and revocation of authorised privileges associated with a user-account.

1.1.3. The authentication (usually a secret password) by which the user establishes their right to use the account.

2. Scope

2.1. This section applies to all accounts on Council's IT systems and services directly connected to networks which are managed by the Council. This includes operating system (Windows, Linux, Solaris etc.), and application software accounts (HR, Accounts, Database, etc.).

2.2. This document includes statements on:

2.2.1. Access Control

2.2.2. Managing Privileges

2.2.3. Authentication/Password Management

3. Access Control

3.1. Manual creation, deletion and changes of user accounts and privileges must be carried out by trained and authorised staff. Currently undertaken by approved supplier.

3.2. Automated creation of user accounts will be driven by authorised feeder systems including but not restricted to HR according to criteria agreed with the service owners.

3.3. The person enacting any change in a user account must be different from the one authorising/requesting the change.

3.4. Logs will be kept of all account creation/deletion/changes. Held by IT Services supplier.

3.5. Account details will only be divulged to the user after proof of identity has been established. These are confirmed via email using encrypted links.

4. Managing Privileges

4.1. A user account should have the least privilege which is sufficient for the user to perform their role within the Council and access to information and information systems and services must be driven by business requirements.

4.2. Changes in the privilege of an account must be authorised by the user's line manager or a nominated "owner" of the information system to which the account affects.

4.3. Users' privilege rights will be periodically reviewed.

4.4. Procedures shall be established to ensure that users' access rights are adjusted appropriately, and in a timely manner, whenever there is a change in business need, a user changes their role, or a user leaves the Council.

4.5. User accounts should be disabled immediately once the user leaves the Council or after a period agreed with HR. The user's data will not be deleted until after a period agreed with Human Resources, IT Services or the Clerk management and service owners.

4.6. Users should be informed of their responsibility to inform information system owners of any change in their role which might affect their privileges. IT Services or the Clerk should be informed as part of the starters/leavers process.

5. Managing Elevated Privileges

5.1. Users whose work requires system administration access will be given a separate specialist account for this purpose, in addition to their standard user account.

5.3. System administration accounts may use the same password policy as other accounts, but on some systems may have a separate password policy, as required by that system/service.

5.4. In all other ways, these system administration accounts should be managed and the user is responsible for them similarly to standard accounts.

6. Authentication/Password Management

6.1. All users will have a unique identifier for any Council's IT system and services.

6.2. The user responsible for their account will keep the accounts authentication details secret and will not divulge it to any other person for any reason.

6.3. The account must not be used by the user where there is a possibility that the account details may be revealed.

6.4. Passwords can only be changed by the user or suitably trained and authorised staff.

6.5. If a user suspects their password is no longer secret it must be changed immediately and the system "owner" notified.

Wireless Communication

1. Introduction

1.1. This section sets out how wireless communications equipment and users connect to the Council's networks. The policy prohibits access to the Council's internal networks via any unsecured wireless communication mechanisms, other than those explicitly mentioned in the policy. Only wireless systems that meet the requirements of this policy and are approved by the Clerk can be connected to the Council's networks.

2. Scope

2.1 This section covers all wireless data communication devices (e.g. personal computers, cellular phones, smartphones, tablets, PDA's etc.) connected to any of the Council's internal networks. This includes any form of wireless communication device capable of transmitting data. Wireless devices and/or networks without any connectivity to the Council's networks do not fall under the purview of this policy.

The Clerk must approve exceptions to this policy in advance.

3. Wireless Policy Statement

3.1. Statement of Authority

3.1.1. Responsibility for Wireless communication resources resides with IT Services or the Clerk.

3.1.2. IT Services or the Clerk must approve all installations of Wireless access points across all sites. Policies and guidelines for deployment of these systems are essential to prevent interference between different implementations, other uses of the wireless spectrum, and maintain a quality of service connection to a diverse user community.

3.2. Council's Users Access to Wireless

3.2.1. Wireless access to the Council's network, is provided by the agreed Council's supported wireless access service.

3.2.2. All wireless access to the Council's network will be encrypted and authenticated, using approved protocols and infrastructure.

3.2.3 The IT provider has coverage for the Picture House via Xyzel Nebula Cloud system for wfi – editing all ssids and passwords etc. for patrons

3.3. Visitor Access to Wireless

3.3.1. Wireless access for visitors to the Council, will be available at all facilities where wireless access has been deployed.
3.3.2. Wireless access for visitors is provided through an encrypted connection with a temporary password provided by reception on request.
3.3.3. Temporary passwords will be pre-set to expire after the minimum period necessary (typically 1 day).
3.3.3. Wireless access for all visitors will be managed through a web-based authentication system.
3.3.4. Wireless access for visitors is restricted to basic web access.

3.4. Wireless Request Procedure

Requests for wireless networking can be made the Clerk using the Wireless Request Procedure and any request must be made with the approval of the appropriate Manager and must outline how the request supports the business needs and aims of the Council.

4. Definitions

- Wireless Network: the network technology that uses radio frequency to connect computing devices to a wired port on the Council's network.
- Wireless infrastructure: The wireless access points, antennas, cabling, power and network hardware associated with the deployment of a wireless network.
- Access Point: A network device that serves as a common connection point for devices in a wireless network. Access points use wireless antennas instead of wired ports for access by multiple users of the wireless network. Access points are shared bandwidth devices, and are usually connected to the wired network.
- Coverage: The physical area where a level of wireless connectivity is available.

Use of Computers

1. Introduction

1.1. This section defines the acceptable actions of any individual who interacts with the Council's IT systems and services. The individual may be an anonymous user of public services (for example, browsing the Council's web pages) or they may be an authenticated user of authorised services (for example sending and receiving Council's email). To be covered by this section, the individual will, either actively or passively, make decisions which in turn cause some computation to be done on Council's IT systems and services.

2. Scope

2.1. This section applies to all users of the Council's IT systems and services.

2.2. Unless explicitly stated otherwise in this policy, the Acceptable Use Policy applies to all users of the Council's IT systems and services.

3. Faculty or Department Policies and Regulations

3.1. Where necessary a Proper Officer may request to implement different policies relating to the use of Council's IT systems and services for which they have responsibility, subject to agreement with the Clerk.

4. Acceptable Use of Council's IT Facilities

4.1. Subject to clauses in section 5 below, the Council's IT systems and services may be used for any lawful activity which furthers the aims of the Council and is consistent with the policies of the Council, both at the time of use and in the reasonably foreseeable future after the time of use.

4.2. Personal use: Subject to clauses in section 5 below, authenticated individuals are allowed to make reasonable use of the Council's IT systems and services provided that the use does not interfere with the performance of their duties, cause financial loss to the Council or cause any difficulty or distress to others.

4.3. Commercial use: A user must obtain explicit permission from the appropriate Manager to use the Council's IT systems and services for commercial gain and this may be subject to a charge

4.4. Authentication (user ids and passwords): where a user has been issued with a user ID and password, the user is presumed to be responsible for all activity attributable to that identity. To that end:

4.4.1. The user will take all reasonable steps to prevent their personal identity from being used by anyone else.

4.4.2. Administrative account holders will also take all reasonable steps to prevent the administrative identity from being used by anyone else. In particular, passwords must be kept unpredictable to anyone except the legitimate account holder.

4.4.3. If a user suspects that their password is no longer secret, they should change their password at the first opportunity.

4.4.4. If you have an impairment that prevents you from entering your own username and password, you are permitted to share these details with your nominated support person.

4.5. Where the user has been allocated a personal computer (such as a laptop or desktop) by the Council, the user should ensure the device is shutdown at the end of the working day.

5. Unacceptable Use of Council's IT Systems and Services

The list of unacceptable uses of the Council's IT systems and services listed below is applicable to all Council's IT systems and services and is consistent with the Acceptable Use Policy.

5.1. Any illegal activity.

5.2. The creation, display, download, production, store, circulation or transmission of unlawful material, or material that is indecent, offensive, defamatory, racist, threatening, discriminatory or extremist in any form or medium is strictly forbidden. The Council reserves the right to block or monitor access to such material.

5.3. Staff who requires legitimate access to the types of materials outlined in clause 5.2 must obtain an explicitly signed waiver.

5.4. Continuing to use an item of networking software or hardware after the Head of IT Services or the Clerk has requested that use cease because it is causing disruption to the correct functioning of the Council's systems

5.5. Any attempt to bypass information security safeguards and policies embedded into the Council's network.

5.6. Deliberate unauthorised access to the Council's IT systems and services.

5.7. Using "open access" computing facilities (such as classroom or library computers) for recreational or other non-Council work when there are others waiting to use the resource.

5.8. Authenticated sessions: a user must not leave an authenticated (i.e. logged in) session unattended without first invoking a password protected screensaver or similar device.

5.9. Users must not in any way cause any form of damage to the Council's IT systems and services or the associated hardware.

5.10. Users must comply with any other policies that relate to the use of IT systems and services that the Council may introduce from time to time

6. Protecting Against Unknown or Malicious Code

The Council will put in place appropriate measures to protect against the possible risk of unknown or malicious code infecting devices. These protective measures will include:

6.1. Files downloaded from the internet, including mobile code and files attached to electronic mail, must be treated with the utmost care to safeguard against both malicious code and inappropriate material. Such files, or any others not known to come from a trusted source, must be scanned for possible malicious code before being opened.

6.2. A combination of proactive measures must be used to help manage the risk of malicious code being run on Council's IT systems and services. A combination of the following measures is recommended:

6.2.1. Deploying antivirus software developed by a reputable supplier, which should be kept fully up to date and used to scan all files: downloaded from the internet, received as attachments to email (or other forms of messaging) and all removable media when inserted.

6.2.2. Advising computer users to avoid running software or opening files obtained from untrusted sources and to be particularly cautious of accessing files attached to unsolicited email and stored on untrusted media.

6.2.3. Managing support of computers such that privilege to install software is restricted to experienced computer support staff.

7. Backups

7.1. All data saved to the cloud is cloud based. Any essential information stored on a laptop or on a PC's local disk must be backed up regularly. It is the responsibility of the user to ensure that this takes place on a regular basis.

7.2. Information system managers are responsible for ensuring that backup arrangements published, or agreed with users of the system, are reliably implemented and that users are informed promptly should there be any problems with, or changes to, the backup arrangements.

Bring Your Own Device

1. Introduction

1.1. This section is intended to address the use in the workplace by users of non-Council owned IT devices such as smart phones, tablets and other such devices to access and store Council's information, as well as their own. This is commonly known as 'bring your own device' and referred to in the rest of this policy as BYOD. The use of BYOD devices to process Council's information and data creates issues that need to be addressed, particularly around data security.

1.2. The Council must remain in control of the personal data for which it is responsible, regardless of the ownership of the device used to carry out the processing. As user you are required to keep secure Council's information and data. This applies equally to information held on the Council's IT systems and services and to information held on an employee's own device.

1.3. Users are required to assist and support the Council in carrying out its legal and operational obligations with regards to Council's data and information stored on your device. Users are required to co-operate with officers of the Council when they consider it necessary to access or inspect Council's data stored on your device.

2. Scope

2.1. This section applies to all users of Council's IT Systems and Services.

2.2. This section is to ensure that users understand their role and responsibilities when using BYOD and data offsite and accessing Council's IT systems and services from remote locations.
2.3. This section relates to storing and access to Council's information on a BYOD
2.4. Using BYOD devices.
2.5. Using BYOD from Council's premises.

3. Using BYOD in relation to Council's Systems and Services Off Premises

3.1. All BYOD devices should be password protected.
3.2. Any mobile device which is not protected by a password/pin and which attempts to access corporate email will be automatically forced to create a password/pin.
3.3. BYOD devices used to access Council's IT systems and services which are at risk of malware infection should run anti-virus software.
3.4. Users should not store or access personal, confidential or commercially sensitive information on or from any device not owned by themselves or the Council
3.5. Any potential breach of the General Data Protection Regulation or loss of commercially sensitive data should be notified to the Council's Governance team and the user's line manager as soon as possible.
3.6. If a domestic wireless solution is used at the user's premises, it must be made secure, utilising the wireless security features and password included with the wireless solution, to ensure no unauthorised access is permitted.
3.7. When using BYOD devices to access Council's IT Systems and Services it is the responsibility of remote users to ensure that all reasonable measures have been taken to secure the remote machine. This includes the use of physical or software firewalls, ensuring the device operating system and all software supported by the publisher and is patched and up to date.
3.8. Some Council's IT Systems and Services have the ability to remotely delete data and in certain circumstances this may be actioned in order to prevent access to the Council's data. Users should be aware that in the event of this happening, this may also impact the user's personal data
3.9. Should the Council introduce/change 'Mobile Device Management' software, users must adopt the new software to continue using Council's services on such devices.
3.10. The Council reserves the right to withdraw support of BYOD.

Further actions to be incorporated during 2026-27 not yet pat of the above policy.

- Within the boundaries of office 365/emails the addition of multi-factor authentication.
- Passwords (regularly changed) on local pc accounts, BitLocker encryption on all windows
- Add an Admin to every PC and restrict current users to standard users.

COMMITTEE MEMBERSHIP 2025-26

Community Funding Committee

Cllr June Cammack	Cllr Pat Fraser	**Cllr Patsi Guilfoyle**
Cllr Rosemary Hedges	Cllr David Howes	Cllr Jane Hoyle
Cllr Steve Woodhead		

Local Environment and Climate Emergency Committee

Cllr Karl Boggis	Cllr Patsi Guilfoyle	Cllr Nikki Harvey
Cllr Jane Hoyle	Cllr Kate Macdonald	Cllr Holly Morse
Cllr Steve Woodhead		

Projects, Events & Christmas Lighting

Cllr Christine Bampton-Smith	**Cllr Pat Fraser**	Cllr Rosemary Hedges
Cllr Jane Hoyle	Cllr Kate Macdonald	Cllr Alex Turner
VACANCY		

Picture House Committee

Set for the life of the council

Cllr Keith Butterick	Cllr Pat Fraser	Cllr Nikki Harvey
Cllr David Howes	Cllr Holly Morse	Cllr Alex Turner
VACANCY		

Staffing Committee

Four posts to be elected for the term of the council
Three posts to be elected annually

Cllr Keith Butterick	Cllr Patsi Guilfoyle	Cllr Turner
Cllr Nikki Harvey	Cllr Holly Morse	**Cllr Woodhead**
Cllr Kate Macdonald		

Strategy & Review

Chair of each committee plus members as elected by the committee

Cllr Keith Butterick	Cllr Pat Fraser	Cllr Patsi Guilfoyle
Cllr Rosemary Hedges	Cllr Holly Morse	Cllr Alex Turner
Cllr Steve Woodhead		

Twinning

Cllr June Cammack	Cllr Pat Fraser
VACANCY	VACANCY

Grievance Panel

Cllr Keith Butterick	Cllr Steve Woodhead
Cllr Rosemary Hedges	

Appeals Panel

Cllr Karl Boggis	Cllr Jane Hoyle
Cllr Pat Fraser	

Internal Financial Controller

Cllr Patsi Guilfoyle	Cllr Rosemary Hedges

Town Mayor is ex-officio on all committees

REPRESENTATIVES TO OUTSIDE BODIES 2025-26

Hebden Bridge Twinning Society
June Cammack
Christine Davenport
Pat Fraser

Hebden Bridge Walkers Action Group
Nikki Harvey

Yorkshire Association of Local Councils
Steve Woodhead

Town and Parish Council Liaison Committee
Steve Woodhead

Mytholmroyd Station Partnership
Barry Young

Hebden Bridge & Mytholmroyd Town Board
Christine Bampton Smith
Keith Butterick
Kate McDonald
Nikki Harvey

Stubb Playing Field Association
June Cammack

Hebden Bridge Brass Band
Barry Young
Rosemary Hedges

Hebden Bridge Business Forum
Kate Macdonald
Alex Turner

Cragg Vale Community Association
June Cammack

Mytholmroyd Community Centre
Jane Hoyle

Hebden Bridge Flood Alleviation Scheme
Pat Fraser
Patsi Guilfoyle
David Howes
Alex Turner/Steve Woodhead

Hebden Bridge Group Practice – Patient Participation Group
June Cammack
Rosemary Hedges

HRTC Working Parties – Disability Access Forum
Patsi Guilfoyle
Kate Macdonald

Terms of Reference

Parish Forum

March 2026

Calderdale energy park

Purpose of the Group

The Calderdale Energy Park Parish Forum has been established to provide a regular and structured mechanism for engagement between parish councillors and the project team. Its purpose is to promote open, two-way dialogue; ensure the project team can share updates and receive feedback; and create opportunities for councillors to raise questions, represent community views, and contribute to the ongoing development of the project.

The Terms of Reference will be reviewed and approved by members once the forum has launched.

Calderdale Wind Farm Limited (CWFL) is bringing forward proposals for Calderdale Energy Park – a nationally significant onshore wind farm – at Walshaw Moor in Calderdale.

Under the Planning Act 2008, the proposals qualify as a Nationally Significant Infrastructure Project (NSIP). Accordingly, an application for a Development Consent Order (DCO) is to be made to the Planning Inspectorate (PINS), which will examine the DCO application on behalf of the Secretary of State (SoS) for Energy & Climate Change.

Calderdale Energy Park could play an important role in enabling an energy system that meets the UK's commitment to reduce carbon emissions and the Government's objectives to create a secure, reliable and affordable energy supply for consumers.

Alongside the generation of up to 240MW of renewable electricity, Calderdale Energy Park presents an opportunity to bring substantial economic and employment benefits to both Calderdale and the wider region.

The Calderdale Energy Park team is committed to working with parish and town councils across the area. This Forum will play a vital part in supporting that activity, strengthening dialogue, and helping guide meaningful, ongoing engagement as the project progresses through the NSIP process.

The core aims and objectives of the Forum are to:

- Bring parish councillors together to receive updates and provide local insight on matters relevant to their communities.
- Support clarity and consistency in the information shared with councils, helping reduce confusion or misinformation.
- Offer a structured forum for regular updates and discussion on project progress, including updates on planning, construction, environmental topics, and planned engagement activity.
- Provide a dedicated channel through which councillors can raise questions, seek clarification, and formally represent the views and interests of their councils.

Chair and Secretariat

The group will be chaired by Jon Kimber, Chair of Wadsworth Parish Council. The Chair will (in coordination with the secretariat):

- Organise and circulate meeting agendas
- Lead the forum and facilitate discussion and participation by all members
- Invite external parties to address the group on an ad hoc basis as needed
- Ensure discussions and actions are relevant and within the forum's remit
- Review and approve draft minutes
- Attend all meetings or delegate the role if unable to attend
- Manage any disputes, if required

Summary minutes will be published on the project website after they have been approved.

Invited Parishes

The following parishes are invited to nominate two parish / town councillors to represent them on the Parish Forum:

Parish / Town Council	Nominated Representatives
Wadsworth Parish Council	
Heptonstall Parish Council	
Blackshaw Parish Council	
Hebden Royd Town Council	
Oxenhope Parish Council	
Erringden Parish Council	
Haworth & Stanbury Parish Council	
Keighley Town Council	
Trawden Forest Parish Council	
Laneshaw Bridge Parish Council	
Briercliffe with Extwistle Parish Council	
Worsthorne with Hurstwood Parish Council	
Denholme Town Council	

Membership

The membership of the Calderdale Energy Park Parish Forum will be drawn only from parish / town councillors representing the invited councils. Parishes are invited to nominate two councillor representatives. There is no set number of members, but the upper limit is 24 councillors, plus CEP project team representation.

There is no set term of service for councillors serving on the Forum, and no requirement for a quorum.

Members will:

- Attend Forum meetings.
- Share questions, views and feedback raised within their respective parish or town council areas.
- Provide advice and highlight opportunities identified through wider community engagement.
- Support awareness of consultation and engagement activities undertaken by the project team.
- Attend engagement activities where appropriate.
- Contribute constructively to Forum discussions.

Members should acknowledge the diverse experience and perspectives of others and show respect for differing viewpoints, even where these do not align with their own.

Members who do not attend two consecutive meetings of the Forum without giving apologies will have their place withdrawn and a replacement sought from within their respective parish / town council.

Members will give their time free of charge. No expenses will be paid to any members for their participation.

Meeting Arrangements

Meetings of the Calderdale Energy Park Parish Forum will be held bimonthly at a suitable local venue. The frequency and timing of meetings will be reviewed periodically with input from Forum members. If a suitable venue is not available on a proposed meeting date, the Chair may decide to host the meeting online.

Meetings are not open to the general public and are exclusively for nominated parish and town councillors. Meetings are generally expected to last around 90 minutes.

The Chair will invite councillors to propose agenda items prior to each meeting, and time will be allocated accordingly to allow for appropriate discussion within the meeting schedule.

Formal minutes will be prepared by the Secretariat for each meeting and will include attendance, apologies, key discussion points and agreed actions. Draft minutes will be reviewed and approved by the Chair before being circulated. Any requested amendments must be submitted to the Secretariat and will be considered and addressed at the next meeting.

Discussion topics raised within the Forum are for information and advisory purposes. The Forum is not required to reach a consensus, and differing views will be recorded where relevant. If discussions cease to progress, the Chair may move the meeting forward or bring the item to a close, setting out a suitable process or timeline for further consideration outside the meeting.

Decision Making

The forum in its current constitution is an advisory body, not a decision-making body. All actions will be agreed by consensus and where there is any disagreement, a final position will be taken by the Chair.

Annual Review

The Chair will lead the group in preparing an annual review of their work and activities, which will be published on the project website and be sent as part of a newsletter to the wider local community.

Outlook

FW: Calderdale Energy Park - Parish Council Forum - Monday 20 April

From Info - Hebden Royd Town Council <Info@hebdenroydtowncouncil.gov.uk>
Date Wed 2026-03-18 08:20
To Emma Green - Hebden Royd Town Council <Emma.Green@hebdenroydtowncouncil.gov.uk>

1 attachment (311 KB)
Calderdale Energy Park - Parish Forum Terms of Reference .pdf;

Hebden Royd Town Council
The Town Hall
St George's Street
HEBDEN BRIDGE
HX7 7BY

This transmission is confidential for the sole use of the addressee(s). If received in error, please notify us immediately and delete it. Any disclosure,
reproduction, modification or publication of this transmission without prior written consent is strictly prohibited.

Hebden Royd Town Council, Hebden Bridge Town Hall, St Georges Street, Hebden Bridge, HX7 7BY.

From: Info@calderdaleenergypark.co.uk <Info@calderdaleenergypark.co.uk>
Sent: 17 March 2026 16:55
To: Info - Hebden Royd Town Council <Info@hebdenroydtowncouncil.gov.uk>
Cc: 'Info Calderdale' <info@calderdaleenergypark.co.uk>
Subject: Calderdale Energy Park - Parish Council Forum - Monday 20 April

Good afternoon,

Please find attached the Terms of Reference for the Parish Council Forum. Our first meeting will take place at the Heptonstall Social and Bowling Club on Monday 20 April from 7:30pm till 9:00pm.

Each Parish is invited to nominate two councillors to attend. Just to note, this meeting is not open to members of the public.

The Terms of Reference will be discussed and approved at the first meeting.

If you have any questions, please feel free to get in touch.

Kind regards,
Calderdale Energy Park Communications Team

Hebden Royd Town Council

2025/2026

Mayor & Consort
Councillor Keith Butterick and Lorna Butterick

29. Opening Night at Hebden Bridge Film Festival - Hebden Bridge Picture House.	Friday, 20 March 2026
30. Annapurna Indian Dance – Birchcliffe Centre.	Sunday, 22 March 2026
31. Launching The Rotary Club Hebden Bridge Duck Race and presenting prizes – St George's Bridge, St George's Square, Hebden Bridge.	Monday, 6 April 2026

HEBDEN ROYD TOWN COUNCIL

Meeting of the STAFFING COMMITTEE
Held MONDAY 16 March 2026

MINUTES

PRESENT: **Councillors:** Woodhead (Chair), Butterick, Guilfoyle, Harvey, Macdonald, Morse, and Turner.

Minutes: Cllr Woodhead

495. **TO RECEIVE APOLOGIES FOR ABSENCE AND REASONS.**
Apologies were received from Cllrs Harvey & Morse.

496. **TO RECEIVE MEMBERS ̀INTERESTS RELATING TO AGENDA ITEMS FOR THIS MEETING.**
Cllr Guilfoyle declared a non-pecuniary interest in respect of item 4/Minute 499 and did not take part in the discussion or voting related to the item.

497. **MINUTES OF THE MEETING HELD 19 JANUARY 2026**
There were no matters arising.

498. **EXCLUSION OF THE PRESS AND PUBLIC**
The committee considered the exclusion of the press and public in accordance with section 1(2) of the Public Bodies (Admissions to Meetings) Act 1960, and as extended by Schedule 12A of the Local Government Act 1972,
RESOLVED: That in accordance the Public Bodies (Admissions to Meetings) Act 1960, and as extended by Schedule 12A of the Local Government Act 1972, the press and public be excluded from the meeting during business to be transacted appertaining to confidential or exempt information.

499. **HEBDEN ROYD TOWN COUNCIL STAFFING MATTERS**
Councillors considered the confidential report.
RESOLVED: To approve the actions as outlined in the report.

Meeting finished at 11am.

Outlook

16a

New YLCA support ticket #21779 "Staffing Committee Minutes"

From YLCA Admin <admin@yorkshirelca.gov.uk>
Date Thu 2026-03-19 14:02
To Emma Green - Hebden Royd Town Council <Emma.Green@hebdenroydtowncouncil.gov.uk>

3 attachments (839 KB)
22--Staffing-Minutes-16-03-26.pdf; Email-Re-Staffing-Minutes-16-03-26.pdf; Staffing-Terms-of-Reference.pdf;

New ticket

Subject
Staffing Committee Minutes

Description
Good afternoon,

A meeting of the Staffing Committee was held on Monday 16 March.

The minutes of the meeting were listed as an agenda item for the Meeting of the Full Council to be held on Wednesday 18 March and the minutes were circulated prior to the meeting on the 17 March. This is regular practice when a meeting falls between the Agenda being issued and the meeting taking place.

The Staffing Committee were considering matters relating to the staff team that were highly sensitive and confidential in nature.

I (as clerk) did not attend the meeting given the nature of the matters to be discussed, and minutes were taken by Cllr Woodhead (Chair of the committee) as attached.

The actions relating to the minutes are recorded in a report, which is confidential, as they relate directly to the highly sensitive and confidential nature of the matters discussed.

On presentation of the minutes at the Full Council Meeting one of our councillors who does not sit on the Staffing Committee, raised the following points and has asked for the minutes to be redrafted.

Please can you advise on the appropriateness of the minutes as attached in respect of the matters raised below, and advise on any necessary amends

No three clear days notice
Schedule 12 of the Local Government Act 1972 states that any summons to attend the meeting must specify the business that will be done at the meeting and be sent three clear days before the meeting. These minutes are obviously specific to what Council was being asked to do, but were circulated at 2.22pm on 17 March, shortly before the meeting at which

they were to be considered. Given that the approval of minutes is a substantive item of business, this did not provide the required notice or adequate opportunity for members to consider the record. This is inconsistent with both the statutory requirement and the principles of openness and transparency.

Declaration of non-pecuniary interest
The minutes record that a member declared a non-pecuniary interest but do not specify the nature of that interest. Under the Council's Code of Conduct, members are required to declare both the existence and the nature of any interest. For the minutes to be a true and intelligible record of proceedings, they must record sufficient detail to identify the nature of the interest declared. Without this, it is not possible for members to assess whether the conflict of interest was appropriately managed, including whether the member's level of participation (including remaining in the room) was consistent with the Code and with good practice in staffing matters.

Order of business
The minutes indicate that substantive business was considered prior to any resolution to exclude the public. Under the Public Bodies (Admission to Meetings) Act 1960, confidential business may only be transacted **after** a formal resolution to exclude the public has been passed. In the absence of such a resolution, any discussion of the substantive matter therefore took place in open session and should therefore be properly recorded in the public minutes in the usual way.

Resolution to go into closed session
Notwithstanding that the resolution to go into closed session can have no practical effect because all of the substantive business was taken before it was passed, there are flaws in the record of this resolution. The Public Bodies (Admission to Meetings) Act 1960 allows the exclusion of the public but requires that the committee state the reasons for the exclusion in the resolution, which must be fully reported. HRTC Standing Orders say "The public's exclusion from part or all of a meeting shall be by a resolution **which shall give reasons for the public's exclusion**" (emphasis added). The resolution, as stated in the minutes, does not give a reason for the exclusion. In the absence of recorded reasons, the minutes do not demonstrate that the statutory test for exclusion under the Public Bodies (Admission to Meetings) Act 1960 was properly applied and Council's Standing Orders. As such, they do not provide a lawful or adequate record of the proceedings.

Description of staffing matters resolved
The statutory purpose of the minutes, as required under the Local Government Act 1972, is to provide evidence of the proceedings and decisions of the Council. That purpose cannot be fulfilled unless the resolutions are recorded with sufficient clarity to identify what was decided. A resolution which merely refers to "matters as outlined", without setting out those matters, does not evidence any decision and therefore fails to meet the statutory function of minutes.

'Proper practices', as defined in the mandatory JPAG Governance and Accountability for Local Councils Guide, require that minutes provide a clear, accurate and unambiguous record of the decisions taken by the authority. The Guide makes clear that minutes must record the resolutions in sufficient detail to demonstrate what has been approved and to provide an effective audit trail for subsequent actions. A minute which merely refers to "matters as outlined", without setting out the substance of the decision, does not meet this standard, as it fails to evidence what was decided and does not provide a transparent or reliable basis for accountability or audit scrutiny. This does not provide a reliable basis for accountability or audit and may properly fall within the scope of external audit consideration.

I attach the councillors original email as they have requested that these points be shared with YLCA when seeking guidance, the minutes of the meeting and the committees Terms of Reference.

With many thanks
Emma

Status
new

Owner
Emma Green

Council
Hebden Royd Town Council

District
Calderdale

Priority
urgent

URL

Category
Council Business, Law & Procedure

Attachments
22--Staffing-Minutes-16-03-26.pdf
Email-Re-Staffing-Minutes-16-03-26.pdf
Staffing-Terms-of-Reference.pdf

Updated
19/03/2026 14:01

To send further information if requested or to contact YLCA again in this matter, please log into the YLCA website and re-open the ticket. Please do not reply by e-mail.

View Ticket
https://www.yorkshirelca.gov.uk/ylca-support/view/21779/

Outlook

16b

New YLCA support update #21779 "Staffing Committee Minutes"

From YLCA Admin <admin@yorkshirelca.gov.uk>
Date Mon 2026-03-23 15:45
To Emma Green - Hebden Royd Town Council <Emma.Green@hebdenroydtowncouncil.gov.uk>

New reply to your ticket

Comment

From: Yorkshire Local Councils Associations.

Dear Emma

HEBDEN ROYD TOWN COUNCIL – STAFFING COMMITTEE MINUTES

Thank you for your enquiry which was received by YLCA on 19 March 2026 in which you seek advice for the council on the matter of the queries raised on the draft minutes of the staffing committee from the meeting on 16 March 2026.

Legislation means that so long as a council meeting/committee meeting has been publicly advertised with a notice in a conspicuous place in the parish with three clear days' notice and the councillors were all summoned to attend the meeting with three clear days' notice, the meeting is lawfully called.

The legislation shown below in bold is relevant in the situation set out in the council's enquiry.
Local Government Act 1972 Schedule 12 Part II section 10 states that:

10(1) Meetings of a parish council shall be held at such place, either within or without their area, as they may direct, but shall not be held in premises which at the time of such a meeting may, by virtue of a premises licence or temporary event notice under the Licensing Act 2003, be used for the supply of alcohol (within the meaning of section 14 of that Act) unless no other suitable room is available either free of charge or at a reasonable cost.

(2) ***Three clear days at least before a meeting of a parish council—***

(a) notice of the time and place of the intended meeting shall be fixed in some conspicuous place in the parish and, where the meeting is called by members of the council, the notice shall be signed by those members and shall specify the business proposed to be transacted at the meeting; and

(b)a summons to attend the meeting, specifying the business proposed to be transacted at the meeting and certified by the proper officer of the council, shall be sent to every member of the council by an appropriate method.

(2A)In sub-paragraph (2)—

(a)"authenticated" means signed or otherwise authenticated in such manner as the proper officer thinks fit; and

(b)the reference to sending the summons to a member by an appropriate method is to—

(i)leaving it at, or sending it by post to, the member's usual place of residence, or

*(ii)where the member has given consent for the summons to be transmitted in electronic form to a particular electronic address (and consent has not been withdrawn), sending it in electronic form to that address.**]***

(3) Want of service of any such summons as is referred to in sub-paragraph (2)(b) above on any member of the parish council concerned shall not affect the validity of the meeting.

It is the opinion of these Associations that, as there is no suggestion that the notice of the meeting was issued incorrectly, that the summons was also issued in line with the requirements of legislation.

We note that the Staffing Committee's terms of reference state:

4. Documentation

4.1 Minutes of all meetings will be recorded by the Town Clerk and circulated for information at Full Council meetings.

It is the opinion of these Associations that the circulation of the minutes of the staffing committee, for information, is not a substantive item of business. The council is not requested to consider or resolve upon taking any action on matters contained within the minutes, it is merely receiving them, for information.

Please refer to the attached guidance on declaration of interests and the types of interest that may exist, page 36 in the document 'Guidance on Local Government Association Councillor Code of Conduct for Local Councils'. We have also attached NALC Advice Note – Members' conduct and the registration and disclosure of their interests (England), for information.

We agree that the order of items on the agenda is not correct and that the resolution at item 499. should have taken place prior to the exclusion of press and public. It would be entirely permissible for the Chair of the meeting to move this item of business forward during the meeting to ensure propriety. Standing Order 10 a. vi. refers.

With reference to the point raised relating to the description of staffing matters resolved upon. The council has a duty to observe data protection principles. Councils should not include personal data in minutes unless this is necessary for the performance of its statutory powers, functions and contracts. A council should also avoid disclosing in minutes, resolutions or other information that is confidential or for some other special reasons not in the public interest.

Resolutions on staffing matters can pertain to confidential matters which are not in the public interest to disclose, and these resolutions must be recorded without undermining or disclosing confidential or other sensitive information.

A resolution that refers to a confidential report dated [*insert date*] and reference to agreement to carry out the action in the recommendations contained therein would provide clarity as to the resolution that was made without revealing confidential information.

In this instance, it is not for Full Council to approve the draft minutes of the staffing committee meeting held on 16 March 2026, it is for the Full Council to merely receive the draft minutes, for information.

We suggest that the Staffing Committee considers the draft minutes when it next meets when it may choose to resolve to adopt a version with appropriate amendments. Standing Order 12 details the process that must be observed when considering draft minutes.

We hope this information is useful.

Yours sincerely,

Paula Shillaw

CHIEF OFFICER

To send further information if requested or contact YLCA again in this matter, please log into the YLCA website and re-open the ticket - www.yorkshirelca.gov.uk

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This advice is exclusively for the member council or parish meeting and is based on the enquiry/information supplied to YLCA. If received in error, please notify us immediately and delete it. Upon being forwarded to councillors it should not be modified in any way.

Yorkshire Local Councils Associations, Suite 8, Sibling Workspace, York House, Station Road, Tadcaster, LS24 9JF. Tel: 01937 228602.

E-mail: admin@yorkshirelca.gov.uk

To send further information if requested or to contact YLCA again in this matter, please log into the YLCA website and re-open the ticket. Please do not reply by e-mail.

View Ticket
https://www.yorkshirelca.gov.uk/ylca-support/view/21779/

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's 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 councillors' 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 been 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 whole[1]".

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 interest .....It 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.

06 May 2022

Members' conduct and the registration and disclosure of their interests (England)

This advice note was written by our in-house solicitors and last updated on 6 May 2022.

The information and commentary in the note do not constitute legal advice for any individual case or matter. For specific advice on your circumstances, we strongly encourage you to seek tailored legal advice.

Introduction

The conduct and standards regime has undergone several changes in the last few years. This advice note will set out the main changes and developments.

The Localism Act 2011 – changes to the standards regime

The Localism Act 2011 (the 2011 Act) introduced arrangements to regulate the conduct of members of local councils, the registration and disclosure of certain interests and how complaints about their conduct are handled. The 2011 Act created new criminal offences in respect of a member's failure to register and disclose certain interests and their participation in discussions and voting at meetings on matters where they hold such interests. The statutory provisions are contained in sections 26-34 of the 2011 Act and Schedule 4. Any statutory references in this Note are to the 2011 Act unless otherwise stated.

The statutory standards framework

A local council must promote and maintain high standards of conduct by members of the authority (s.27(1)). In discharging this duty, they must adopt a code of conduct to apply to their members when acting in their official capacity (s.27(2)). Sections 28 (1) and (2) require a relevant authority's code of conduct to:

- Be consistent with the principles of selflessness, integrity, objectivity, accountability, openness, honesty, and leadership.
- Include provisions that the authority considers appropriate in respect of the registration and disclosure of pecuniary interests and interests other than pecuniary interests.

The Committee on Standards in Public Life report

In January 2019, the Committee for Standards in Public Life (CoSIPL) published its long-awaited **report** on local government ethical standards and made several recommendations. Some required legislation to be enacted, and others could be affected by bodies such as local authorities. Chapter 5 of the report specifically considers local councils. Recommendation 1 was that the Local Government Association create an updated model code of conduct in consultation with representative bodies of councillors and officers of all tiers of local government. The new **code** was published in December 2020. The government **responded** to the CoSIPL report in March 2022. It has no current plans to make legislative changes as recommended by the CoSIPL. As such, the 2011 Act provisions remain.

The Model Code of Conduct 2020

The LGA's Model Code of Conduct was issued in December 2020. NALC recognised the benefits of a single code after the regime's post-2011 experience, so it endorsed the new code and withdrew the NALC template code of conduct. **Guidance** to accompany the Code was issued by the LGA in July 2021 after consultation with NALC and other sector bodies. We will update as on the issue of any sector-specific guidance.

What are the main provisions of the 2011 Act for local councils?

The provisions in the 2011 Act apply to both members and co-opted members of relevant authorities. A co-opted member is defined in s. 27 (4) as a person who is not a member of the relevant authority but who is either a member of any committee or sub-committee of the authority or a member of, and represents the authority on, any joint committee or joint sub-committee of the authority, and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee. In the rest of this Note, a reference to a member of an authority includes a co-opted member of the authority unless otherwise expressed. This should not be confused with members co-opted onto councils, further leading to a casual vacancy and no call for an election to be held. "Relevant authorities" are defined in s. 27(6) include district, county, London Boroughs, parish councils, fire and rescue authorities, economic prosperity boards, National Park authorities, and the Broads Authority.

The 2011 Act provides no definition of pecuniary or non-pecuniary interests. It imposes mandatory obligations on members in respect of disclosable pecuniary interests (DPIs). These are defined in regulations and further explained below.

Members are subject to obligations at meetings in relation to holding DPIs in business that is under consideration. Members are subject to the statutory obligations about DPIs irrespective of the code of conduct adopted by their councils or the date that the code was adopted.

In accordance with s.28(13), a relevant authority's function of adopting, revising, or replacing a code of conduct may be discharged only by the authority, not by a committee or officer. A relevant authority must publicise its adoption, revision, or replacement of a code of conduct in such manner as it considers likely to bring the adoption, revision, or replacement of the code of conduct to the attention of persons who live in its area (s.28(12)).

Subject to the provisions of ss.28(1) and (2), the relevant authority is free to decide the form and content of the new code of conduct that it adopts.

S.27 (3) provides that a parish council may adopt the same code of conduct adopted by its principal authority (and see paragraph 5 above on the 2020 Code). Pursuant to s.29 (9), a principal authority for a parish council is the district council for its area.

Handling of code of conduct complaints

The principal authority is exclusively responsible for receiving, investigating and deciding code of conduct complaints which relate to the members of parish councils in their area. Sections.28(6) and (9) require a principal authority to have in place arrangements to investigate and determine allegations that a member of a parish council in its area has failed to comply with their council's code of conduct.

Except for the appointment and role of at least one independent person, the 2011 Act does not prescribe the arrangements that principal authorities must have in place for the investigation and determination of code of conduct complaints. A principal authority may delegate the discharge of such functions to a committee or officers pursuant to s. 101(1) of

the Local Government Act 1972 (the 1972 Act). A committee with responsibility for investigating and determining code of conduct matters would be appointed pursuant to s.102 of the 1972 Act. As with any committee of a principal authority, it will be subject to the rules for proportional representation of different political groups set out in ss.15–17 of the Local Government and Housing Act 1989 (unless the whole council votes to suspend the proportionality rules for that committee). As such, a principal authority committee is not required to include in its membership the members of any of the parish councils for which the principal authority is responsible. A principal authority may arrange for its Monitoring Officer to have certain responsibilities relating to the investigation of a code of conduct complaint or deciding whether a complaint that it receives merits being investigated.

The 2011 Act does not give a principal authority express power to undertake investigations or to conduct hearings (any such action may be implied). Similarly, it has no express powers to require access to documents and information or to require members or others to attend interviews/give evidence, or to require the member or others to attend a hearing.

A principal authority must appoint at least one independent person (s.28 (7)). The views of the independent person must be sought, and their views are considered before a principal authority takes a decision on a complaint it has decided to investigate. The views of the independent person may also be sought by the principal authority in other circumstances. The views of the independent person may also be sought by the member of the parish council who is the subject of an allegation for failure to comply with their authority's code of conduct.

Pursuant to s.28(8), an independent person cannot be a member, co-opted member, or an officer of the principal authority or of any parish council within the principal authority's area or a close friend or relative of such person. In addition, a person cannot be an independent person if, during the five years before their appointment, they have been a member or an officer of the principal authority or of any parish council within the principal authority's area. The independent person may be paid an allowance or expenses connected to their appointment. S.28 (8) (d) provides that a person does not cease to be independent merely because such payments are made.

Breach of code

If the principal authority decides that a member of a parish council has breached its code of conduct, the principal authority cannot take action directly against the member of the parish council (s.28 (11)). The principal authority's powers are limited to censuring them subject to making recommendations that the parish council takes a course of action in respect of the member. Although any such recommendation is not binding on the parish council, the principal authority may recommend, for example, that the parish council removes its member from a committee or that it asks its member to attend training or to apologise.

S.28 (4) confirms that a council decision is not invalidated because "something that occurred in the process of making the decision involved a failure to comply with the code".

Register of interests

The monitoring officer of the principal authority must establish and maintain a register of interests of the members of the parish councils in its area. Such interests include DPIs and any pecuniary interests and non-pecuniary interests included in the code of conduct adopted by a parish council (s.29).

The monitoring officer must ensure that the register of interests of the members of parish councils in the area is available for inspection at all reasonable hours at a place in the principal authority's area. The principal authority must also publish the register of interests of the members of the parish councils on its website (s.29 (6)). A parish council with a website must publish the register of interests of its members, and the monitoring officer must provide the parish council with any data that the parish council needs to comply with its duty to publish the register of interests on its website if it has one.

Disclosure of interests upon taking office

Under s.30, a member of a parish council must, within 28 days of becoming a member, notify the Monitoring Officer of any DPIs. Upon the re-election of a member or upon the reappointment of a co-opted member, they must also, within 28 days, notify the monitoring officer of DPIs not already included in their register of interests. S.30(3) confirms that DPIs relate to certain interests of:

- The member.
- The member's spouse or civil partner.
- The person with whom the member lives as if they were a spouse or civil partner.

The nature of DPIs in respect of (i) – (iii) above are defined by the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 SI 2012/1464. The interests of the persons in (i) - (iii) above relate to their employment, office, trade, profession or vocation for profit or gain, sponsorship, contracts, beneficial interests in land, licences to occupy land, corporate tenancies, and securities. When notification of a DPI is received by the monitoring officer, it will be entered into the member's register of interests unless it is a sensitive interest. Failure to register a DPI in accordance with s.30 of the 2011 Act is a criminal offence (see also paragraph 35 below). Recommendation 18 of the CoSIPL report was that the criminal offences in the 2011 Act relating to DPIs should be abolished. The government in its response did not agree with the recommendation.

Under s. 32 (1), a member of a parish council may ask the monitoring officer to exclude from their register of interest-sensitive interests whether or not these are DPIs, the details of which, if disclosed, might lead to a threat of violence or intimidation to the member or to a person connected with them. The monitoring officer has the responsibility for deciding if a member's interests are sensitive interests which are excluded from their register of interests.

Disclosure of DPIs and other interests at meetings and limitations on voting

S 31(4) provides that if a member of a parish council is aware that they have a DPI in a matter being considered at a meeting, they are barred from participating in any discussion or voting on it unless they have obtained a dispensation. Without a dispensation, a member's participation in the discussion or voting on a matter in which they have a DPI is a criminal offence under s.34 of the 2011 Act. No criminal offence is committed by a member who participates in a discussion or votes at a meeting on the question of whether or not to grant them a dispensation which relieves them of the restrictions which apply to the matter in which they hold a DPI (s.33(4)).

Under ss. 31(2) and (3), if a member is aware of a DPI in a matter under consideration at a meeting but such interest is not already on the authority's register of interests or in the process of entry onto the register having been notified to the monitoring officer, the member must disclose the DPI to the meeting and register it within 28 days of the meeting at which the relevant business is considered. Failure to disclose or register the DPI is a criminal

offence under s.34. A member with a sensitive interest that has not already been notified to the monitoring officer must simply confirm at the meeting that they have a DPI rather than giving details of that interest (s.32(3)).

S.31(10) provides that a relevant authority's standing orders may require a member with a DPI in a matter being considered at a meeting to withdraw from the meeting room while any discussion or vote on it takes place. A parish council is free to adopt such standing orders. A member with a DPI who fails to withdraw from a meeting as required by their council's standing orders does not commit a criminal offence. If a council wanted to sanction a member with a DPI for not leaving the meeting room as required by its standing orders, it may rely on its other standing orders to vote to exclude the member from the meeting.

The code of conduct adopted by a parish council may include obligations on members to disclose at meetings interests which are not DPIs. It is not a criminal offence for a member to fail to register or disclose interests which are not DPIs even if such obligations are imposed by their council's code of conduct. A council may make standing orders which apply when members hold interests which are not DPIs.

S. 106 of the Local Government Finance Act 1992 also prohibits a local councillor in council tax arrears for at least two months from voting on the setting of a precept or any recommendation, resolution or other decision which might affect the calculation of the precept. If a local councillor in such a position fails to notify the council of the facts or votes in a prohibited matter, then on prosecution and conviction, they can be subject to a fine of up to £1,000.

Dispensations

S.33 provides that a parish council may grant a dispensation to a member, not exceeding a period of four years, with respect to the restrictions that apply to them at a meeting, which is considered a matter in which they hold a DPI. S.33 (2) confirms that a parish council may grant the dispensation if, having regard to all relevant circumstances, it considers that:

- Without the dispensation, the number of persons prohibited from participating in any business would be so great a proportion of the body transacting the business as to impede the transaction of the business.
- Granting the dispensation is in the interests of persons living in the council's area,
- It is otherwise appropriate to grant a dispensation.

By virtue of s. 33 (4) a member is free to participate and vote at a meeting on the question of granting themself a dispensation which relieves them of the restrictions which apply to the matter in which they hold a DPI.

A member's request for a dispensation must be in writing and submitted to the parish council's proper officer. Dispensations may be granted by the full council, or it may arrange for this function to be discharged by a committee or a sub-committee or an officer pursuant to s. 101(1) of the 1972 Act. If a full council (or a committee or a sub-committee) has responsibility for considering/granting dispensations, it can deal with a member's written dispensation request at the meeting at which it is required by them. This arrangement would benefit members who realise that they need a dispensation only after they receive the agenda which confirms the business to be transacted. Dispensation requests may constitute a standing item of business for every council (or committee or sub-committee) meeting and should be dealt with after the names of those members present and absent (and approval, as appropriate, for absence) at the meeting have been recorded. Councils are

recommended to adopt standing orders which confirm the procedure for the submission of dispensation requests whilst recognising there may be times when councillors do not realise, they have a DPI and require a dispensation until the day of or at the meeting.

Whilst a member must submit their request for a dispensation in writing to the proper officer, a council may prefer members to complete and submit a standard form. It is recommended that a member's request for a dispensation, whether or not using a standard form, includes the following information:

- The name of the applicant.
- The description (e.g. DPI or other) and the nature of the interest.
- Whether the dispensation is for the member to participate in a discussion only or a discussion and a vote.
- The date of the meeting or the period (not exceeding four years) for which the dispensation is sought.
- An explanation as to why the dispensation is sought.

Dispensations for certain DPIs and other interests

There will be some business due to be decided at a parish council meeting, which most or all of the members present will have a DPI in (or another type of interest). For example, at a meeting setting the council's precept or deciding the council's response to a proposed development affecting the entire parish area, it is likely that many or all of the members live in the parish. In these examples, it is NALC's view that the members hold a DPI (arising from holding a beneficial interest in land or a licence to occupy land in the parish) and will, without a dispensation, be subject to the statutory restrictions which prevent them from participating in or voting at a meeting on such business. The statutory grounds would permit a parish council to grant a dispensation to members. If the function of granting dispensation requests has been delegated to an officer pursuant to s.101(1) of the 1972 Act, dispensation requests made by many or all members of a council can be handled with relative ease. If the function has not been delegated to an officer, then members are free to participate and vote on the question to grant themselves dispensations (see paragraphs 28-31 above). In the example of a parish council meeting which is setting the precept, some monitoring officers share NALC's view that members hold a DPI. However, some monitoring officers do not share NALC's view. NALC understands that the informal government view is that members of a principal authority at a meeting which sets the council tax or members of a parish council at a meeting which sets the precept do not hold a DPI.

Notwithstanding different legal opinions as to whether or not a member holds a DPI in the examples given above, it is a criminal offence for a member to participate and vote at a meeting on a matter in which they are deemed to have a DPI. If a member is unsure if they hold a DPI in a matter being considered at a meeting and they want to participate in a discussion and vote on the matter, the safest course of action would be for them to seek a dispensation. A dispensation will ensure that the member is not at risk of prosecution.

Although some monitoring officers may hold a contrary opinion, it is NALC's view that a member of a parish council or another local authority who receives an allowance by virtue of their public office holds a DPI. This particularly applies to members of parish councils who are also members of principal authorities and automatically receive an allowance from the principal authority.

Criminal offences

Under s.34, a failure to register a DPI within 28 days of election or co-option (or re-election or re-appointment), or the deliberate or reckless provision of false or misleading information on registration, or participation in discussion or voting in a meeting on a matter in which the member has a DPI will be criminal offences, potentially carrying a Scale 5 fine of £5,000 and/or disqualification for up to five years. Prosecution is at the instigation of the director of public prosecutions.

Outlook **16e**

New YLCA support ticket #22257 "21779 Follow up"

From YLCA Admin <admin@yorkshirelca.gov.uk>
Date Wed 2026-04-08 19:24
To Emma Green - Hebden Royd Town Council <Emma.Green@hebdenroydtowncouncil.gov.uk>

1 attachment (31 KB)
DRAFT-Staffing-Minutes-16-03-26.docx;

New ticket

Subject
21779 Follow up

Description
Hello,

In respect of the ticket above, 21779 please find attached revised Staffing Minutes.

Please can you confirm that these are procedurally accurate?

I need to send these today as part of the Full Council pack, so if you are able to respond that would be great.

Kind regards
Emma

Status
new

Owner
Emma Green

Council
Hebden Royd Town Council

District
Calderdale

Priority
critical

URL

Category
Council Business, Law & Procedure

Attachments
DRAFT-Staffing-Minutes-16-03-26.docx

Updated
08/04/2026 19:24

To send further information if requested or to contact YLCA again in this matter, please log into the YLCA website and re-open the ticket. Please do not reply by e-mail.

View Ticket
https://www.yorkshirelca.gov.uk/ylca-support/view/22257/

New YLCA support update #22257 "21779 Follow up"

From YLCA Admin <admin@yorkshirelca.gov.uk>
Date Thu 2026-04-09 07:04
To Emma Green - Hebden Royd Town Council <Emma.Green@hebdenroydtowncouncil.gov.uk>

New reply to your ticket

Comment

From: Yorkshire Local Councils Associations.

Dear Emma

HEBDEN ROYD TOWN COUNCIL – STAFFING COMMITTEE MINUTES

Thank you for your enquiry which was received by YLCA on 9 April 2026 in which you seek advice for the council regarding the draft minutes attached, following up on ticket number 21779.

496. refers to item 4., it is not clear what item 4. is when reviewing the minutes as a stand alone document. Item 498. now appears in the correct order.

It is for the Staffing Committee to receive, amend and approve the draft minutes, and as long as the draft minutes have been revised in accordance with the council's adopted policies (referred to in the previous ticket) then we have no further comments to make.

We hope this information is useful.

Yours sincerely,

Paula Shillaw

CHIEF OFFICER

To send further information if requested or contact YLCA again in this matter, please log into the YLCA website and re-open the ticket - www.yorkshirelca.gov.uk

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This advice is exclusively for the member council or parish meeting and is based on the enquiry/information supplied to YLCA. If received in error, please notify us immediately and delete it. Upon being forwarded to councillors it should not be modified in any way.

Yorkshire Local Councils Associations, Suite 8, Sibling Workspace, York House, Station Road, Tadcaster, LS24 9JF. Tel: 01937 228602.

E-mail: admin@yorkshirelca.gov.uk

To send further information if requested or to contact YLCA again in this matter, please log into the YLCA website and re-open the ticket. Please do not reply by e-mail.

View Ticket
https://www.yorkshirelca.gov.uk/ylca-support/view/22257/

HEBDEN ROYD TOWN COUNCIL

Meeting of the LOCAL ENVIRONMENT AND CLIMATE COMMITTEE
Held WEDNESDAY, 18 MARCH 2026

MINUTES

PRESENT: Councillors: Woodhead (Chair), Guilfoyle, Harvey, Hoyle and Macdonald.

Deputy Clerk: E Andrews

ABSENT: Councillors Boggis and Morse

500. TO RECEIVE APOLOGIES FOR ABSENCE AND ANY SUBSTITUTIONS.
Apologies were received from Cllr. Morse.

501. TO RECEIVE MEMBERS` INTERESTS RELATING TO AGENDA ITEMS FOR THIS MEETING.
There were no members interests reported at this meeting.

502. MINUTES OF THE MEETING HELD 25 February 2026
There were no matters arising.

503. CALDERDALE ENERGY PARK (CEP)
Members discussed matters relating to the CEP.

RESOLVED: The Committee will produce a statement to more widely affirm the Council's position on the CEP proposal, informed by the mandate established following the public survey undertaken in late 2025.

RESOLVED: A dedicated section of the HRTC website will be created to share further information on the CEP. This will include the Council's position which will be updated as plans evolve where appropriate. It will also include signposting to key information and documentation sent to, and received from, CMBC and CEP as appropriate.

RESOLVED: The points issued to CMBC (as noted below) in relation to the statutory consultation period, are to be shared with CEP to underscore HRTC's position on the proposal in its current form.

a) Delay the start of the statutory community consultation until after the Calderdale Council elections on May 7th, and a time at which Calderdale Energy Park's Preliminary Environmental Information is in a fit state to enable consultees to understand the likely environmental effects of the Proposed Development help to inform their consultation responses on the Proposed Development.
b) Extend the consultation period from 6 to 12 weeks.
c) Include information in the Statement of Community Consultation about how Calderdale Energy Park intend to publicise and consult on their Preliminary Environmental Information.

RESOLVED: Correspondence will be issued to CEP from the Committee, to request the recognition HRTC and a key community consultee given the scale and significance of the project and request clarification on how and when CEP intends to engage in dialogue with the Council.

504. EXCLUSION OF THE PRESS AND PUBLIC

There was no resolution to exclude members of the public and press under the Public Bodies (Admissions to Meetings) Act 1960.

The meeting finished at 6:58pm.

MEETING of the TOWN COUNCIL
held WEDNESDAY, 18 MARCH 2026 at 7:30PM
HEBDEN BRIDGE TOWN HALL

PRESENT: Councillors: Butterick (Chair), Boden, Borrows, Cammack, Guilfoyle, Harvey, Hoyle, Macdonald, Morse, Trickett, Turner and Woodhead.

ABSENT: Councillors: Bampton Smith, Hedges, Fraser, Boggis and Howes.

Two members of the public

MINUTES: HRTC Clerk **–** E Green

MINUTES

505. PUBLIC QUESTION TIME

Question One:
On 20 Feb 2026 Cllr Hedges posted on the Hebden Bridge Facebook page concerning the flood alleviation scheme (FAS) and compensation for businesses. This information transpired to be incorrect. Does Cllr. Hedges intend to issue a correction to the statement, on the same platform, to inform the business community?

RESPONSE: The Chair advised that this will be shared with the Monitoring Officer and Cllr Hedges, and the enquirer will be updated in due course.

506. APOLOGIES AND REASONS FOR ABSENCE.
Apologies were received from Cllrs Bampton Smith, Fraser, Hedges and Howes.

507. MEMBERS' INTERESTS' RELATING TO AGENDA ITEMS.
There were no members interests reported at this meeting.

508. PLANNING APPLICATIONS
a. **Application 26/00055/LBC** at Dusty Miller Hotel, Burnley Road, Mytholmroyd, HX7 5LH for Removal of glass porch at rear to facilitate single storey extension (Listed Building Consent). (White Lee ward).
RESOLVED: No objection

b. **Application 26/00096/FUL** at 21 Brunswick Street, Hebden Bridge, HX7 6AJ for Conversion of workshop and ancillary building into a single domestic dwelling (self-build). (West End ward).
RESOLVED: No objection

c. **Application 25/01283/LBC** at Rochdale Canal Overflow Weir, North West Of Ellen Royd Bridge, Upper Foot, Luddenden Foot, Sowerby Bridge for Proposal to overbridge the weir for improved pedestrian access to the towpath (Listed Building Consent). (Cragg Vale ward).
RESOLVED: No objection

d. **Application 25/01260/FUL** at Land Adjacent To 6 Scout End Scout Road, Mytholmroyd for Construction of new dwelling (self-build). (Cragg Vale ward).
RESOLVED: No objection, providing that Calderdale Highways have no further comments to make on the application.

e. **Application 26/00112/VAR** at Oaklands, Brier Hey Lane, Mytholmroyd, HX7 5PJ for Variation of condition 1 on 23/00978/FUL - amendment to approved plans. (White Lee ward).
RESOLVED: Recommend refusal, more information required in respect of drainage.

f. **Application 26/00127/HSE** at 5 Ewood Cottages, Midgley Road, Mytholmroyd, HX7 5QU for RETROSPECTIVE - removal of partition; replacement of gypsum plaster; replacement of the wood burning stove; extension of hearth; installation of flue liner and replacement of chimney pot; installation of electric vehicle charger; construction of an outbuilding with ensuite facilities. (White Lee ward).
RESOLVED: No objection

g. **Application 26/20006/TPO** at 18 Longstaff Court, Hebden Bridge, HX7 6AB for Fell one tree (Tree Preservation Order). (Fairfield ward).
RESOLVED: Recommend refusal

h. **Application 26/00124/HSE** at 21 Ewood Hall Avenue, Mytholmroyd, Hebden Bridge, HX7 5PH for Single storey side extension. (White Lee ward).
RESOLVED: No objection

RESOLVED: that the recommendations on the above planning applications are sent to the Environmental Services Department,

Calderdale MBC. When the Chair or Deputy Chair cannot attend, Ward members be authorised to represent the view of Hebden Royd Town Council at meetings of the Planning Committee at Calderdale MBC.

509. APPLICATIONS FOR PLANNING PERMISSION <u>GRANTED</u> BY CALDERDALE MBC

RESOLVED: To note the information

510. HRTC & HBPH STATEMENT OF ACCOUNT

RESOLVED: To note for information.

511. HRTC & HBPH PAYMENT SCHEDULE

RESOLVED: to authorise payments totaling £39,713.47.

512. COMMUNICATIONS FROM THE TOWN MAYOR AND THE CLERK.

To receive and decide actions on communications (enc).

a. Resident Palestine Solidarity Campaign

RESOLVED: To note the information.

A late item of communication was shared by the Clerk:

b. Director (HBCA) Hope Chapel

HBCA will attend Full Council in April to present and update members on its current position in relation to Hope Chapel, including the current community survey issued by HBCA.

RESOLVED: To note the information.

513. SERVICE TO THE COMMUNITY/YOUNG PERSONS AWARD

Nominations were received for the Service to the Community Award and the Young Persons Award 2025/26. Presentations to be made at the Annual Meeting of the Town Council on the 12 May 2026.

RESOLVED: The Community Award to be presented to Geoff & Sue Mitchell, for their contributions to the Local Motive and 19 years of dedication to Mytholmroyd Station Building.

RESOLVED: The Youth Award to be presented to Calder High Youth Parliament Group for their work supporting students during the proposed merger PALT and Trinity MAT.

RESOLVED: That it may be appropriate for a letter of commendation to be sent to a young volunteer. Cllr. Macdonald will supply further information to the Clerk.

514. CAR PARKING IN HEBDEN BRIDGE

Motion proposed by Cllrs Guilfoyle and Harvey

"Hebden Royd Town Council request that for the duration for the forthcoming flood related works in Hebden Bridge, short stay streetcar parking in Hebden Bridge centre is free for a short period of up 20 minutes to encourage and support local residents to 'pop in' to use their local shops."

An amendment to the motion was proposed that this should be implemented as soon as practicable and for the duration of the FAS works.

The motion fell.

An amendment to the motion was proposed that the free of charge period be increased from 20 to 30 minutes.

RESOLVED: to forward the Motion to CMBC, with the amendment that the free of charge period requested be increased from 20 to 30 minutes.

515. SCOUT ROCK BEACON

Members received information regarding the Beacon at Scout Rock Mytholmroyd.

RESOLVED: To further explore and present to Council ways in which the beacon could be augmented or altered to reduce the risk of misuse by unauthorised people or groups, and increase the safety of its authorised use considering its location on the moor.

516. ASSET REGISTERS

The asset registers for the Town Council and Hebden Bridge Picture House were reviewed.

RESOLVED: to approve the asset registers as an accurate record.

517. HRTC DRAFT BUSINESS CONTINUITY PLAN

The draft Business Continuity Plan was considered.

RESOLVED: To adopt the proposed Business Continuity Plan.

518. HRTC DRAFT INTERNAL CONTROLS POLICY

The draft Internal Control Policy for the Town Council was considered.

RESOLVED: To adopt the proposed Internal Control Policy.

519. HRTC DRAFT RISK MANAGEMENT POLICY

The draft Risk Management Policy for the Town Council was considered.

RESOLVED: To adopt the proposed Risk Management Policy.

520. MAYOR'S REPORT/DEPUTY MAYOR'S REPORT

Members received an update on the activities of the Mayor.

RESOLVED: To note the information.

521. MINUTES OF THE TOWN COUNCIL held 21 JANUARY 2026

The minutes were considered.

RESOLVED: Approve as a correct record, with an amendment to minute 426 as requested by Cllr. Trickett.

522. MINUTES OF THE PROJECT & EVENTS COMMITTEE held 17 FEBRUARY 2026

Members recieved the minutes for information.

RESOLVED: To note the Information.

523. MINUTES OF THE TOWN COUNCIL held 18 FEBRUARY 2026

To consider minutes and approve as a correct record.

In respect of minute 467, Cllr Boden requested amends to be made.

RESOLVED: To approve the minutes, with amendments as requested.

524. MINUTES OF THE PICTURE HOUSE COMMITTEE held 23 FEBRUARY 2026

The minutes were received for information.

RESOLVED: To note for information.

525. MINUTES OF THE LOCAL ENVIRONMENT COMMITTEE held 25 FEBRUARY 2026

The minutes were received for information.

Cllr Woodhead explained that an additional Local Environment Climate Committee meeting was called and took place on 18 March to discuss the Committee's next steps in relation to Calderdale Energy Park. The Minutes for which are forthcoming.

RESOLVED: To note for information.

526. MINUTES OF THE STAFFING COMMITTEE held 16 MARCH 2026

The minutes were received for information.

Cllr. Borrows raised concerns in respect to the minutes as per the following:

1. Order of Business – Exclusion of Press and Public
2. Lack of Detail in Staffing Matters
3. Recording of Interests
4. Minutes Taken by the Chair
5. Lack of Decision Detail and Clarity

Following discussion,

RESOLVED: That the Staffing minutes would be referred to YLCA for confirmation of accuracy of procedure and comment if required. To be re-drafted if necessary and represented at the next meeting of Full Council.

527. WORKING GROUPS

Members reported on working groups.

Cllr. Boden reported on attendance at the last Joint Parish Meeting and issues raised regarding the A646 road closures.
RESOLVED: To note the information.

528. REPRESENTATIVES TO OUTSIDE BODIES

There were no reports.

529. EXCLUSION OF THE PRESS AND PUBLIC

There was no resolution to exclude members of the public and press under the Public Bodies (Admissions to Meetings) Act 1960 during consideration of items of a confidential nature.

The meeting finished at 9:04pm

HEBDEN ROYD TOWN COUNCIL

Meeting of the COMMUNITY FUNDING COMMITTEE
Held WEDNESDAY 25 MARCH 2026

MINUTES

PRESENT: **Councillors**: Woodhead (Chair), Cammack, Howes and Woodhead

Town Clerk: E Green

530. Apologies for Absence and any substitutions.
Apologies were received from Cllrs Guilfoyle, Fraser, and Hedges.

531. Members` Interests relating to agenda items for this meeting.
Cllr Woodhead – Item 5b.

532. Matters arising from Minutes of Meeting held 10 December 2025 not itemised on this Agenda.
There were no matters arising.

533. COMMUNITY FUNDING BUDGET
An update on the budget was provided to the committee.
RESOLVED: To note the information

534. REQUESTS FOR FINANCIAL ASSISTANCE FROM THE COUNCIL
a) Hebden Bridge Camera Club
Replacement of Digital Image Projector
RESOLVED: To award £1800

Cllr Woodhead Left the meeting and Cllr Hoyle took the Chair for this item.

b) Valley Community Meals
Valley Community Meals Kitchen Upgrade
RESOLVED: To award £5000.

The council request that there is a clear understanding of responsibilities and liabilities in respect of Valley Community Meals and the Church of the Good Shepherd and this is shared with the Town Council in due course.

Cllr Woodhead returned to the meeting.

c) Scout Road Park Community Group
Scout Road Park Regeneration Project
RESOLVED: To award £2800.

This is to support the development of the vision and concepts and to create a draft masterplan. It is requested that a Town Councillor is able have a councillor representative on the committee to offer support to the project and to explore further partnership opportunities.

d) Cragg 15 Limited
Cragg Challenge 2026
RESOLVED: To award £4500

535. EXCLUSION OF THE PRESS AND PUBLIC
No motion to exclude members of the public.

Meeting finished at pm

HEBDEN ROYD TOWN COUNCIL

MEETING of the STRATEGY & REVIEW COMMITTEE
held Wednesday, 8 April 2026

MINUTES

PRESENT Councillors: Butterick (Chair), Guilfoyle, Hedges, Turner and Woodhead

Town Clerk: E Green

536. **To receive apologies for absence and any substitutions.**
Apologies were received from Cllrs Fraser and Morse

537. **To receive members` interests relating to agenda items for this meeting.**
There were no members interests reported at this meeting.

538. **MINUTES OF THE MEETING HELD 14 JANUARY 2026**
There were no matters arising.

539. **AUDIT & ANNUAL GOVERNANCE AND ACCOUNTABILITY RETURN**
Members received an updated report on the audit for the year 224-25 and a governance checklist in respect of preparations for the Annual Governance and Accountability Return.
RESOLVED: To note completed actions in respect of the report and to note the information in respect of the governance checklist.

540. **NEW POLICY RECOMMENDATIONS**
A suite of draft policies in respect to the Town Councils allotment provision were reviewed.

a. Cultivation Standard Policy
b. Allotment Health & Safety Policy
c. Allotment Relinquishment Form
d. Allotments Rents Policy
e. Allotments Tree Planting Policy
f. Allotments Waiting List Policy
g. Bonfires Policy
h. Composting Policy
i. Hens, Rabbits and Bees Policy
j. Inspections, Appeals, Warnings and Terminations Policy
k. Rodent Control Policy
l. Shed Application Form
m. Allotment Tree Maintenance Policy
n. Water Use Policy

RESOLVED: To recommend adoption of the policies as presented.

541. HRTC FUTURE VISION & STRATEGY

The future vision and strategy of the Town Council was considered in particular with reference to the development of mid to long term budget setting.

RESOLVED: To recommend that each committee, once elected, holds a meeting to discuss its priorities and goals for the future. A template will be developed to assist the discussion and development of ideas. These outcomes will then be taken to the Strategy & Review Committee for further consideration as to how the priorities can support and inform an overarching strategy.

542. CCLA ACCOUNT

The signatories were considered.

RESOLVED: To recommend that Cllr Turner be and additional signatory on the CCLA account.

543. EXCLUSION OF THE PRESS AND PUBLIC

There was no resolution to exclude members of the public and press under the Public Bodies (Admissions to Meetings) Act 1960 during consideration of items of a confidential nature.

Meeting finished at 8.27pm.

Cultivation Standards Policy DRAFT 2026

1. The Tenant shall cultivate the land only or mainly to produce vegetables, flowers and fruit crops for consumption or use by the tenant or his/her family and not to cultivate bushes or trees other than those bearing soft fruit. This includes but is not limited to; bamboo, willow and inedible fruit bearing trees/shrubs e.g. pyracantha.

2. The planting of soft fruiting trees, is by permission of The Council, please see Tree Planting Application Guidance and Form.

3. Grass areas are permitted but may only form pathways, small seating, or fruited areas. Grass to be maintained to a height less than 10cm throughout the growing season.

4. An area no greater than 25% of the allotment plot may be used for leisure gardening purposes such as growing flowers, creating, and maintaining a bio-diversity habitat. A small seating area may also be incorporated into this area for use by the Tenant.

5. The Tenant shall keep the land free from weeds, well-manured and otherwise maintained in a proper state of cultivation and fertility and in good condition and any pathway included therein or abutting thereon shall be kept reasonably free from weeds and rubbish (not including compost material stacked in an orderly fashion as a compost heap or heaps) to the satisfaction of The Council.

6. Allotments will be inspected twice annually by an officer of The Council. See Inspections, Appeals, Warning Procedures and Termination Policy for more information.

7. Where plots are deemed un-worked, a Non-Cultivation Notice will be issued. For the Allotment Tenancy Agreement, cultivation is defined as the plot being dug over ready for planting with seasonal crop production evident.

8. A weed suppressant membrane or strimming is not considered a substitute for cultivation. A new tenant shall be expected to progressively clear one third of the plot within 3 months, with the entire plot being cultivated within one year from the commencement of the tenancy. Failure to comply will result in termination of the tenancy.

9. No timber or other trees upon the allotment shall be cut or pruned and no minerals, gravel, sand, earth, or clay shall be taken or carried away without the consent of The Council.

10. The Tenant shall as regard the allotment gardens, observe and perform all covenants and conditions contained in the Lease (if any) under which The Council holds the land.

11. The use of artificial fertilizers and pesticides should be kept to a minimum

12. The Tenant shall not utilise carpets, underlay or tyres on site.

13. The Tenant will maintain the plot number provided by the Council in good order and ensure it is always visible.

14. No washing lines, rotary or carousels to be used on site.

Hebden Royd Town Council Allotment Health and Safety Policy DRAFT 2026

Health and Safety is the responsibility of everyone. Below is a list of guidance to inform Health and Safety on allotment sites but is not exhaustive and relies upon the good judgement of those using the sites.

1. Be aware of the Risks on site. Both Banksfield Allotment sites, Mytholmroyd and High Hirst Allotment, Hebden Bridge, have Site Specific Risk Assessments. These documents identify hazards on site; the risks associated with them and measures in place to mitigate harm. If any new hazards are identified The Council should be informed.
2. Tenants and their guests should take care and wear appropriate, footwear, clothing and personal protective equipment, such as robust gardening gloves when working on site.
3. Children MUST always be supervised by a responsible adult. Children should only stay on their supervising Tenants plot and be instructed not to go onto other Tenants plots and/or communal areas unsupervised or uninvited.
4. Tenants are advised to wash their hands after gardening, before eating or drinking.
5. HRTC Allotment sites are No Smoking sites, all Tenants and their guests are to smoke outside of the boundary of the allotment sites and dispose of their litter appropriately.
6. Health and Safety is informed by the Health and Safety Act 1974 and subsequent legislation.
7. Insurance, all volunteers on HRTC sites under the supervision of a qualified member of staff are indemnified by the Council's Public Liability Insurance.
8. HRTC is a member of the National Society of Allotment and Leisure Gardeners.
9. All Tenants are instructed to check they are indemnified whilst a Tenant of a HRTC administered site.
10. Accident and incident reporting: all accidents and incidents on site are to be reported to The Council as soon as possible. This can be done by emailing info@hebdenroydtowncouncil.gov.uk or by contacting the office on 01422 842 181. The relevant form and information will be given by a member of the team.

Hebden Royd Town Council

Hebden Royd Town Council

Allotment Relinquishment Form

Full name:

Allotment Plot Number:

Allotment Site:

I wish to relinquish my allotment and will have vacated my plot by the following date -

Date:

I confirm that any possessions remaining after this date will become the property of the new Tenant who rents my former plot.

Signed:

Date:

Please return this form to Hebden Royd Town Council, The Town Hall, St Georges Street, Hebden Bridge, HX7 7BY

If you have any questions, contact the office on Tel No 01422 842181 or via email – info@hebdenroydtowncouncil.gov.uk

Hebden Royd Town Council Rents Policy DRAFT 2026

Rents

1. The Council agrees to let, and the Tenant agrees to hire as a yearly tenant from the 1st day of April annually, an Allotment Garden Plot which is numbered and situated on either High Hirst Allotments, Hebden Bridge or Banksfield Allotment, Mytholmroyd. All standing Tenants recorded in the Council's Register of Allotments, will be invoiced the sum of £65.00 paid annually in advance on the 1st day of April each year or a proportionate rent thereof dependent upon the commencement of tenancy.

2. Water Services charges will be invoiced separately upon agreement of use. This charge is £10.00 per annum. See HRTC Water Use Policy for more details.

3. The rent payable as above may be increased by the Council by giving the Tenant not less than 12 months' written notice to that effect.

4. Rent rates will be reviewed every five years considering inflation and increases in running costs.

5. Payment can be made via cash, cheque, banks transfer and by online payment.

6. Tenancies taken on past April will be charged at an increment of the annual rent according to the months remaining on the lease and rounded down to the nearest whole pound.

7. Rents are informed by Section 10 of the Allotment Acts 1950.

8. Hebden Royd Town Council bases their Rental policy on guidance from the National Allotment Society Policy Document – 103 'RENT'.

Allotment Trees Planting Application

Full name:

Contact Telephone Number:

Email address:

Allotment Site:

Plot Number:

Will the proposed tree(s) cast shade over neighbouring gardens or affect them in any way?

Yes/No

Please indicate how many individual specimens of each species are to be planted including the name of the varieties and rootstock(s) (see Tenants Allotment Tree Maintenance Policy for Guidance)

Apple	
Cherry	
Pear inc. Quince.	
Plum, Gages, Damsons	
Other e.g. medlar	

Please draw a plan below of where the tree(s) will be located detailing where neighbouring plots are situated and the adjacent plot numbers.

Please return this form to Hebden Royd Town Council, The Town Hall, St Georges Street, Hebden Bridge, HX7 7BY or via email at info@hebdenroydtowncouncil.gov.uk

If you have any questions, please do not hesitate to contact the office on 01422 842181

Hebden Royd Town Council

Hebden Royd Town Council Waiting List Policy DRAFT 2026

1. All applicants for allotments must live within the Hebden Royd boundary and be registered on the electoral roll.
2. Applicants will be added to the waiting list in date order.
3. Available plots will be allocated on a first come first served basis.
4. There will be no discrimination or favour given on grounds of sex, race, location, age or any other grounds in terms of allocation of allotment plots.
5. If a plot offer is refused it will be offered to the next person on this list. The applicant who refused the plot will maintain their place on the list.
6. If there is no waiting list, an additional plot may be offered to an existing plot holder.
7. There is no right of transfer if a tenant is no longer able to or wishes to look after their plot.
8. The Hebden Royd Town Council Waiting List Policy conforms to the provisions of the Allotment Acts 1950 Section 10.
9. The Hebden Royd Town Council Waiting List Policy is informed by the National Allotment Society Policy Document 102 – WAITING LISTS

Hebden Royd Town Council Allotment Bonfires Policy DRAFT 2026 **20g**

1.Hebden Royd Town Council does not encourage the lighting on bonfires on Council Allotment Sites.

2. Both Banksfield Allotments, Mytholmroyd and High Hirst Allotments, Hebden Bridge are in Smoke Control Areas, more information can be found here: Calderdale Council Smoke Control Areas.

3. Any resultant green waste from cultivation should be composted, either in the communal composting bays or individual plot holders own compost heap(s).

4. Any rubbish should be disposed of by Tenants using their household waste services or the Local Authorities Recycling and Waste Disposal Services.

6. Where bonfires are lit they should follow the guidance provided by Calderdale MBC in their document: Advice, Guidance and Legal requirements for the disposal of Waste on Allotments.

7. Complaints made against Tenants who light bonfires may result in a warning and subsequent termination of their Tenancy.

8. This document is informed by the National Allotment Society's Document - Bonfires and Waste Disposal on Allotments.

hr Hebden Royd Town Council

Hebden Royd Town Council Composting Policy DRAFT 2026

1. Hebden Royd Town Council encourages all allotment Tenants to compost resultant green waste from their cultivation activities.
2. All green waste should be sensibly composted, using either communal composting bays, plastic compost bins or a safely constructed compost system.
3. Communally made compost will be processed on site workdays with its availability being made to those on a first come first served basis.
4. The burning of green waste is not encouraged, please refer to the Hebden Royd Town Council's Bonfires Policy.
5. When composting, ensure that compost piles do not become home to vermin such as mice and rats. This can be done by regularly turning compost heaps and not adding kitchen scraps to your compost.
6. Any liquid composts/feeds such as 'comfrey tea' should be made in a secure container, which prevents the formation of waterborne disease and should be covered to prevent drowning.
7. All plants designated as 'weeds' should be composted when seed has not set to prevent the furtherance of weeds in the seedbank. Please refer to the Weeds Act 1959.
8. Green waste disposal on allotment sites is covered by the Environmental Protection Act 1990.
9. Advice relating to composting can be found in the National Allotment Society's document 'Why Make Compost?', which informs this document.

Hebden Royd Town Council

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Hebden Royd Town Council Hens, Rabbits and Bees Policy DRAFT 2026

1. The keeping of Hens, Rabbits and Bees on HRTC allotment sites is not permitted.

2. Whilst the Allotments Act 1950 states that the keeping of hens and rabbits on allotments is a statutory right, this is to be taken into consideration of the local council's rules. Whilst not expressly forbidden in the Tenancy Agreement, this policy outlines that the Council does not believe that the welfare of said animals nor the potential nuisance caused by the keeping of hens and rabbits (such as an increase of vermin) warrants their inclusion on HRTC allotment sites.

3. The keeping of bees is not permitted as the nature of the allotment sites cannot secure any bees and their hives from acts of vandalism and/or theft. The potential health and safety implications of bees on site precludes them from being sited on HRTC managed allotments given the possibility of allergic reactions from stings to Tenants, their guests and the public.

4. This document is informed by the National Allotment Society's document 'The keeping of Hens and Rabbits on Statutory Allotments'.

5. Legislation regarding the keeping of Hens and Rabbits on allotments can be found in the Allotments Act 1950.

Hebden Royd Town Council – Inspections, Warnings, Termination and Appeal Policy DRAFT 2026

1) Inspections

a) Allotment plots will be inspected twice annually by an officer of the Council as a minimum.
b) Inspections will follow the expected standards outlined within the Tenancy Agreement, the HRTC Cultivation Standards Policy provides more information on these standards.
c) Monthly Health and Safety plot inspections and a quarterly site inspection will be undertaken, any issues highlighted will be communicated with Tenants to resolve.
d) Inspections follow the relevant Allotment Acts Legislation
e) This document is informed by the NAS Policy Document 107. Use of Land Designated Allotments for Other Forms of Gardening

2) Warnings

a) Where plots are deemed un-worked, a Non-Cultivation Notice will be issued.
b) This initial warning will state that the Tenant is in breach of the cultivation rule of their tenancy agreement.
c) Details will be given regarding the issues highlighted in the Non-Cultivation Notice.
d) Tenants are to respond within 14 days with either mitigating circumstances that explains the poor cultivation and/or a workplan with agreeable timeframe (14 days are advised) as to when the issue(s) will be resolved.
e) If after the mitigating circumstances timeframe has passed and the cultivation remains as poor, or the action plan isn't being followed or no response has been received to the first warning, a final warning will be sent.
f) The final warning will set out exactly what is expected of the plot holder and should set a reasonable time limit for the works to be completed, 14 days as standard.
g) The final warning letter will state that if the plot holder fails to complete these expected works, then a notice to quit may be supplied.
h) Once the time required in the final notice has passed and the Tenant has failed to sufficiently bring their plot up to a reasonable level of cultivation, then the Committee/Council will supply a 1 month notice to quit.
i) Non-Cultivation Notices will remain on file for 6 years, then are archived.

3) Termination

a) If the Land is required by the Council for any purpose (not being the use of the land for agriculture) for which it was acquired by the Council or has been appropriated under any statutory provision after three months' notice in writing to the Tenant except in case of emergency.
b) On non-payment of rent for twenty-eight days after the same shall have become due (whether formally demanded or not) or if the Tenant breaks or fails to observe any stipulation herein on his/her part contained or dies or becomes bankrupt or compounds his/her creditors.
c) If a plot remains uncultivated for a three-month period, following issue of a Non-Cultivation Notice, the Council has the right to offer the site to another person on their waiting list who requires an allotment for the purpose intended. In this case the Council will require the tenant to vacate the site within 7 days of notice and remove personal items.
d) A tenancy may also be terminated if two Non-Cultivation Notices are served in two consecutive years within the tenancy period.

4) Appeals

a) The tenant may appeal against any decision by writing to the Allotment Officer stating the reasons for the appeal and within 7 days of the date of the Notice.
b) Once received the appeal will be put before the Local Environment and Climate Committee for consideration.
c) The Committee will review the appeal and give a decision once considered.

Hebden Royd Town Council

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Hebden Royd Town Council Rodent Control Policy DRAFT 2026

1. Any instances of rodent infestation on site are to be reported to The Council as soon as possible.
2. Tenants are to take care not to encourage rodents on site. This includes not composting kitchen waste/scraps, disposing of all rubbish in household waste, ensuring all produce (fruit/vegetables) are harvested and stored appropriately.
3. Tenants are NOT to use rodenticide on site, as this can result in poisoning of wildlife, dogs/cats and children.
4. Only suitably qualified Vermin control operatives will be employed by the Council in the event of a rodent infestation. The CRRU code of practice will be followed by any contractors employed to undertake rodent management on site.
5. It is illegal under the Animal Welfare Act 2006 to drown, use self-locking snares and other unapproved methods to kill vermin. Any instances of doing so will result in the Police being contacted and Tenancy being terminated.

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Allotment Shed Application

Allotment Site:

Name:

Contact Telephone Number:

Email address:

Plot Number:

Please refer to the HRTC Shed Guidance Document when completing this form.

Will the proposed structure cast shade over neighbouring plots or affect them in any way?

Yes/No

What will the proposed shed be erected on?

Please provide more information below, size number etc:

Small concrete paving slabs	
Sand or gravel	
Bare ground	
Stone paving slabs	
If Other, please provide further details	

Will the base be easily removable when your tenancy comes to an end?

Yes/No

What will the Shed be used for? Please indicate all that apply.

Storage	
Potting up/on	
Hardening off	
Other; please provide further details	

Will the Shed have a rainwater collection system, such as a guttering/water butt attached?
Yes/No

Please draw a plan below of the allotment plot showing where the structure will be located detailing where neighbouring plots are situated and the plot numbers.

Please return this form to Hebden Royd Town Council, The Town Hall, Hebden Bridge, HX7 7BY or via email at info@hebdenroydtowncouncil.org.uk

If you have any questions, please contact the office on 01422 842181

Hebden Royd Town Council

Tenant Tree Maintenance Policy DRAFT 2026

This policy is to be used alongside the allotment Tenancy Agreement.

1. Established fruit trees and bushes, must not be taller than the specified height of 2.5 metres being maintained at a height and canopy spread of no more than 2.5 metres.

Guidance for tree planting applications is as follows:

Apples - on rootstocks M27 Extremely dwarfing, M9 Dwarfing and M26 Dwarfing only

Pears – dwarfing or semi-dwarfing only e.g. on quince rootstocks ‘C’ and ‘A’.

Plums, Gages and Damsons – dwarfing or semi-dwarfing only e.g. ‘Pixy’ and ‘St Julien A’ .

Cherries – dwarfing or semi-dwarfing only.

Non-soft fruit bearing trees are NOT permitted.

1. This includes and is not limited to; nut (e.g. hazel and walnut), hedging/shrubbery (e.g. privet and laurel) and inedible fruit bearing species (e.g. pyracantha and dogwood).

2. No timber species of trees are permitted to be grown on plots, these include and are not limited to, Ash, Birches and Willows.

3. Failure to prune back trees where permitted will result in a non-cultivation notice.

4. A tree planting application form must be completed and submitted to Hebden Royd Town Council before any trees are planted.

5. You must make the Council aware of any personal issues that may prevent you from fulfilling the maintenance requirements of trees on your plot.

6. The Tenant must seek permission from the Council for the removal of any tree within their allocated allotment plot. The Council reserves the right to refuse such applications should the reason for removal not be of ecological value or for the benefit of health and safety.

7. The Council reserves the right to remove any tree from within any allotment garden should a health and safety risk be identified.

8. The Tenant must ensure that trees are kept to not encroach on neighbouring plots and footpaths.

9. Tenants must maintain their trees in accordance with The Town and Country Planning (Tree Preservation) (England) Regulations 2012 and seek permission from Hebden Royd Town Council for works where required.

10. Any works carried out for the maintenance of trees by the Council on individual plots may result in a fee being sought from the Tenant.

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Hebden Royd Town Council Water Use DRAFT Policy.

1. Water Charges, all Tenants will be invoiced for the use of mains water at High Hirst Allotment, Hebden Bridge. This is £10.00 with a review every 5 years with adjustments made for inflation and running costs.
2. The mains water supply will be turned off from October to March (weather dependent) to prevent burst pipes.
3. All water butts on allotment sites are to be covered to prevent drowning and waterborne disease.
4. Tenants are encouraged to use water responsibly and to collect and conserve water where possible.
5. All Sheds are encouraged to install a water collection system to harvest grey water.
6. The use of sprinklers is not permitted on HRTC allotment sites.
7. All hosepipes are to be stored to prevent trip hazards and out of direct sunlight to prevent legionella.

Hebden Royd Town Council