

COUNCIL

To: All members of the Council

You are hereby summoned to attend a meeting of South Norfolk Council for the purpose of transacting the business set out in this agenda.

Yours sincerely

A handwritten signature in black ink, appearing to read "Trevor Holden", with a long, sweeping horizontal stroke at the end.

Trevor Holden
Managing Director

Cllr J Easter
Chairman of the Council

Cllr Y Bendle
Vice-Chairman of the Council

Date & Time:

Monday 12 December 2022
7.30pm

Place:

Council Chamber, Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich NR7 0DU

Contact:

Claire White tel (01508) 533669
Email: committee.snc@southnorfolkandbroadland.gov.uk
Website: www.southnorfolkandbroadland.gov.uk

PUBLIC ATTENDANCE:

This meeting will be live streamed for public viewing via the following link:

<https://www.youtube.com/channel/UCZciRgwo84-iPyRImsTCIng>

If a member of the public would like to attend to observe or ask a question, please email your request to committee.snc@southnorfolkandbroadland.gov.uk, no later than 5.00pm on Wednesday 7 December 2022.

AGENDA

1. To report apologies for absence and to identify substitute members;
2. Any items of business which the Chairman decides should be considered as a matter of urgency pursuant to section 100B(4)(b) of the Local Government Act, 1972. Urgent business may only be taken if, “by reason of special circumstances” (which will be recorded in the minutes), the Chairman of the meeting is of the opinion that the item should be considered as a matter of urgency;
3. To receive Declarations of interest from Members;
(Please see guidance from and flow chart attached – page 6)
4. Minutes of the meeting of Council held on 17 October 2022 (attached at page 8)
5. Chairman's Announcements (engagements attached – page 22)
6. To consider any petitions received under Section I of the “Rights of the Public at Meetings”;
7. Notice of Motions:

(a) Cllr C Brown

This Council notes that:

1. Humans have already caused irreversible climate change and global temperatures have already increased by 1.1 degree Celsius from pre-industrial levels;
2. The UN Climate Change Conference (COP27) in November maintained the Paris Agreement's aim of a 1.5°C limit before 2050. Our current plans and actions are not enough, and the world is on track to overshoot this;
3. This year has seen further evidence of the catastrophic implications of the warming atmosphere, in this country and around the world;
4. The consequences of inaction to address this emergency will include:
 - Increased risk of flooding, subsidence, and damage to buildings and infrastructure.
 - Health effects, risk of disease and severe risks from extreme weather events.
 - Higher energy and food costs and impact on food production.
 - Increases in social injustice and inequality;
5. 75% of District, County, Unitary & Metropolitan Councils in the UK have now declared a 'Climate Emergency';
6. Climate change and sustainability are amongst the biggest issues of the 21st century;
7. Our responsibility is to help secure an environmentally sustainable future for our residents;
8. We are determined to achieve further reductions in the emission of greenhouse gases related to the district;
9. We have a critical role to play in delivering a zero-carbon future.

This Council resolves to:

1. Declare a 'Climate Emergency';
2. Work to make South Norfolk Council carbon neutral by 2030;
3. Together as a community and with wider stakeholders, collectively work towards making South Norfolk district carbon neutral by 2035, delivering impact on both production and consumption emissions;
4. Prepare a Climate Change Strategy with an action plan and 'route map' to a sustainable, low carbon future;
5. Work with Government, other Councils and partners to implement best practice methods to limit Global Warming and to deliver these goals;
6. Launch engagement with the public to:
 - Improve "carbon literacy" of all citizens;
 - Encourage and support leadership on this issue in all sectors of society;
 - Obtain meaningful public input into the South Norfolk Climate Change Strategy;
 - Facilitate wide community engagement and behavioural change;
7. Report back to Full Council annually on:
 - progress towards the Council becoming carbon-neutral by 2030;
 - steps taken to support reduction in CO₂e emissions in the district.

(b) Cllrs J Fuller and R Elliott

This Council regrets the recent announcement to scale back the production of the much valued distinctive and local programming at Radio Norfolk and other BBC local radio stations in England.

The Council understands that times change and a large proportion of the population now access all sorts of services digitally. But as Council we know that over-reliance on digital channels is not right for everyone.

Radio Norfolk has built a loyal audience that lies outside the Metropolitan Centres and trendy Media Hubs with amongst the greatest reach of any Radio service broadcasting to our County. Its programming fulfils a greater social service grounded in a sense of place than perhaps the BBC realises.

The sense of belonging to those in isolated rural communities from local programming is tangible. The value of listener engagement and the sense of belonging is something that our residents pay their licence fee to receive.

The work of BBC Local Radio in Norfolk has engendered a pride in place that has taken forty years to build. It is the enemy of loneliness. It has the focus to challenge those who should be doing better. And it can allow itself to be tribal in the promotion of the sporting life in our County in a way a regional canvas could never hope to achieve.

'Digital First' should not be used as cover to dispense with local programming. Instead, the digital revolution provides the ability to serve ever more local communities and interests.

8. Recommendations from the Cabinet arising from the meeting held on 5 December 2022;

(a) Adoption of Conservation Area Appraisals and Boundary Amendments for Bergh Apton, Ditchingham and Kimberley Conservation Areas
(page 15 of the Cabinet agenda for 5 December)

(b) Strategic Performance, Risk and Finance Report for Quarter 2 2022/23
(page 75 of the Cabinet agenda for 5 December)

(c) Best in Class Housing – Temporary Accommodation
(page 233 of the Cabinet agenda for 5 December)

(d) Anti-Social Behaviour Policy (page 265 of the Cabinet agenda for 5 December)

NOTE: the recommendations from the Cabinet meeting held 5 December relating to the above items will be tabled at the Council meeting.

9. Recommendations from the Licensing Appeals and Complaints Committee arising from the meeting held 21 November 2022

Local Government (Miscellaneous Provisions) Act 1976 Town Police Clauses Act 1847

Taximeter Tariff (Table Of Fares) Consultation Responses
(report to Licensing Committee attached at page 23)

TO RECOMMEND THAT COUNCIL adopts the taxi meter tariffs (table of fares) for hackney carriages, as proposed at Appendix 1 of the report, with effect from 1 April 2023

10. Adoption of Starston Neighbourhood Plan (report to follow)

11. Adoption of Tivetshall Neighbourhood Plan (report to follow)

12. The Local Government Association Model Code of Conduct
(report attached – page 41)

Please note that Appendix 1 to this report has been provided by an external source and we cannot guarantee that it is fully accessible

13. Monitoring Officer Report (report attached – page 69)

14. Questions to Chairmen and Portfolio Holders

To take questions from Councillors and the Public

Note: Time allocated to be at the discretion of the Chairman. No notice is required of questions; however, it may be necessary for written answers to be provided where an immediate response cannot be supplied. If members choose to submit questions in writing in advance, they will be circulated before the meeting.

a. Cabinet

Please [click here](#) to view the most recent Cabinet minutes available

Questions to the Leader and other Cabinet members:

John Fuller	The Leader, External Affairs and Policy
Alison Thomas	Better Lives
Graham Minshull	Clean and Safe Environment
Richard Elliott	Customer Focus
Kay Mason Billig	Governance and Efficiency
Lisa Neal	Stronger Economy
Adrian Dearnley	Finance and Resources

b. Scrutiny Committee - Questions to the Chairman

Please [click here](#) to view the most recent Scrutiny Committee minutes

c. Licensing Appeals and Complaints Committee / Licensing and Gambling Acts Committee – Questions to the Chairman;

Please [click here](#) to view the most recent Licensing Committee minutes

d. Development Management Committee – Questions to the Chairman

Please [click here](#) to view the most recent Development Management Committee minutes

15. Outside Bodies – Feedback from Representatives

(paper attached from Cllr J Easter – representative on the Norfolk Police and Crime Panel – page 77)

Agenda Item: 3

DECLARATIONS OF INTEREST AT MEETINGS

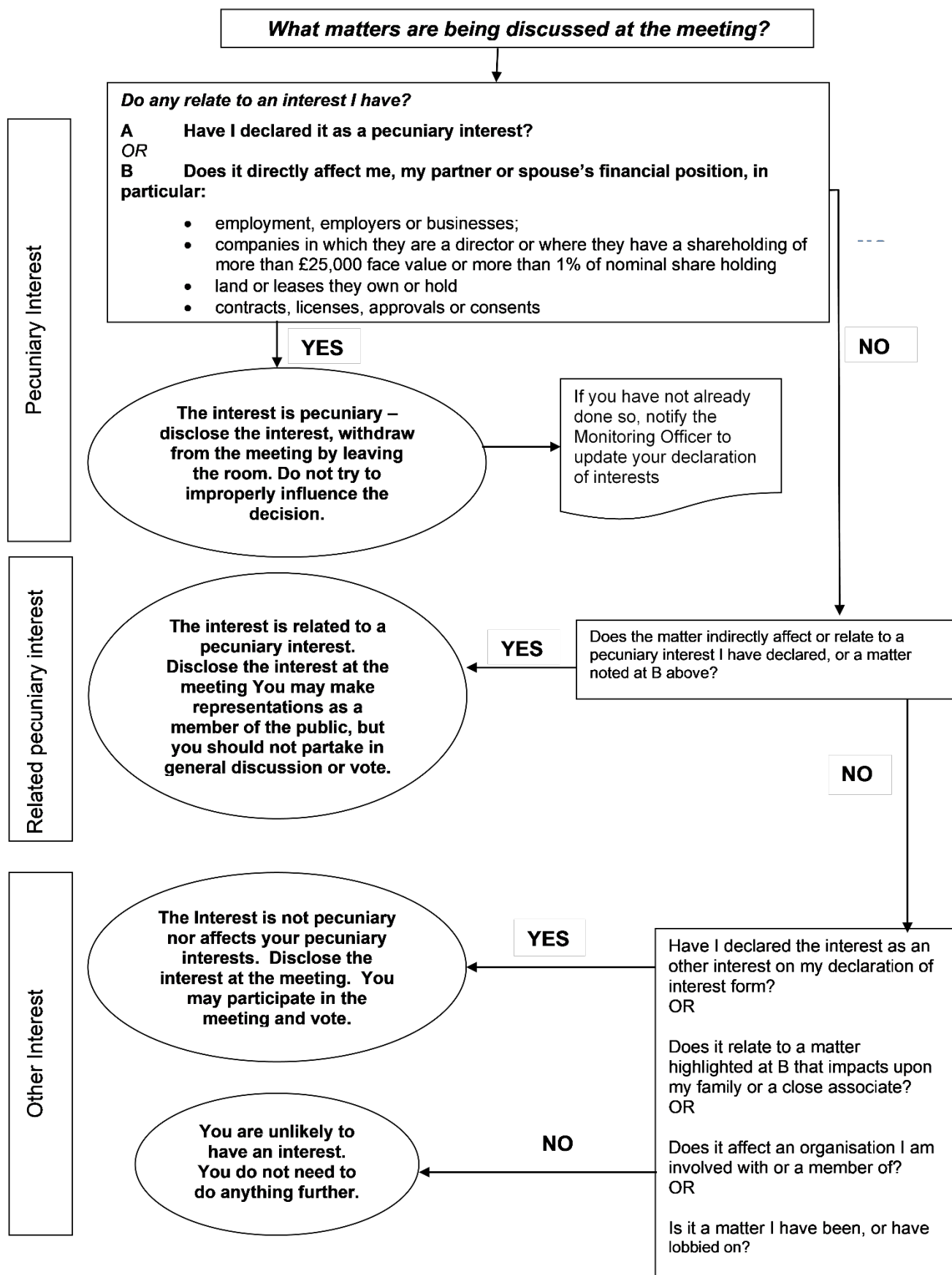
When declaring an interest at a meeting Members are asked to indicate whether their interest in the matter is pecuniary, or if the matter relates to, or affects a pecuniary interest they have, or if it is another type of interest. Members are required to identify the nature of the interest and the agenda item to which it relates. In the case of other interests, the member may speak and vote. If it is a pecuniary interest, the member must withdraw from the meeting when it is discussed. If it affects or relates to a pecuniary interest the member has, they have the right to make representations to the meeting as a member of the public but must then withdraw from the meeting. Members are also requested when appropriate to make any declarations under the Code of Practice on Planning and Judicial matters.

Have you declared the interest in the register of interests as a pecuniary interest? If Yes, you will need to withdraw from the room when it is discussed.
<p>Does the interest directly:</p> <ol style="list-style-type: none">1. affect yours, or your spouse / partner's financial position?2. relate to the determining of any approval, consent, licence, permission or registration in relation to you or your spouse / partner?3. Relate to a contract you, or your spouse / partner have with the Council4. Affect land you or your spouse / partner own5. Affect a company that you or your partner own, or have a shareholding in <p>If the answer is "yes" to any of the above, it is likely to be pecuniary.</p> <p>Please refer to the guidance given on declaring pecuniary interests in the register of interest forms. If you have a pecuniary interest, you will need to inform the meeting and then withdraw from the room when it is discussed. If it has not been previously declared, you will also need to notify the Monitoring Officer within 28 days.</p>
<p>Does the interest indirectly affect or relate any pecuniary interest you have already declared, or an interest you have identified at 1-5 above?</p> <p>If yes, you need to inform the meeting. When it is discussed, you will have the right to make representations to the meeting as a member of the public, but you should not partake in general discussion or vote.</p>
<p>Is the interest not related to any of the above? If so, it is likely to be an other interest. You will need to declare the interest, but may participate in discussion and voting on the item.</p>
<p>Have you made any statements or undertaken any actions that would indicate that you have a closed mind on a matter under discussion? If so, you may be predetermined on the issue; you will need to inform the meeting, and when it is discussed, you will have the right to make representations to the meeting as a member of the public, but must then withdraw from the meeting.</p>

FOR GUIDANCE REFER TO THE FLOWCHART OVERLEAF.

PLEASE REFER ANY QUERIES TO THE MONITORING OFFICER IN THE FIRST INSTANCE

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF



Agenda Item: 4

COUNCIL

Minutes of meeting of South Norfolk District Council, held on Monday 17 October 2022 at 7.30pm.

Committee Members Present: Councillors: Easter (Chairman), Amis, Bernard, Bills, Blundell, Brown, Burrill, Dearnley, Dewsbury, Duffin, Ellis, Elliott, Francis, Fuller, Glover, Halls, Hardy, Hornby, Hudson, Hurn, Kemp, Kiddie, Knight, Laidlaw, Legg, Mason Billig, Minshull, Neal, Nixon, Overton, Ridley, Rowe, J Savage, R Savage, Spratt, Thomas, Thomson, J Wilby, N Wilby and J Worley

Apologies Councillors: Bendle, Edney, Elmer, Holden and Spruce

Officers in Attendance: The Managing Director (T Holden), the Director of People and Communities (J Sutterby), the Director of Resources (D Lorimer), the Governance Manager and Deputy Monitoring Officer (L Mockford) and the Democratic Services Manager (C White)

3657 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs Bendall, Edney, Elmer and Holden.

3658 DECLARATIONS OF INTEREST

There were no declarations of interest made by members.

3659 MINUTES

The minutes of the meeting held on 11 July 2022 were agreed as a correct record.

3660 CHAIRMAN'S ENGAGEMENTS

Members noted the civic engagements attended by the Chairman and Vice-Chairman for the period 24 May to 11 July 2022.

The Chairman took this opportunity to observe the passing of the Queen and to remember the shining example she set for those in public service.

The Chairman also asked members to note the passing of Lady Sheelin Knollys, a past Chairman and Alderman of South Norfolk Council.

Cllr J Fuller reminded the Council that Lady Knollys had served on the Council for 20 years until 2003. Her reputation for fair-mindedness, guile, wit and compassion was well-known and she served as an example to all who knew her. He noted that although she had left the Council before he had become a member of the Council, he had met her on many occasions and he had warm memories of a wonderful lady who was a true servant of South Norfolk Council and would be sorely missed.

Cllr V Thomson informed the meeting that he first met Lady Knollys when he stood as her successor for Rockland Ward. He noted how kind and supportive she had been and how she had been active in a huge number of bodies and organisations during her career. He added that Lady Knollys had a great intellect and a strong character and would be deeply missed.

The Council then stood and observed a minute's silence in tribute to both Queen Elizabeth II and Lady Knollys.

Cllr Florence Ellis reminded the Council that the early part of her civic year had been disrupted by the restrictions caused by the pandemic and she had decided that something should be done to remember that difficult time. She had, therefore, commissioned a map of South Norfolk that was illustrated with people who lived and continued to work in the District, delivering local services throughout that time.

Cllr Ellis then presented the map to the Managing Director who thanked her on behalf of members, officers and the agencies represented in the map for a wonderful concept, which had captured a moment in time across the District. He confirmed that the map would be hung in pride of place in the new Horizon building.

3661 QUESTION FROM MEMBER OF THE PUBLIC

The Chairman explained that a question from a member of the public, a Ms A Reeder, had been submitted. Unfortunately Ms Reeder had been unable to attend the meeting, and the Chairman had therefore agreed that on this occasion the meeting should consider her question in her absence:

'On average there have been cuts to Government grant to local government since 2010 of 60p in the pound, which has forced councils to reassess their ways of working. Without public consent our council has moved to shared services with Broadland and is now moving to new accommodation with Broadland out of our area. Could the Leader advise of the contractual position should the councils decide not to work together in the future or realise that there is excess capacity in the new offices, given the move to hybrid working? Could the Leader also advise the scale of any redundancies or loss of key staff that will arise because of the relocation of the offices from Long Stratton?

After much secrecy the cost of the new premises has now come to light in the EDP. Given current market volatility, rising interest rates and inflation how

does the Council propose to cover the gap between the sale of Cygnet House and Thorpe Lodge both of whose combined market value are considerably less than the new offices and whose capital receipt is not yet realised?

In response, Cllr K Mason Billig advised the meeting that in respect of the point raised above about public consent the Council was directly elected by the public to make decisions on their behalf and that members took this responsibility very seriously. She reminded the meeting that a Feasibility Study had been conducted before a decision to share staff with Broadland was made, which had indicated the potential benefits of collaboration. As a result of this decision the Council was set to make savings of £8.5m over five years.

The next step on this journey was to move to a new shared office that would build on this good work. South Norfolk House cost £750,000 per annum to run and electricity costs could rise by 200 percent in the near future, and Broadland District Council was in a similar position. It was, therefore, more practical to share one office site. Although the new office was not in South Norfolk, it was only just across the border in Broadland Business Park and was closer to two thirds of South Norfolk residents than the offices at Long Stratton. To ensure that all residents had access to Council services an outreach centre in Diss had been opened that day. This office would be open five days a week and had already received positive feedback from customers.

Cllr Mason Billig informed the meeting that the majority of residents accessed Council services online or by telephone or were visited in their own home. A survey of footfall at both local authorities had identified that the majority of visits in person were from taxi drivers renewing their licences. It was, therefore, not considered that anyone would be disadvantaged by the office move.

She explained that should the two councils decide not to work together in the future there was nothing to prevent them from still sharing an office, as it was owned jointly. There was also an opportunity to rent out office space at the new building, which would generate further income and help subsidise Council Tax in the future.

Collaboration had been undertaken on the basis of avoiding redundancies and this principle had been very successful to date. In Long Stratton there were only 2.4 full time employees directly affected by the office move and consultation was taking place with them about potential redeployment. Staff were seen as the Council's greatest asset and had been kept involved in the decision to move all through the process and the vast majority were looking forward to moving to a new modern office.

The move to the Horizon Building would bring many benefits for staff, members and visitors and with a modern flexible way of working it would ensure that the Council remained an employer of choice.

Purchasing the Horizon Centre was a commercial transaction, subject to a non-disclosure agreement with Aviva and the Council was contractually obliged to keep the purchase price confidential until the sale was completed.

Cllr Mason Billig stressed that there had been no attempt to withhold any details of the purchase and following a great deal of negotiation the Councils had paid £2.4m less than the asking price.

South Norfolk House would close on 4 November 2022 and would be mothballed to keep costs at a minimum. It was expected that the new office would open early in the New Year when Thorpe Lodge would also be closed. Both sites were very desirable commercial opportunities and were being actively marketed and had received a good deal of interest.

It had been calculated that the cost of the move would be recovered in four and a half years and that going forward savings of £600,000 per annum in running costs would be made.

Cllr Mason Billig explained that the decision to move offices was taken having undertaken over and above the expected level of due diligence for a commercial move of this type. A cross party Council Working Group, involving members from both South Norfolk and Broadland, had looked at all aspects of the project and several options had been considered, including the status quo and it had been concluded that the move to the Horizon building was the best option.

Overall, the move would save a vast amount of Council Tax payers' money, it would be better for residents, staff and members and the new building would enable an 80% reduction in CO₂ across both Councils.

3662 NOTICE OF MOTIONS

(a) Fuel duty relief for rural areas

Cllr C Brown

Cllr C Brown proposed the following motion, seconded by Cllr S Nuri-Nixon:

"The Council notes:

- That, because of its rural nature, residents in South Norfolk have been disproportionately affected by the steep rise in fuel prices over the past year. Car journeys in South Norfolk are in general longer, and public transport services less frequent, than urban areas.
- Research by the Countryside Alliance has found that rural households spend an average of £2440 a year on filling up their car, £800 more than households in urban areas.
- That the Government operates a Fuel Duty Relief scheme for rural areas, but at present it only applies in extremely remote parts of Britain such as Orkney, Shetland, the Outer & Inner Hebrides and the Isles of Scilly.
- The Early Day Motion tabled by Richard Foord MP (Lib Dem, Tiverton & Honiton) calling for Fuel Duty Relief to be extended to cover most rural areas in Britain, and for the relief rate to be doubled from 5p to 10p per litre. Coupled with a 2.5% cut in VAT, also called for by the Liberal

Democrats, this would save the average driver in South Norfolk £7.60 each time they fill up their car (and over £200 over the next year).

This Council believes that more should be done to support residents in South Norfolk with rising fuel prices.

This Council resolves to:

- Instruct the Managing Director to write to Chancellor of the Exchequer Jeremy Hunt MP to express our support of the proposal to extend fuel duty relief to more rural areas, including South Norfolk, and for the relief rate to be doubled to 10p.
- Write to our local Members of Parliament expressing the Council's support for this proposal and requesting that they support the Early Day Motion tabled by Richard Foord MP."

Cllr Brown urged members to support the motion, which sought to provide additional support to residents in the District with rising fuel costs, amid a wider cost of living crisis. He explained that the District had been disproportionately affected by the rise in fuel prices due to its rural nature and the lack of public transport in many areas.

Cllr L Neal expressed surprise at the proposed motion, as it would encourage car use, which ran counter to the Liberal Democrats views in combating climate change.

She added that the Council was taking measures to reduce CO₂ emissions by installing electric vehicle charging points (EVCPs) in its carparks and that these would double in number by Christmas. The Council had also been in touch with parish and town councils and 25 of them wished to go ahead with EVCP installations and a further 50 had expressed an interest. It was measures such as these that should be encouraged, rather than increasing petrol and diesel car use.

Cllr Fuller informed the meeting that he too thought that the proposal was inconsistent with the views previously expressed by the Liberal Democrat Group. He explained that as well as EVCP installation in car parks and parishes in the District, they would also soon be installed at the Council's leisure centres. This policy would allow choice for the rural motorist and not just those people with drives at home to charge electric vehicles to participate in the fight against climate change.

He advised members that South Norfolk was unique in providing business rate relief for rural garages, to allow them to maintain local rural services. However, he pointed to the fact that South Norfolk also had large urban areas at Costessey, Cringleford, Wymondham and Diss and asked if it was proposed that the fuel duty relief would apply to these areas? He suggested that the proposal would incentivise motorists to travel further to fill up their cars for less. He also asked how it would be enforced to allow only South Norfolk residents to benefit from the cheaper fuel.

Overall, he considered the motion to be well-meaning, but poorly thought out and that it did nothing to encourage a reduction in CO₂ emissions. He would, therefore, not support the motion.

Cllr J Hornby noted that the motion referred to areas of extreme rurality where the average price of fuel was much higher than in South Norfolk to start with. He agreed with the Leader that this was not a well thought out motion.

In response, Cllr Brown conceded that the District had urban areas, but it also had very rural areas, with few petrol stations and poor public transport where residents had no choice, but to use cars. There were also many people who could not afford to buy an electric vehicle and it was these people that the motion was targeted at. He added that he supported the green measures being introduced by the Council, but it had been calculated that people in rural areas were spending £800 a year more on fuel than in non-rural areas and that during this cost-of-living crisis the motion should be supported and the details of its implementation worked out later.

With 10 votes in favour and 29 against the motion was lost.

(b) Fighting anti-refugee Laws

Cllr C Brown

Cllr C Brown proposed the following motion, seconded by Cllr T Laidlaw:

“The Council notes that:

- South Norfolk is proud of our history of welcoming people seeking safety in South Norfolk.
- There are significant problems with the UK asylum system that affect people in this area, including a record backlog of cases awaiting a decision, a de facto ban on working, and enforced poverty and homelessness.
- The Nationality and Borders Act does not address these issues, and has instead created a two-tier system, punishing people seeking safety based on the journeys they make.
- Under these laws, people seeking safety will be criminalised and threatened with removal to Rwanda.
- People will be warehoused in large accommodation centres, segregated from communities and denied support.
- Many recognised refugees will receive a temporary and precarious status.
- Over 400 charities and faith groups have signed a national pledge to ‘Fight the ‘Anti-Refugee Laws’, including Amnesty International UK, Liberty, Crisis, Refugee Council, Save the Children, Shelter and Oxfam.

This Council believes that:

- Everyone’s claim for asylum should be treated equally and fairly.
- These are fundamentally ‘anti-refugee’ laws that undermine internationally recognised rights for people fleeing war and persecution to seek safety.

- These measures will create ever-longer delays in the asylum process.
- The UK needs an asylum system that empowers people seeking safety to rebuild their lives and enables communities to welcome them.

This Council resolves to:

- Defend the right to seek safety from war and persecution in the UK and sign the national 'Fight the Anti-Refugee Laws' pledge.
- Call on the UK Government to withdraw the UK-Rwanda agreement, repeal the Nationality and Borders Act, and work with Local Authorities and communities to build a refugee protection system that treats all people with dignity and compassion.
- Work with local organisations and people with lived experience of the asylum system to identify ways to mitigate the effects of these measures in South Norfolk.
- Join the network of cities, towns and districts which promote the inclusion and welfare of people who are fleeing violence and persecution and become a recognised Council of Sanctuary."

Cllr C Brown informed the meeting that the motion was intended to oppose the Nationality and Borders Act and to address the huge problems with the UK asylum system, which criminalised those seeking safety in the country. He noted that 400 charities and organisations were opposed to the Act and the motion set out how South Norfolk, which had been a welcoming District for those fleeing Ukraine, should oppose it.

He added that the proposed resolution sought to fight the anti-refugee laws and withdraw from the UK-Rwanda agreement and work with local organisations to enable refugees to settle and receive support in South Norfolk and to become a recognised Council of Sanctuary.

Cllr Ridley agreed that South Norfolk was proud of its history of welcoming people seeking safety. However, he considered the motion a misnomer and that the Nationality and Borders Act was not anti-refugee legislation. He noted that the UK had taken back control of its borders following Brexit and that there remained legal and proper ways to enter the country as a genuine refugee fleeing persecution. He suggested that supporting this motion would give encouragement to the criminal gangs who preyed on people and smuggled them across the channel in dangerous small boats. He advised the meeting that genuine refugees using legal routes should be encouraged to come to the UK, but not economic migrants. He thought that the motion was ill-conceived and should be rejected.

Cllr Worley informed the meeting that the UK-Rwanda agreement was the reason that he had resigned from the Conservative Party. He recognised that the issues raised in the motion were out of the Council's control, but he felt that a message should be sent to the Government that the Council did not support sending asylum seekers to Rwanda.

Cllr Rowe agreed with the motion and said that he considered sending asylum seekers to Rwanda to be shameful.

The Leader advised the meeting that he did not agree with the premise that the Act was an anti-refugee law and that this was a politicised mischaracterisation. He noted that the UK had always welcomed genuine asylum seekers who wanted to avoid persecution and he cited the response to refugees from Ukraine and Afghanistan. In particular, South Norfolk had taken in more Ukrainian families than any other district in Norfolk. Staff at the Council had provided support for these displaced families consisting mainly of women and children, whilst their husbands fought for democracy in Ukraine. Similarly, Afghan families had been welcomed to South Norfolk.

He noted that what was currently happening was economic migrancy fuelled by criminal gangs bringing boats of mostly young men of working age to this country, when they would be better building the economy of their own nations.

The UK had a reputation for supporting and helping nations to develop and this should be the main focus to prevent the pull factor that brought economic migrants to these shores and denuded countries of the people that they needed to thrive. He stressed that the UK should support asylum seekers, but not economic migrants.

Cllr A Thomas, took issue with the suggestion in the motion that people would be warehoused in large accommodation centres, segregated from communities and denied support as she was aware of asylum seekers being housed in hotels in Bowthorpe, Costessey and Hellesdon and that they were not being segregated. She added that it had not yet been confirmed whether or not the Council would be called upon to provide these asylum seekers with additional support.

Cllr J Hornby suggested that no country's asylum laws were perfect, but many migrants had travelled through a number of safe countries before claiming asylum in the UK. He agreed with the principle that if a person came to the UK illegally they should be treated differently from someone who had come via a legal route and he would vote against the motion.

Cllr T Laidlaw explained that he would support the motion and suggested that some migrants simply wanted to live in a constitutional democracy and should be respected for this.

Cllr Brown acknowledged that this was a complex issue. He reiterated that migrants were being held in large accommodation centres and that 400 organisations were opposed to the Act. He also noted that the UK took in fewer migrants than most other European nations and that legal routes should be opened up for migration to help develop and grow the economy.

A recorded vote was then conducted as follows:

Cllrs Amis, Bernard, Blundell, Brown, Burrill, Glover, Halls, Hudson, Laidlaw, Nuri-Nixon, Rowe, Spratt and Worley voted for the motion

Cllrs Bills, Dearnley, Dewsbury, Duffin, Easter, Elliott, Ellis, Francis, Fuller, Hardy, Hornby, Hurn, Kemp, Kiddie, Knight, Legg, Mason Billig, Minshull,

Neal, Overton, Ridley, J Savage, R Savage, Thomas, Thomson, J Wilby and M Wilby voted against the motion.

With 13 votes in favour and 27 against, the motion was lost.

3663 RECOMMENDATIONS FROM CABINET ARISING FROM THE MEETING HELD ON 17 OCTOBER 2022

(a) Update to the Local Development Scheme

Cllr J Fuller presented the recommendation from Cabinet, which was the latest iteration in a long series of updates on progress to the adoption of the various Local Plans. Members were asked to note and approve the amendments to the scheme.

It was unanimously

RESOLVED

To approve the proposed amendments to the current Local Development Scheme.

(b) Using intelligence to achieve a First-Class Customer Service

Members were informed that this report had been deferred to a future meeting of Cabinet.

(c) Public Space Protection Order – Dog Fouling

Cllr G Minshull presented the recommendation from Cabinet, which sought Council approval for the Public Space Protection Order No. 3, which had lapsed during the pandemic. The Order was subject to an amendment to clarify that people with assistance dogs would still be required to clear up any dog fouling in a public space.

It was unanimously

RESOLVED

To approve the Public Space Protection Order No. 3 as proposed in paragraph 4.7 and Appendix 1 of the report (subject to a minor amendment) over the geographical areas identified in Appendix 2 for a period of three years.

3664 ADOPTION OF REDENHALL WITH HARLESTON NEIGHBOURHOOD PLAN

Cllr L Neal introduced the report, which sought approval of the Redenhall

with Harleston Neighbourhood Plan. She congratulated the steering group volunteers for all their hard work and noted that 87 percent of those who had voted had been in favour of the Neighbourhood Plan.

She advised the meeting that the Neighbourhood Plan would give residents the chance to shape their community going forwards and its adoption would mean that Redenhall with Harleston Town Council would receive a larger proportion of Community Infrastructure Levy receipts from development that was approved within its parish for spending on local infrastructure projects.

Cllr Neal endorsed the Neighbourhood Plan, which would be used by officers and members when determining planning applications in the area.

Cllr J Savage, local member for Harleston, also endorsed the Neighbourhood Plan and recommended it for adoption. He wished to thank the Neighbourhood Steering Group (Chair Carolyn Malinowski) and all others involved in the formation of the Plan.

It was unanimously

RESOLVED

To adopt the Redenhall with Harleston Neighbourhood Plan.

3665 THE ADOPTION OF UPDATED AND CONSOLIDATED MODEL BYELAWS FOR THE PURPOSES OF REGISTRATION OF A RANGE OF SKIN PIERCING TREATMENTS UNDER RELEVANT LEGISLATION

Cllr W Kemp presented the report, which proposed the registration of businesses providing cosmetic piercing or semi-permanent skin colouring and the adoption of model byelaws applying to tattooing, semi-permanent skin colouring, cosmetic piercing, electrolysis businesses and the practice of acupuncture.

Cllr Kemp drew members' attention to Cllr Bendle's report, as Chairman of the Licensing Committee, which outlined its deliberations on this matter.

In response to a query from Cllr Blundell regarding hygiene, Cllr Fuller confirmed that there was an absolute test, which meant that these establishments must be compliant with the regulations in order to be allowed to trade.

It was unanimously

RESOLVED

1. To adopt the model byelaws in Appendix 1 in accordance with its powers in Part VIII of the Local Government (Miscellaneous Provisions) Act 1982.

2. Agree to delegate authorisation to the Director of Place to affix the Council's Common Seal to the byelaws shown in Appendix 1, to adopt the byelaws and make application to the Secretary of State for Health, for confirmation of these byelaws.
3. Agree to the revocation of existing legacy byelaws at Appendix 2 upon adoption of the consolidated byelaws at Appendix 1.

3666 QUESTIONS TO CHAIRMEN AND PORTFOLIO HOLDERS

(a) Cabinet

Cllr C Brown referred to his question at the last Council meeting regarding member attendance and the implementation of a new committee system, which would record this. He noted that he had been told by Cllr Fuller at the July Council that the software would be in place shortly and asked why this was not the case.

In response, Cllr J Fuller explained that the system was being tested but some accessibility issues had arisen that had not been anticipated. Progress was being made in bringing forward the implementation of the system and the provider was currently working on a fix to address the issues that had arisen.

Cllr C Hudson requested an update on the removal of the Harleston toilets.

Cllr Fuller referred to the Managing Director to respond. The Managing Director explained that officers had been unsuccessful in engaging with the original provider of the facility. Work was now being undertaken to explore if the toilets could be moved. If it could be moved further work would be done on its relocation. If this was not possible it would be disposed of in accordance with the Council's disposal of assets policy. Members would be kept informed of how this matter was progressing.

Cllr T Laidlaw reminded Council that the Commercial, Trading and Customer Focus Policy Committee had been suspended in May, pending an assessment of how its work would be carried out going forward. He expressed his concern that no action had been taken, especially as the Committee had been examining the recovery and commercial performance of the leisure centres, and other commercial activities, including the acquisition of the Horizon building. He added that communication to members regarding progress with the Horizon building had not been great, with most information being obtained through the Eastern Daily Press.

In response, Cllr Fuller advised Council that a lot of work was going on in respect of leisure and that Cllr Elliott had attended a meeting of the Leisure Board that morning. Cllr J Hornby informed members that the Scrutiny Committee had received a very good update on the Leisure Recovery Plan at its July meeting.

The purchase of the Horizon building had taken longer to complete than anticipated, but it was hoped that by December a joint decision-making body could be agreed with Broadland to look at how the Horizon building would be used.

Cllr K Mason Billig added that the delay with the Horizon building was due to difficulties about agreeing an access road with a neighbouring property. She confirmed that she was holding fortnightly meetings with the Leader of Broadland District Council to discuss the layout and requirements for the Horizon building and that a detailed survey of the equipment at both offices was being conducted, to assess what could be reused in order to keep costs down. The Horizon building would be a modern office, with bookable desks and different types of spaces, similar to those at Breckland Council, and a suitable environment for an employer of choice. Once this analysis had been completed the details would go to a quantity surveyor in order to identify the exact costs. It was intended that the Council Chamber would be a multi-use space that could be let out for conferences to generate further income.

Cllr Fuller added that he anticipated that the membership of the Commercial, Trading and Customer Focus Policy Committee would be agreed at the next meeting of Council and that the leisure centres and the Horizon building would form part of its Work Programme.

Cllr J Halls announced that Wymondham ward members had received notification that disabled access adaptations for platform two at the town's train station were in jeopardy, as Network Rail had objected to them, which could potentially see funding for the works being lost.

Cllr Fuller confirmed that this was most unsatisfactory and that the Council along with George Freeman MP, the County Council and Greater Anglia was actively working to resolve this issue and deliver the improvements.

In answer to a suggestion from Cllr C Hudson that South Norfolk House could be used for sheltered accommodation, Cllr Fuller cautioned against speculating on the future use of the offices whilst it was still being marketed for the statutory six-month period. He suggested that the use of the offices could be looked at once this period had expired in January.

Cllr Brown asked Cllr G Minshull about a wider roll out of the food waste collection across the District and also if any progress was being made with any Waste Electrical and Electronic Equipment (WEEE) recycling events.

Cllr Minshull informed Council that it would be inappropriate for the Council to implement a wider food waste collection at this time, as it was anticipated that the Government would be introducing a fully funded scheme in the near future. The Council would, therefore, wait until the Government had made its position clear.

Cllr Minshull confirmed that the first post-Covid WEEE event was held at Diss two weeks ago and had been a resounding success. Further events

would be rolled out in the future and a paper would be brought to Cabinet in the near future with options for WEEE kerbside collections.

Members were also informed that the Council had been awarded gold standard status by the RSPCA for its stray dog service following a recent inspection.

Cllr Minshull also advised the meeting that a new bin collection app was to be launched that week. The app would confirm bin collection days, set reminders and allow missing or damaged bins to be reported.

Cllr S Nuri-Nixon raised a concern about the requirement for photo ID when voting at polling stations, which had been introduced by the Elections Act 2022. She asked if this would be in place for the May 2023 District elections and what measures were being implemented to prevent voters from being disenfranchised and what would the extra cost of the requirement be.

In response Cllr Mason Billig confirmed that the measures would be in place for next year's elections and that the Council was well prepared for their introduction. The Managing Director informed the meeting that it was anticipated that any additional costs would be picked up under New Burdens funding.

Cllr Hudson requested more details regarding the mothballing of South Norfolk House, the cost of the repurposing of the Horizon building and where the shortfall between the sale of South Norfolk House and the purchase of the Horizon building was coming from.

In response Cllr Mason Billig informed members that mothballing South Norfolk House simply consisted of turning off the heating, making the building secure and ceasing to run services in order to save Council Taxpayers' money. As referred to above, the costs of repurposing the Horizon building would be confirmed by a quantity surveyor once details of the required layout had been agreed. A budget for this had been set at Council and as much equipment as possible would be reused in order to save money. The shortfall between the sale of South Norfolk House and the purchase of the Horizon building would be offset by savings of £600,000 per annum in running costs and it was anticipated that the Horizon building would be paid for in four and a half years.

Cllr B Bernard asked if the Council's budgets were being reassessed in the light of current inflationary pressures.

Cllr A Dearnley confirmed that work was being undertaken on the budgets. No figures were available at this stage, but they would be brought to Cabinet in due course. He added that budgeting would be more difficult over the coming years, but the Council had considerable reserves and remained financially sound and he confirmed that services were not under threat.

Cllr Fuller emphasised that the Council was in a healthy financial position, with strong reserves. However, he recognised that there were inflationary pressures in areas such as fuel for waste collection services, homelessness and temporary accommodation and he suggested that a sophisticated targeted approach should be taken to address these services. He stressed that it would be a team effort to support residents and that one means of doing this was to move to a structurally lower cost base at the Horizon building, which would optimise the space required by staff and save 84 percent in energy. He added that all of these changes would mean that South Norfolk was best placed to support its residents in need, whilst keeping a close eye on budgets.

Cllr Fuller informed the meeting that South Norfolk was unique in holding a budget workshop where all members were invited to provide input and he requested that all members attend and actively participate in the budget setting process.

In response to a query about a Council Tax freeze for next year, Cllr Fuller confirmed that if the Council had lower costs as a result of the move to the Horizon building it was only right that these savings should be shared in the form of a Council Tax freeze.

The Managing Director emphasised that Council Tax setting was for Council to determine, whilst being mindful of the different political perspectives of members.

(b) Scrutiny Committee

Cllr Rowe congratulated Cllr Hornby on his excellent chairmanship of the Scrutiny Committee.

In response, Cllr Hornby emphasised the importance of leaving aside political differences at meetings and praised the fine officer support provided to the Committee.

(c) Development Management Committee

Cllr V Thomson advised the meeting that the Development Management Committee meeting on 19 October would be the last to be held at South Norfolk House.

3667 OUTSIDE BODIES – FEEDBACK FROM REPRESENTATIVES

There was no member feedback regarding outside bodies.

The meeting concluded at 9.45 pm.

Chairman

**CIVIC ENGAGEMENTS FOR THE CHAIRMAN and VICE CHAIRMAN
FOR THE PERIOD: 18 OCTOBER – 12 DECEMBER 2022**

4 November	Gathering with staff and Members to mark the closure of South Norfolk House.
13 November	Wreath-laying and service at All Saints Church, Shelfanger for Remembrance Sunday.
20 November	EAMA 10k race and presentation of trophies to winners.
23 November	Thanksgiving Service at Ely Cathedral hosted by the Colonels at RAF Lakenheath.
24 November	Topping Out Ceremony at the new Priscilla Bacon Lodge site.



Licensing, Appeals and Complaints Committee
21 November 2022

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976
TOWN POLICE CLAUSES ACT 1847
TAXIMETER TARIFF (TABLE OF FARES) CONSULTATION RESPONSES

Report Author(s): Sarah Harris
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Portfolio: Clean and Safe Environment

Ward(s) Affected: All

Purpose of the Report:

This report details the results of a consultation exercise in respect of a proposed table of fares which will be applicable to any licensed hackney carriages from 1 April 2023. The draft table of fares and associated consultation responses are presented for Licensing, Appeals and Complaints Committee's consideration before referral to Council for adoption.

Recommendations:

The Committee is **RECOMMENDED** to:

1. Consider the draft table of fares document.
2. Consider the responses received to the consultation exercise, and any consequent proposed amendments to the draft table of fares.
3. Refer the agreed amended document to Council with a recommendation for adoption with a view to the agreed fares taking effect from 1 April 2023.

1. Summary

- 1.1 The Authority currently has in place a Hackney Carriage and Private Hire Vehicle Policy and Conditions document. This document was reviewed and consulted upon during 2021, with the final agreed Policy and Conditions taking effect from 1 April 2022.
- 1.2 A condition contained within the new document requires all licensed hackney carriage vehicles to be fitted with a taximeter:

“From 1 April 2023 the vehicle must be fitted with a taximeter and it shall not be used for hire unless such taximeter has been tested and approved by the Council or their authorised agents.”
- 1.3 The byelaws adopted by the Authority state the following:

“When the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in clearly legible figures a fare not exceeding the rate or fare which the proprietor or driver is entitled to demand and take for the hire of the carriage by distance in pursuance of the byelaw in that behalf;” (Byelaw 4(c)).
- 1.4 South Norfolk Council therefore proposes the introduction of a table of fares to ensure compliance with previously adopted policy, vehicle licence conditions and byelaws.
- 1.5 Committee is requested to consider the draft table of fares document and the responses received to the consultation process.

2. Background

- 2.1 Local authorities are required to have in place a taxi licensing policy to enable the Authority to carry out its functions relating to the licensing of Hackney Carriage and Private Hire Drivers, Vehicles and Operators. The current Policy and Conditions document took effect from 1 April 2022.
- 2.2 Legislation allows South Norfolk Council to fix the rates or fares for time, distance and all other charges to be paid in respect of the hire of hackney carriages (a table of fares). The table of fares would be the maximum chargeable for the hire of the vehicle and drivers/proprietors would therefore not be prevented from charging less than the fare fixed by the Council.
- 2.3 There are no rates or fares fixed by South Norfolk Council in respect of the hire of hackney carriages at present.
- 2.4 In practice, the overwhelming majority of the country’s licensing authorities have adopted a table of fares with a view to creating consistency and a level playing field for their local hackney carriage trade and to provide the public with protection from unscrupulous charging practices.

- 2.5 The two main elements within a table of fares are the charges set for the hire of a vehicle by time or distance or a combination of both. These charges, or the distance travelled / time elapsed, can be varied to account for hirings that take place on certain days or at certain times. For example, the charges for a hiring on a Sunday or at night may be higher than those on a weekday or during the day.
- 2.6 Any table of fares adopted must be displayed within a hackney carriage in accordance with South Norfolk Council hackney carriage byelaw number sixteen.

3. Current position/findings

- 3.1 By 1 April 2023 should there be any hackney carriages licensed by South Norfolk Council they will need to comply with the following policy regarding taximeters:
- “All Hackney Carriage vehicles require a calendar controlled and sealed tariff taximeter capable of complying with relevant legislation. Taximeters will be connected to the roof sign. Once the meter is started, the roof sign ‘For Hire’ notice will extinguish.”
- 3.2 The purpose of a sealed calendar controlled taximeter is that the charges contained in the table of fares for time and distance on specific days and times of day, can all be pre-programmed within the meter by the meter manufacturer or their authorised agent. This means that a driver only need switch from ‘for hire’ to ‘hired’ and the taximeter will automatically select the correct rate for the hire of the hackney carriage based upon the day or time of day of the hiring.
- 3.3 Using this type of taximeter removes any potential errors of incorrect tariff selection by the driver.
- 3.4 It should also be noted that taximeters must comply with the South Norfolk Council hackney carriage byelaws, specifically byelaw number four on their construction, attachment and maintenance. The full text of the Dual Hackney Carriage & Private Hire Driver Licence Conditions and Byelaws, can be found in the recently adopted Hackney Carriage and Private Hire Vehicle Policy and Conditions (accessible on the Council’s website at <https://www.southnorfolkandbroadland.gov.uk/policies/taxi-private-hire>).

Review Process

- 3.5 To ensure that the charges for the hire of future South Norfolk Council hackney carriages remain relevant, it is proposed that a system of reviewing fares should be adopted. Reviews can be instigated by the Licensing Authority. However, they are usually initiated by the hackney carriage trade and could take place annually.
- 3.6 The basis for a review would usually be to compare charges that have a direct impact upon the hackney carriage trade. For example, these could include:
- purchase of motor vehicles
 - motor insurance

- maintenance of motor vehicles
- petrol and oil
- vehicle excise licences
- radio rental
- taximeters
- rents
- wages
- council tax
- licence fees

- 3.7 The percentage increase change across these headings from the date of the last table of fares review would be used as the basis for considering changes to the existing charges.
- 3.8 The recent escalation in fuel prices highlight the importance of there being in place a mechanism to review fares based upon those costs that directly affect the hackney carriage trade. South Norfolk Council is aware of the global situation in relation to oil, petrol and electricity prices and the impact nationally of these increases together with other cost of living rises. The proposed fares have largely been based on the charges set by other similar local licensing authorities with a view to achieving consistency regionally and to ensure that both hackney carriage drivers and their customers are not disadvantaged by virtue of their location.
- 3.9 Both Breckland District Council and Great Yarmouth Borough Council have recently reviewed their fare tables and the charges adopted by each are similar to those proposed within this report.
- 3.10 Seven responses were received to the consultation. Three of these were received from current South Norfolk Council licence holders, one response from a Parish Council, one response from a charitable organisation and two responses were received from taximeter manufacturers.

4. Proposed action

- 4.1 The proposed table of fares for adoption is attached at Appendix One of this report.
- 4.2 The Licensing, Appeals and Complaints Committee is requested to thoroughly review and consider both Appendix One and Appendix Two which details the responses to the consultation process.

5. Other options

- 5.1 Provision was made within the revised Hackney Carriage and Private Hire Vehicle Policy and Conditions for the installation of taximeters within hackney carriages. The implementation date for this was set at 1 April 2023. If Committee determines not to set a table of fares, it may prove necessary to review the Policy and Conditions document to ensure continued compliance.

6. Issues and risks

- 6.1 **Resource implications** – The introduction of taximeters and a table of fares will require additional resources. Additional tasks will include liaison with meter manufacturers and their agents, with licence holders to ensure that relevant vehicles are fitted with approved meters, potential increase in complaints regarding over-charging, particularly during the early transitional period and ongoing enforcement to ensure compliance with the byelaws and conditions. The lead-in development costs for the introduction of taximeters and a table of fares have already been resourced by way of a temporary contractor working with the Licensing Team. This has been funded until 31 March 2023. The costs of the additional tasks will be calculated and included in the on-going review of licence fees.
- 6.2 **Legal implications** – Local authorities are required to have in place a taxi licensing policy to enable the Authority to carry out its functions relating to the licensing of Hackney Carriage and Private Hire Drivers, Vehicles and Operators. The current policy in place requires hackney carriage vehicles to be fitted with a taximeter and for an approved table of fares to be charged.
- 6.3 **Equality implications** – An Equality and Communities Impact Assessment has been completed. There are no human rights issues specific to the Policy and Conditions providing the Authority can demonstrate best practice and compliance with national guidance in the production of the table of fares.
- 6.4 **Environmental impact** – It is not anticipated that there will be any environmental impacts as a result of the introduction of taximeters and a table of fares.
- 6.5 **Crime and disorder** – The introduction of taximeters and an approved table of fares ensures that there is a consistency of approach in terms of the fees charged for journeys in hackney carriage vehicles.
- 6.6 **Risks** – There may be an additional financial burden placed on current licence holders to ensure that they meet the new proposed standards. If a table of fares were to be adopted, the costs to hackney carriage proprietors and drivers would include purchase of a taximeter, calibration and a possible reduction in income if the fares are set at a lower level than that currently charged. Possible benefits would be; an increase in income if the table of fares is set at a higher level than that currently charged; a 'level playing field' for drivers as charges for the hire of vehicles would be identical; the ability to review these charges on an annual basis; and a clear charging regime for hirers, which could reduce complaints of overcharging.

7. Conclusion

- 7.1 South Norfolk Council's current taxi licensing policy requires licensed hackney carriages from 1 April 2023 to be fitted with an approved taximeter which must, in accordance with adopted byelaws, display a fare that has been fixed by the council.

- 7.2 Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 gives licensing authorities the power to determine a 'table of fares' in respect of the hire of hackney carriages.
- 7.3 A draft table of fares was consulted upon with interested parties and the comments received have been appraised, with a subsequent recommendation made in respect of the draft fares (Appendix Two).
- 7.4 Legislation requires any table of fares made by the Council to be published by notice in a local newspaper, setting out how objections can be made, for a period that must not be less than fourteen days. Any objections received must be considered and a table of fares (with or without modifications) shall come into force not later than two months from when the table was first made.

8. Recommendations

- 7.1 The Committee is **RECOMMENDED** to:
1. Consider the draft table of fares document.
 2. Consider the responses received to the consultation exercise, and any consequent proposed amendments to the draft table of fares.
 3. Refer the agreed amended document to Council with a recommendation for adoption with a view to the agreed fares taking effect from 1 April 2023.

Appendices

1. Proposed table of fares
2. Appraised responses to the consultation

Appendix One

SOUTH NORFOLK COUNCIL PROPOSED TABLE OF FARES

Tariffs	Initial hiring charge	Distance / waiting time for initial charge	Subsequent distance / waiting time charge	Extra charges
Tariff 1 (Mon–Sat 0600 – 2300)	T1: £5.00	For the first mile or 600 seconds or part thereof or a combination of parts of such distance and time	For each subsequent 176 yards or one minute or part thereof or a combination of parts of such distance and time 25p	For cleaning following the soiling of the interior of the vehicle, a charge not exceeding £80.00
Tariff 2 (Mon–Sun 2300 – 0600)	T2: £6.50	For the first mile or 600 seconds or part thereof or a combination of parts of such distance and time	For each subsequent 176 yards or one minute or part thereof or a combination of parts of such distance and time 30p	For cleaning following the soiling of the interior of the vehicle, a charge not exceeding £80.00
Tariff 3 (Sunday 0600 – 2300 and public holidays)	T3: £5.50	For the first mile or 660 seconds or part thereof or a combination of parts of such distance and time	For each subsequent 160 yards or one minute or part thereof or a combination of parts of such distance and time 25p	For cleaning following the soiling of the interior of the vehicle, a charge not exceeding £80.00

Appendix Two

Date	Name	Occupation	Consultation Comment(s)	Response to comments
22/07/2022	1. Gary Wilson	Hackney carriage Operator	<p>Could I please propose these rates are inline with Breckland council rates as we do cover rural areas same as Breckland.</p> <p>(The current Breckland DC hackney carriage fares were attached to Mr Wilson's response)</p>	When considering what rates of fare would be the subject of the consultation exercise, SNC looked at the level of charges applied by a number of neighbouring authorities. The majority of these authorities cover rural areas and rather than just mirroring one council's rates of fare, a more holistic approach was taken when looking at the proposed rates for SNC.
25/07/2022	2. Robin Loxton	Hackney carriage proprietor / driver	<p>Dear Sirs,</p> <p>I have read your plans and feel I must bring the following to your attention.</p> <p>Firstly, I may agree with some of your reasons for the introduction of Taxi Meters, but on the current proposals would not work or be viable within the area that I work.</p> <p>I work in the DISS area which is a small market town. We also have many smaller villages that surround Diss, majority of inhabitants are elderly. As we have no or very little Public Transport to talk about, Taxi are a life blood to these people and villagers.</p>	<p>Charges/costs in Diss area:</p> <p>The overriding response to the points raised is that the proposed fares are the maximum chargeable – there is nothing to prevent a lower price (such as those currently levied) being charged. Whatever rates of fare are adopted there is no mandatory requirement for the full amount to be charged – the only necessity being that the adopted fares are not exceeded.</p>

Date	Name	Occupation	Consultation Comment(s)	Response to comments
			<p>The current rate proposed would double (at Least) the cost to the villagers. As many of these villagers are on pensions or benefits doubling the cost would stop the villagers using a taxi and in the wider sense would cause more isolation and more costs for the council and the health services in the long run.</p> <p>Also, you have mentioned, that current Hackney carriage drivers can change there license to Private Hire before the 1st April 2023.</p> <p>On discussions with many Hackney carriage drivers in the Diss area, this is what they will be doing. There are many reasons but the main one is the costs.</p> <p>For Example: Currently the cost of a Taxi Journey from Diss to anywhere in Diss is between £5.00 and £5.50. If you then look at your proposed rates, the same journey could cost £7.50 as a minimum, plus getting along Victoria road (which is like a Car Park) most days, the cost could reach upto £9 or £10.00.</p> <p>Most taxi drivers will be going Private Hire so they can keep the current level of charges.</p>	<p>Transfer hackney carriage (taxi) vehicle licence to private hire vehicle licence: Licensed taxis can ply for hire, i.e. hailed in the street or hired from a rank, within the district (SNC) for which they are licensed. The maximum charge for this type of hiring will be the proposed table of fares, with the charge commencing from when the passenger hires the vehicle.</p> <p>Taxis can also be pre-booked by telephone, like a private hire vehicle. Again, the maximum charge for this type of hiring will be contained in the proposed table of fares, although the charge has to be calculated from the point at which the hirer commences their journey.</p> <p>Although it is unclear from the response as to how the hirings referred to are made, (i.e. ply for hire or pre-booked),</p>

Date	Name	Occupation	Consultation Comment(s)	Response to comments
			<p>Therefore your proposed schedule locally within Diss or to and from the surrounding villages is not viable.</p> <p>Also, as a taxi driver, if everyone else goes to Private Hire, to keep there current charges, why should I or anyone stay as Hackney Carriage, lose business because the charges are too high.</p> <p>My suggestion would be as follows: 1 Mile £3.50 2 Mile £ 4.50 3 Mile £6.50 5 Mile £10.00 10 Mile £21.00</p> <p>I think the council which is similar to our area is West Suffolk, so the charges should be close to them.</p> <p>I agree with Soiling Charges listed I agree with the timings listed.</p> <p>What is the proposed cost of the Taxi Meter? What type of meter are you thinking about, a Solid one fixed to the dash board or an interior mirror version? Concerning the downloading of the information from the Taxi Meter. Why is this to be done? Who will see this information?</p>	<p>the “current level of fares” referred to in the response can still be maintained as it appears they are below the maximum contained in the proposed table.</p> <p>SNC has permitted current licensed taxi vehicle proprietors to licence their vehicle for private hire use by taking a flexible view of the vehicle age limits in the current Taxi and Private hire Policy. This enables proprietors and drivers to have the fullest opportunity to decide on the type of hire vehicle they wish to licence.</p> <p>Suggested fares: When considering what rates of fare would be the subject of the consultation exercise, SNC looked at the level of charges applied by a number of neighbouring authorities. The majority of these authorities cover rural areas and rather than just mirroring one council's rates of fare, a more holistic approach was taken when looking at the proposed rates for SNC.</p> <p>Taxi meters: The issue of taximeters was the subject of a previous consultation last year concerning SNC's recently adopted Hackney Carriage and Private Hire</p>

Date	Name	Occupation	Consultation Comment(s)	Response to comments
			<p>I am sure I might have further comments, but I believe these are the important questions at the moment</p> <p>Regards Robin Loxton</p>	<p>Vehicle Policy. There was a proposed phased introduction of the policy requirements in respect of taximeters and fares, with a view to making them compulsory from 1 April 2023. In addition to meeting policy requirements, taximeters must also comply with the SNC hackney carriage byelaws and will need to be capable of being programmed with the charges contained in any adopted table of fares. Taximeters will need to be programmed with the charges contained in any adopted table of fares. This will be carried out by either the meter manufacturers or their authorised agents.</p>
26/07/2022	3. Michelle de Oude	Acting Deputy Senior Advisor Opening Doors (organisation for people with learning disabilities)	<p>Since we are not a licenced hackey cab operator we did not feel we needed to answer all the questions that were in the document, but we thought it would be useful to mention a couple of points from the perspective of an organisation that uses taxis regularly for the people who use our services.</p> <p>There are three key points we want to make;</p> <p>a. Hackey Cabs all need to be accessible to wheelchair users, we find it very difficult to find enough taxis that will take larger powered wheelchairs where the person remains seated in</p>	<p>The responses to the three key points made are:</p> <p>(a) The current consultation is in respect of hackney carriage (taxi) fares, although the issue of licensing wheelchair accessible vehicles (WAVs) is noted. In accordance with the Taxis and Private Hire Vehicles (Disabled Persons) Act 2022, (effective 28 June 2022), SNC and BDC publish on their website a list of WAVs. Some of these WAVs will take a larger wheelchair than the 'reference wheelchair standard' contained in Department for Transport</p>

Date	Name	Occupation	Consultation Comment(s)	Response to comments
			<p>their chair due to their disability. Hackney cabs can also be difficult to get and out of if you have a mobility impairment, so again we would want to see more licencing of accessible taxis.</p> <p>b. Taxi drivers should have training on disability access issues as part of the conditions of their licence. We have seen some bad practice including where disabled people have not been treated with dignity or respect by drivers.</p> <p>c. The big current issue is that moving to a metered system means that people who use our service are having to pay a lot more to do the same journey. We would like to see some fixed price tariffs remained for standard journeys, otherwise this disadvantages disabled people who have no other choice but to use a taxi, and whose care costs (if they get any) often don't reflect the actual market cost of taxi fares, hence they end up not being about to go out and live their lives.</p> <p>We hope you will find these points useful and would be happy to discuss them further. Michelle</p>	<p>(Dft) guidance to licensing authorities when designating WAVs. The DfT guidance is under review and may include updated guidance on the licensing and designation of WAVs.</p> <p>(b) All licensed SNC taxi drivers have to undergo Safeguarding and Disability Awareness Training before obtaining a licence. Existing legislation requires drivers of designated wheelchair accessible vehicles to provide wheelchair users with reasonable mobility assistance, and refrain from charging them more than other passengers.</p> <p>From 28 June 2022, all taxi and private hire vehicle (PHV) drivers and operators – regardless of whether the vehicle is wheelchair accessible – will be subject to duties under the Equality Act. The main changes are that taxi and PHV drivers will be required to:</p> <ul style="list-style-type: none"> • Accept the carriage of any disabled person, provide them with reasonable mobility assistance, and carry their mobility aids, all without charging any more than they would for a non-disabled passenger.

Date	Name	Occupation	Consultation Comment(s)	Response to comments
				<ul style="list-style-type: none"> • Provide any disabled passenger who requests it with assistance to identify the vehicle, at no extra charge. <p>PHV operators will be required to:</p> <ul style="list-style-type: none"> • Accept bookings for or on behalf of any disabled person, if they have a suitable vehicle available. <p>(c) Under existing arrangements, there is no control over the fares chargeable by SNC licensed taxis. The adoption of a table of fares provides a level of protection for taxi users as it sets the maximum amount that can be charged. Taxi proprietors and drivers are not bound to charge the maximum amounts and can agree to accept a fare less than that shown on the meter. The rates contained in the table of fares are a balance between the cost to the customer and the viability of the driver to cover their costs and earn a living.</p> <p>If booked in advance, for example by telephone, hirers can agree a fare for their journey, which offers the hirer the opportunity to negotiate the cost of the fare. To assist with their negotiations hirers can compare the cost of the fare against the charges levied by private hire vehicle operators. Any agreement</p>

Date	Name	Occupation	Consultation Comment(s)	Response to comments
				reached cannot be more than the table of fares provides.
02/08/2022	4. Andrew Marshall-Brown	Hackney carriage proprietor /driver	<p>With reference to the proposed Taximeter Table of Fares I have the following questions and observations based on them.</p> <p>Overall I believe the proposed rates and fare and competitive and strike a good balance between operating costs and not pricing users out of the market.</p> <p>That said I'm concerned that the remote areas will not receive service based on the fact there seems to be no provision for a pick up charge only the rate from when the customer enters to the point of alighting the vehicle.</p> <p>I operate mainly in the Diss area.</p> <p>If I were to be called to collect a client from Tivitshall St Mary and go two miles with the proposed pricing I would spend more in fuel alone travelling from Diss to the job and back than I would make in the whole job.</p> <p>Therefore it would be impractical and I'll advised on a business viability basses to do the job.</p> <p>Being such a rural county with generally poor public transport services, Taxi's are often the only means of transport for some people.</p> <p>This lack of a pick up charge would remove that option and needs to be looked at.</p>	<p>Pick up charge: By their very nature, i.e. being allowed to ply for hire either on a rank or being hailed in the street, taxis provide a unique link in the overall public transportation system and the relevant charges reflect their exclusive rights in this area.</p> <p>Legislation states that when a taxi is pre-booked (i.e. other than by being hired from a rank or plying for hire in the district), the fare or charge can only be calculated from the point at which the hirer commences their journey.</p> <p>The proposed table of fares seeks to balance the cost to the consumer against a reasonable income for the taxi driver. It would be difficult to quantify when a booking charge would be applicable and the costs involved. This type of additional cost may not be of benefit to the consumer and the example provided by the respondent could be fulfilled by a licensed private hire vehicle, who would be able to charge for the full distance as there is no legislation in place to control the costs of hiring a private hire vehicle.</p>

Date	Name	Occupation	Consultation Comment(s)	Response to comments
			<p>At the very least it needs to cover the additional fuel costs but in this example should be around £10 on top of the metered fee.</p> <p>Secondly, what meter will be acceptable ? I already have a meter fitted to my cab as it's a purpose built vehicle and the meter is manufactured by Sigma Will existing meters be accepted or will they have to be changed ?</p> <p>And lastly, will the meters be set to automatically adjust the rate as per the schedule or will the driver manually adjust the rate on the meter, giving them a level of control to reduce the charge for example using the day rate at night to help someone who is struggling with the cost of living ?</p> <p>I look forward to your replies and the outcome of the consultation</p>	<p>Taximeter</p> <p>The issue of taximeters was the subject of a previous consultation last year concerning SNC's recently adopted Hackney Carriage and Private Hire Vehicle Policy. There was a proposed phased introduction of the policy requirements in respect of taximeters and fares, with a view to making them compulsory from 1 April 2023.</p> <p>In addition to meeting policy requirements, taximeters must also comply with the SNC hackney carriage byelaws and will need to be capable of being programmed with the charges contained in any adopted table of fares. The revised policy requires all licensed hackney carriages to be fitted with a sealed calendar controlled taximeter. This in effect means that there will be no manual selection by the driver as the correct rate of fare, dependent on the day or time of the hiring, will automatically be selected by the meter. As previously indicated, any table of fares is the maximum chargeable, there is nothing preventing a lesser fare being charged, such as the example given by the respondent.</p>
06/09/22	5. Hayley Goldson	Clerk, Chedgrave	Chedgrave Parish Council considered this matter at its meeting of 1st September	Part of the table of fares consultation process included a section on

Date	Name	Occupation	Consultation Comment(s)	Response to comments
		Parish Council	<p>2022. The council agreed that any 'table of fares' would need to be set in light of current volatility of fuel prices so that taxi firms are not unduly penalised by fixed price fares in the event that fuel costs increase even further.</p> <p>I hope this makes sense but please get back to me if you require any further information.</p>	forthcoming reviews of any charges set. Fluctuations in fuel prices was proposed to be included in any calculations when reviewing fares in the future.
10/08/22	6. Steve Laidler	<p>Technical Director Digitax Electronics UK (Ltd)</p> <p>(taximeter manufacturer / supplier)</p>	<p>Sorry I just have not had time to do this earlier.</p> <p>So, the speed cross over point is not a fixed speed it is the speed at which the driver is earning more on time below that speed and more on distance above. Also, the way the initial w/t is calculated is simply keep the same ratio between the initial time and distance as the following time and distance. For example, in your proposed tariff you have the initial distance as 1760 yards then following 176 yards which is a very simple 10/1. So, if the following w/t is 60 seconds then the initial should be 10x that at 600seconds. The speed crossover point is easy to calculate in your case 176 yards or 60 seconds yards divided by seconds gives 2.933 y/s to get MPH multiply by a constant of 2.04545 6 MPH</p>	<p>Taximeters charge by time or distance and the final fare is a combination of both. The point at which the meter changes from charging by time to distance or from distance to time is known as the 'speed cross over point'. This is the speed at which the driver is earning more on the time charge element when below that speed and more on the distance charge element when above that speed.</p> <p>When setting the table of fares for consultation, it was thought that the speed cross over point could be fixed, but, further to a conversation with the respondent, when programming the meter there is a calculation to determine this point. As a result, the initial waiting time of 60 seconds in the proposed table of fares in respect of tariffs one and two will have to be</p>

Date	Name	Occupation	Consultation Comment(s)	Response to comments
			<p>If the initial w/t is not corrected $1760y/60s \times 2.04545 = 60MPH$ which would mean it would never happen where anyone was charged for distance. The correct w/t has to be in the same ratio so it should be 600 seconds not 60.</p> <p>The speed crossover is not a fixed speed it is completely dependent on the ratio between time and distance. Around the UK you will find it normally works out about 8 to 12 mph but that's only an average.</p> <p>If I can be of any further help please do not hesitate to give me a ring.</p>	<p>amended to 600 seconds and from 60 seconds to 660 seconds in respect of tariff 3 to ensure that the same ratio is used for both the initial time and distance as the following time and distance.</p> <p>Recommendation: In the “Distance / waiting time for initial charge” column in respect of tariffs 1 and 2 of the proposed table of fares, replace the wording “one minute” with ‘600 seconds’ and in respect of tariff 3 replace the wording “one minute” with ‘660 seconds’.</p>
12/08/22	7. Tony Kirton	<p>Managing Director Viking Electronics Ltd</p> <p>(taximeter manufacturer / supplier)</p>	<p>I design & made my first taximeters (Kirto taximeter) in 1982 and been manufacturing taximeter since and since 2010 have been of MID approved types.</p> <p>I attach a PDF with some council tariff sheets you can look at, the Buckinghamshire one, the table that goes into our Viking taximeters is below.</p> <p>Taximeter work that waiting time is commutes to distance, the initial £5.00 charge for a mile is fine, but the 60 second for £5.00 is a lot, it will go to £5.20 will before the mile.</p>	See comments in respect of respondent 6 above.

Date	Name	Occupation	Consultation Comment(s)	Response to comments
			<p>our taximeter will take 176 yards away from mile start every 60 second, so it will after ten minutes go to £5.20.</p> <p>I can send you an excel sheet that work out the timing for above and more, like! put in price-per-mile increment (20p) and it give you the yards same with the waiting time.</p> <p>And Christmas New Year tariff, maybe 100% tariff 1. I am here to help you get it right first time.</p>	

The Local Government Association Model Code of Conduct

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Portfolio:

Governance and Efficiency

Ward(s) Affected:

All

Purpose of the Report:

To recommend to Council that the Local Government Association (LGA) model code of conduct be adopted, in full, as the new Councillor Code of Conduct for South Norfolk.

Recommendations:

That Council agrees:

To adopt the LGA Model Councillor Code of Conduct, in full, as South Norfolk's new member code of conduct with effect from 5 May, 2023, with the additional section to be added to Part 10 – registering gifts and hospitality:

'I register with the Monitoring Officer, an accumulation of small gifts received from the same source totalling £100 over a period of one year.'

Summary

- 1.1 This report recommends that the LGA's code is adopted as the South Norfolk code of conduct.

2. Background

- 2.1 Section 27 of the Localism Act 2011 (the Act) places a duty on relevant authorities to promote and maintain high standards of conduct. In order to discharge its duty a council must adopt a Code dealing with the conduct that is expected of members of the authority when they are acting in that capacity. Section 28 of the Act provides that a relevant authority must secure that a Code adopted by it is, when viewed as a whole, consistent with the Nolan Principles. There is also a requirement to ensure that appropriate measures are taken to record and declare interests. Other than these requirements, it is a matter for each council to adopt a Code that is relevant to its particular circumstances and the Code must be adopted by full Council.
- 2.2 Following a review of the ethical framework for members, the Committee on Standards in Public Life (CSPL) recommended that there should be a national model Code of Conduct, but this should not be mandatory and could be adapted by individual authorities. This recommendation was passed to the LGA to progress and in 2020, the LGA released a draft Model Member Code of Conduct for consultation. There were extensive consultations on the draft which resulted in some changes and a finalised Model Code was released in May, 2021.

3. Current position/findings

- 3.1 The Standards Committee met on 28 September, 2022 to consider the LGA's code of conduct and agreed that it should be consulted on, in full, before recommending a final code to be adopted by Council. All district councillors and parish/town councils were consulted on the code and were asked to complete a survey. The consultation period ran from 5 October – 16 November. The LGA's Model Code of Member Conduct is attached at **Appendix 1** and the detailed consultation responses to the survey are attached at **appendix 2**.
- 3.2 The Standards Committee met again on 29 November to consider the results of the consultation exercise. There were 42 responses to the survey (28.76%) – 13 from district councillors and 29 from parish/town councils. In addition, one councillor responded separately and said she fully supported adopting the code, four parish/town councils replied that they had already adopted the code in full and one parish council supported the code and was intending to adopt it the new year.
- 3.3 The majority of respondents to the survey also supported adopting the code. In summary, the responses to the survey was as follows:

Standards of Conduct

- 3.4 The model code sets out obligations, which would be the minimum standards of conduct required of councillors.
- 3.5 Almost 100% of district councillors fully agreed with the Standards of councillor conduct set out in the model code. There were only comments from two councillors regarding three of the categories – not compromising officers, not accepting gifts and complying with the code. Their comments are detailed in Appendix 2 (Q 1).
- 3.6 83% of parish/town respondents fully agreed with Standards of councillor conduct, with 17% partially agreeing. Specific comments are detailed in in Appendix 2 (Q1) but there were no adverse comments on specific categories.
- 3.7 Standards committee agreed with the obligations and felt the code included clear expectations of what is expected of members.

Registration of Interests

- 3.8 The model code sets out 'Other Registerable Interests' (ORIs) that councillors must register, in addition to pecuniary interests, as follows:

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

- 3.9 Almost 100% of district councillors fully supported the inclusion of the categories of 'Other Interests' for registration set out in Table 2 of Appendix B of the code. There were comments from two respondents regarding two of the categories – organisations that exercises functions of a public nature and organisations that influences public opinion or policy, inc. political parties or trade unions (detailed in Appendix 2 – Q2).
- 3.10 89% of parish/town respondents fully supported the inclusion of all categories in the code, with only one respondent not supporting the inclusion of other interests, as they felt it was an invasion of their privacy.
- 3.11 The Standards Committee agreed with these categories.

Registering gifts and hospitality

- 3.12 The model code proposes a threshold of £50 for registering gifts and hospitality. Respondents were asked if this was an appropriate threshold.

- 3.13 62% district councillors thought it was appropriate, 23% thought it should be higher and 7% thought it should be lower. 69% of parish/town respondents thought the £50 threshold was appropriate but 24% thought it should be lower. A range of alternative amounts were suggested and these are included in appendix 2 (Q3).
- 3.14 The Standards committee agreed with the £50 threshold. The committee also considered whether an accumulation of small gifts received from the same source over a period of time should be registered. The model code guidance suggests an accumulation total of £50 received over a couple of months should be registered.
- 3.15 69% of district councillors agreed that a cumulative total should be included and 24% disagreed. 79% of parish/town respondents agreed with an accumulation of small gifts and 14% disagreed. A range of alternative amounts and time periods were suggested and these are included in appendix 2 (Q4).
- 3.16 The Standards Committee agreed that an accumulation of small gifts from the same source should be registered and suggested that the threshold should be £100 over a period of one year. It would be the councillor's responsibility to monitor this to ensure they registered the gifts once the threshold was met.

Declaring Other Registerable Interests (ORIs)

- 3.17 The code states that where a matter arises at a meeting which directly relates to the financial interest or wellbeing of one of a councillors ORIs (as listed in paragraph 3.8), they may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless they been granted a dispensation
- 3.18 61.5% of district councillors agreed and 15% partially agreed that councillors should declare ORIs and not be able to speak or take part in the meeting as outlined in the code. One councillor (7.5%) disagreed. Specific comments are detailed in Appendix 2 (Q5).
- 3.19 69% of parish/town respondents agreed and 21% partially agreed that councillors should declare ORIs and not be able to speak or take part in the meeting (comments in Appendix 2 – Q5).
- 3.20 The Standards Committee agreed that councillors should declare ORIs as outlined in the code.

Declaring Non Registerable Interests (NRIs)

- 3.21 The code introduces another category of interest – Non Registerable Interests (NRIs). An NRI arises where the interest is that of a councillor or their partner (which is not a disclosable pecuniary interest) or of a relative or close associate. Councillors are not expected to have to register the interests of their relatives or close associates but under the Code, councillors are expected to declare them as and when relevant business occurs which affects

their finances or wellbeing. The Code states councillors should not participate in the relevant business in two circumstances:

- a) when a matter directly relates to that interest: or
- b) when a matter affects that interest to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and a reasonable member of the public would believe that it would affect the councillor's view of the wider public interest.

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

- 3.22 54% of district councillors agreed and 23% partially agreed that councillors should declare NRIs and not be able to speak or take part in the meeting as outlined in the code. Two councillors (15%) disagreed. Specific comments are detailed in Appendix 2 (Q6).
- 3.23 79% of parish/town respondents agreed and 14% partially agreed that councillors should declare NRIs and not be able to speak or take part in the meeting (comments in Appendix 2 – Q6).
- 3.24 The Standards Committee agreed that NRIs should be declared as outlined in the code.

Cabinet members

- 3.25 The model code suggests that where a councillor has an ORI or NRI on a matter to be considered by a Cabinet member in exercise of their executive function, they must notify the Monitoring Officer of the interest and not take any steps or further steps in the matter apart from arranging someone to deal with it. Respondents were asked whether this should be included in the code.
- 3.26 77% of district councillors agreed. One councillor (7.5%) partially agreed, as they thought the code was too prescriptive and one councillor (7.5%) disagreed as they thought it could have unintended consequences. Detailed comments are included in Appendix 2.
- 3.27 80% of parish/town respondents agreed and 14% partially agreed. Comments are included in Appendix 2, but it should be noted that this part of the code does not relate to parish or town councils.
- 3.28 Standards Committee agreed that this should be included in the Code.

4. Proposed Actions

- 4.1 That Council adopt the code in full with an additional paragraph regarding the requirement to register an accumulation of small gifts from the same source.

5. Other options

- 5.1 To keep the current code. However, this is outdated and does not comply with some of the CPSL recommendations on maintaining standards in public life.

6.1 Issues and risks

- a. **Resource Implications** – no implications
- b. **Legal Implications** – included in the report.
- c. **Equality Implications** – the model Code of Conduct includes Equalities obligations.
- d. **Environmental Impact** – no implications
- e. **Crime and Disorder** – no implications
- f. **Risks** – no other risks identified.

7. Conclusions

- 7.1 From the consultation exercise, there appears to be wide support for adopting the LGA code.

8. Recommendations

That Council agrees:

To adopt the LGA Model Councillor Code of Conduct, in full, as South Norfolk's new member code of conduct with effect from 5 May, 2023, with the additional section to be added to Part 10 – registering gifts and hospitality:

'I register with the Monitoring Officer, an accumulation of small gifts received from the same source totalling £100 over a period of one year.'

Background papers

The Committee on Standards in Public Life report
The LGA's Guidance on the model Code



Local Government Association
Model Councillor Code of Conduct 2020

Joint statement

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

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

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

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

Introduction

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

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

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

Definitions

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

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

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

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

Purpose of the Code of Conduct

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

General principles of councillor conduct

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

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

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

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

In undertaking my role:

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

Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.

This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- you misuse your position as a councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor;

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring

Standards of councillor conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

General Conduct

1. Respect

As a councillor:

1.1 I treat other councillors and members of the public with respect.

1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor-officer protocol.

2. Bullying, harassment and discrimination

As a councillor:

2.1 I do not bully any person.

2.2 I do not harass any person.

2.3 I promote equalities and do not discriminate unlawfully against any person.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and

contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

3. Impartiality of officers of the council

As a councillor:

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

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

4. Confidentiality and access to information

As a councillor:

4.1 I do not disclose information:

- a. given to me in confidence by anyone**
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**
 - i. I have received the consent of a person authorised to give it;**
 - ii. I am required by law to do so;**
 - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or**
 - iv. the disclosure is:**
 - 1. reasonable and in the public interest; and**
 - 2. made in good faith and in compliance with the reasonable requirements of the local authority; and**
 - 3. I have consulted the Monitoring Officer prior to its release.**

4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.

4.3 I do not prevent anyone from getting information that they are entitled to by law.

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. Disrepute

As a councillor:

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

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

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

6. Use of position

As a councillor:

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

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

7. Use of local authority resources and facilities

As a councillor:

7.1 I do not misuse council resources.

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

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

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

Examples include:

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

- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

8. Complying with the Code of Conduct

As a Councillor:

8.1 I undertake Code of Conduct training provided by my local authority.

8.2 I cooperate with any Code of Conduct investigation and/or determination.

8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.

8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

Protecting your reputation and the reputation of the local authority

9. Interests

As a councillor:

9.1 I register and disclose my interests.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority.

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in **Table 1**, is a criminal offence under the Localism Act 2011.

Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

10. Gifts and hospitality

As a councillor:

- 10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.**
- 10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.**
- 10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.**

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

Appendices

Appendix A – The Seven Principles of Public Life

The principles are:

Selflessness

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

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

Objectivity

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

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Appendix B Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in “The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012”. You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

“Disclosable Pecuniary Interest” means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A ‘sensitive interest’ is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a ‘sensitive interest’ you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a ‘sensitive interest’, you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. [Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it]

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a ‘sensitive interest’, you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which **affects** –
 - a. your own financial interest or well-being;
 - b. a financial interest or well-being of a relative or close associate; or
 - c. a financial interest or wellbeing of a body included under Other Registrable Interests as set out in **Table 2**

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

9. Where a matter (referred to in paragraph 8 above) **affects** the financial interest or well-being:
 - a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

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

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

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

Table 1: Disclosable Pecuniary Interests

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

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the

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

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

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

Table 2: Other Registrable Interests

You must register as an Other Registrable Interest :

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

Appendix C – the Committee on Standards in Public Life

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

The recommendations cover:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Responses from SNC councillors (13 responses – 28% of councillors)	Responses from SNC parish/town councils (29 responses – 29% of parish/towns)
Q 1: Do you agree that the section on general conduct makes it clear on the specific obligations of members outlined in the code?	
<p>Fully agree with all categories – 11</p> <p>Fully agree with categories apart from not comprising officers and not accepting gifts which they partially agreed – 1</p> <p>Fully agree with categories apart from complying with the code which they disagreed – 1, comments: as there is nothing in here about who and how this will be enforced</p>	<p>Fully agree with all categories – 24</p> <p>Fully agree with categories with partial agreements in some areas - 5</p> <p>Comments:</p> <p>Very comprehensive.</p> <p>It goes further that the current code of conduct, but there are still no real sanctions for councillors and so will it be any help with bullying etc?</p> <p>There are no penalties, the code of conduct is based on self reporting. Without penalties or a structure for compensation there is no deterrent. I am particularly mindful of the bullying aspect where by in industry a tribunal would be enacted, in our situation if a councillor bullies a member of staff there is no clear process for investigating and then if found to be upheld there is no 'punishment' Bullying is chronic in this sector.</p> <p>I am not aware of local authority providing training as required under Section 8: 8. Complying with the Code of Conduct. As a Councillor: 8.1 I undertake Code of Conduct training provided by my local authority. There is limited guidance on how to contact the Monitoring Officer.</p> <p>Some of these headings could be open to misinterpretation by some.</p>

	<p>Agree with treating other councillors and employees with respect. At times as a volunteer members of the public can be very abusive and rude. Respect is a too way street more robust protection needs to be in place to protect councillors who do their very best for the public but are threatened by a small number of residents, it is difficult having respect for those members of the public. Strengthen protection on this level.</p>
<p>Q 2: Do you support the inclusion of these categories of ‘Other Interests’ for registration?</p>	
<p>Fully supported all categories – 10</p> <p>Fully supported all categories apart from any organisation that exercises functions of a public nature which they partially agreed – 1</p> <p>Partially supported all categories apart from an organisation that influences public opinion or policy, inc. political parties or trade unions, which they fully supported – 1</p> <p>Skipped questions – 1</p> <p>Comments:</p> <p>Public nature: Need a clearer definition of what public nature means. Is being a member of a local football club for instance included or need to be?? Teacher at the U3A??</p> <p>It is almost as if members should have to disclose virtually any organisation with which they are associated regardless of whether it could have any effect on council</p> <p>I am confused by the wording of some of these categories. To illustrate, I teach as lecturer in the University of the 3rd Age and I am also a secretary to the hockey club to which I belong. They could be deemed Charitable but surely such declaration is not strictly relevant ?? BUT would a lecturer in say history of politics need to declare?</p>	<p>Fully supported all categories – 26</p> <p>Do not support – 1, I feel that the inclusion of these other interests is unnecessary, unmanageable, and frankly an invasion of my privacy. I do not think that I should be expected to declare and keep up to date the Monitoring Officer with the details of all of the other public service roles that I fulfil. The code of conduct should be adequate and Councillors should be trusted.</p> <p>Skipped questions - 2</p>

Q 3: The mode code proposes £50 as the threshold for registering gifts and hospitality. Is this an appropriate threshold? If not, what threshold is appropriate?	
<p>Yes – 8 No, the amount should be higher – 3</p> <p>Threshold suggested - £100 No, the amount should be lower – 1 Threshold suggested - £25</p> <p>Skipped questions – 1</p>	<p>Yes – 20 No – the amount should be lower – 7</p> <p>Threshold suggested – £5 £10 (2 respondents) £20 (3 respondents) £30</p> <p>Skipped questions – 2</p>
Question 4: The Standards Committee also considered whether an accumulation of small gifts received from the same source over a period of time should be registered. Do you agree that a cumulative total should be included in the code? What maximum amount would you suggest and over what period of time?	
<p>Yes – 9 No – 3</p> <p>Suggested thresholds (7 responses): £50 over 2 months £100 no time period £100 over 2 months £100 over 6 months (2 respondents) £100 over a year £300 no time period</p> <p>Skipped questions - 1</p>	<p>Yes – 23 No – 4</p> <p>Suggested thresholds (10 responses): £10 per year £20 per year (2 respondents) £50 no limit (2 respondents), over 3 months, over 4 years £75 per year £100 over 3 months, per year</p> <p>Skipped question – 2</p>

Q 5: Do you agree that Councillors should declare ORIs and not be able to speak or take part in the meeting when discussing ORIs as outlined in code?

Agree – 8
Partially agree – 2

Comments:

It really does depend. Let's say you're appointed to the CAB. And the Council decides to make a grant to the CAB in the budget, it's unreasonable to be required not to vote. There needs to be a degree of materiality.

"Directly relates" can be a subjective assessment, and may take us back to the time when councillors were afraid to speak on any matter on which they were knowledgeable, for fear of breaching the code. I believe that ORIs should be declared, but it should be a matter for the councillor's own judgement as to whether they feel sufficiently conflicted that they should not speak.

The rules on predetermination are fairly clear but this just muddies the waters.

Disagree 1, Members should not vote but could reasonably be allowed to follow the discussion. The suggestions are overly restrictive.

Skipped question – 2

Agree – 20
Partially agree – 6
Skipped question – 3

Comments:

Although a councillor should disclose an interest and should not vote on the matter, the Members do not agree that they should not be able to participate in any discussion on the matter. The PC accept the position where a councillor may speak as long as the public are also allowed that facility but due to the spacing of meetings, the PC sometimes discuss a planning application by e-mail where the public are not included in the discussion (how can they be ?). The Members believe that they are quite capable of discerning what is generally valuable information and whether it is given in a frank and unbiased way. Therefore, contribution, particularly by way of statements of fact, whether by a conflicted member or not' is deemed to be acceptable although, voting on the matter is not.

I think they should be allowed to speak as a MOP if councillors require clarification on anything, just as MOPs could attend to give clarification over items in a planning application etc

It may be a good idea to hear what that person has to say.

Declare full level of interest/benefit - speak as a "member of the public" not as a councillor - chair to decide if level of interest is such that they are not allowed a vote on the subject.

No guidance is given on the granting of dispensation.

Q 6: Do you agree that Councillors should declare NRIs and not be able to speak or take part in the meeting when discussing NRIs as outlined in Appendix B of the code?

Agree – 7
Partially agree 3

Comments:

Again, it depends on the degree of NRI. By their nature they are tangential to the Councillors role. Declaring an NRI on the precautionary principle should not bar the Cllr from fully participating. Otherwise there is a perverse incentive not to declare. Again, materiality is needed here.

NRIs should be disclosed but the councillor should use their judgement on whether they are so close to the matter being debated that they might be perceived as pre-determined or conflicted. Members may have a wide circle of relative and associates that could in theory affect a decision. They should be able to exercise discretion regarding voting and attendance.

Disagree 2

Comments:

What my relative does is not relevant here and this definition of inclusion is next to useless.

This assumes that we all get along with relations or not as the case maybe. The wording could be used as a defence and a prosecution so is muddled.

Skipped question – 1

Agree – 23
Partially agree - 4

Comments:

The reasons are the same as for ORIs i.e. Although a councillor should disclose an interest and should not vote on the matter, the Members do not agree that they should not be able to participate in any discussion on the matter. The PC accept the position where a councillor may speak as long as the public are also allowed that facility but due to the spacing of meetings, the PC sometimes discuss a planning application by e-mail where the public are not included in the discussion (how can they be ?). The Members believe that they are quite capable of discerning what is generally valuable information and whether it is given in a frank and unbiased way. Therefore, contribution, particularly by way of statements of fact, whether by a conflicted member or not' is deemed to be acceptable although, voting on the matter is not.

This is difficult in a small community when everyone knows everyone else and eg 'Fred from No. 7' does the grass cutting contract - the principle is sound but the application may need some carefully considered guidance, specifically aimed at those smallest communities, otherwise Councils may tie themselves in knots over use of small local contractors, and whether they can make decisions.

It may be a good idea to hear from their point of view

Skipped question – 2

Q7: the model code suggests that where a councillor has an Other Registrable Interest or Non-Registrable Interest on a matter to be considered or is being considered by a Cabinet member in exercise of their executive function, they must notify the Monitoring

Officer of the interest and must not take any steps or further steps in the matter apart from arranging someone to deal with it. Do you agree that this should be included in the code?	
<p>Agree – 10</p> <p>Partially disagree – 1, The model code is becoming too prescriptive on matters which are subjective and open to debate</p> <p>Disagree – 1 - This is a catch all with all sorts of unintended consequences. Cabinet members should not arbitrarily be prevented from taking decisions, especially on an NRI, when there is no pecuniary interest or advantage.</p> <p>Skipped question - 1</p>	<p>Agree – 23</p> <p>Partially agree - 4</p> <p>Comments:</p> <p>We are a very small council and the general view of conflicts is as stated in questions 7 and 8. We do not have 'Cabinet members' and we find that the question is not really relevant to us</p> <p>I don't agree that the Monitoring Officer must be informed (in the case of a Parish Councillor).</p> <p>Not everyone has a monitoring officer! In small parish councils would monitoring officer = Clerk?</p> <p>Skipped question – 2</p>
Q8: Any other comments about the Model Councillor Code of Conduct?	
<p>1 response:</p> <p>How is this going to be enforced?? What sanctions are there and what happens if they, as now just get bounced around. We need teeth.</p>	<p>3 responses:</p> <p>We are a very small council and the general view of conflicts is as stated in questions 6 and 7. We do not have 'Cabinet members' and we find that the question is not really relevant to us</p> <p>I don't agree that the Monitoring Officer must be informed (in the case of a Parish Councillor).</p> <p>Not everyone has a monitoring officer! In small parish councils would monitoring officer = Clerk?</p>

Monitoring Officer Report

Report Author(s): Emma Hodds
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Portfolio: Leader

Ward(s) Affected: All

Purpose of the Report:

This report outlines proposed changes to the Terms of Reference of the Commercial, Trading and Customer Focus (CTCF) Committee and requests that Council approves these and notes the appointments made the CTCF Committee. The report also covers governance around Big Sky and its proposed inclusion in the Constitution.

Recommendations:

Council is requested to:

1. Approve the amended Terms of Reference for the Commercial, Trading and Customer Focus (CTCF) Committee, as detailed in section 2 and Appendix A of the report
2. Notes the appointment of Chairman and Vice Chairman for the Commercial, Trading and Customer Focus (CTCF) Committee and note any further appointments reported to the council at the meeting
3. Approve the addition to the constitution in terms of the governance in relation to Big Sky, as detailed in Appendix B.

1. Summary

- 1.1 This report outlines proposed changes to the Terms of Reference of the Commercial, Trading and Customer Focus (CTCF) Committee and requests that Council approves these and notes the appointments made the CTCF Committee. The report also covers governance around Big Sky and its proposed inclusion in the Constitution.

2. Constitution Update

- 2.1 The Terms of Reference of CTCF Committee have been slightly amended to ensure that the collaboration work with Broadland District Council is formally included and recognised. The ambition is for this Committee to work jointly with the corresponding Committee at Broadland District Council on reviewing collaboration initiatives.
- 2.2 The proposed changes to the Terms of Reference are outlined in **Appendix A**, as tracked changes.

3. Member Appointments

- 3.1 Members have not been appointed to the CTFC this municipal year. The Leader of the Council has appointed the Chairman and Vice Chairman as outlined in the table below. The Leader of the Liberal Democrats has also appointed to his seats as below. Further appointments regarding the Conservative seats is to be confirmed. Council is requested to note the appointments outlined below and any further appointments reported to the Council at the meeting.

7 Conservatives / 2 Liberal Democrats

Tony Holden (Chairman)	Terry Laidlaw
James Easter (Vice Chairman)	Julian Halls
TBC	
TBC	
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4. Big Sky

- 4.1 Following an internal audit review of Big Sky a suggested improvement was raised as follows:
- The Council's constitution to be updated confirm the role of the Shareholder to Big Sky Ltd, covering officer and member involvement and outline the delegated powers in reserved matters.
- 4.2 The constitution is therefore proposed to be updated in line with the information contained in **Appendix B** of the report, to cover this improvement. This will be added to Part 4 Rule of Procedure.

5. Issues and risks

- 5.1 **Resource Implications** – not applicable to this report.
- 5.2 **Legal Implications** – the recommendations within this report ensure that the Council remains compliant with relevant legislation.
- 5.3 **Equality Implications** – not applicable to this report.
- 5.4 **Environmental Impact** – not applicable to this report
- 5.5 **Crime and Disorder** – not applicable to this report.
- 5.6 **Risks** – not applicable to this report.

6. Recommendations

- 6.1 Council is requested to:
1. Approve the amended Terms of Reference for the Commercial, Trading and Customer Focus (CTCF) Committee, as detailed in section 2 and Appendix A of the report
 2. Notes the appointment of Chairman and Vice Chairman for the Commercial, Trading and Customer Focus (CTCF) Committee and note any further appointments reported to the Council at the meeting
 3. Approve the addition to the constitution in terms of the governance in relation to Big Sky, as detailed in Appendix B.

24. COMMERCIAL, TRADING & CUSTOMER FOCUS COMMITTEE

24.1 Terms of Reference

24.1.1 To deliver appropriate work as discharged by Cabinet, in relation to areas of the Customer Focus; and Governance and Efficiency Portfolios – as outlined in Part 3.3. of the Constitution (Cabinet Members/Portfolio of Responsibility and the Responsibilities of Senior Officers) and below

- Commercial Ventures
- Commercial Waste
- CNC Building Control
- Car Parks
- Parking Enforcement
- Sport Development
- Leisure Services
- Information Technology, ICT Strategy, Telephony and GIS
- Big Sky
- Local Government Review
- Collaboration working with Broadland District Council

24.1.2 To formulate policy highlighted by Cabinet in respect of specific areas of the Portfolios referred to in 25.1.1 above.

25.1.3 Undertake any other work as directed by Cabinet.

24.2 Membership

24.2.1 The Committee will consist of 9 Members of the Council to be appointed by the Group Leaders and be politically balanced. The relevant portfolio holders will attend committee meetings ex-officio.

24.2.2 No more than 3 members of the panel can also sit on the Scrutiny Committee (to include any named substitutes).

24.2.3 Named substitutes may attend and vote at the Committee, in accordance with the Council's standing order C7.

24.2.4 The Chairman and Vice-Chairman of the Committee shall be appointed by the Leader of the Council.

24.3 Quorum

24.3.1 A minimum of three members of the Council (either members of the Panel or named substitutes) must be present to transact any business of the committee.

24.4 Procedures, protocol and public speaking

24.4.1 The Chairman of the Committee shall be responsible for maintaining order and the effective conduct of business at meetings of the Committee.

24.4.2 Public speaking will be allowed in accordance with relevant Standing Orders on public speaking.

24.4.3 At the discretion of the Chairman, any person attending the Committee may speak or may put questions to any other participant.

24.4.4 Any member of the Council may attend and speak at meetings of the Committee.

24.5 Voting

24.5.1 Voting shall be by a simple majority by show of hands

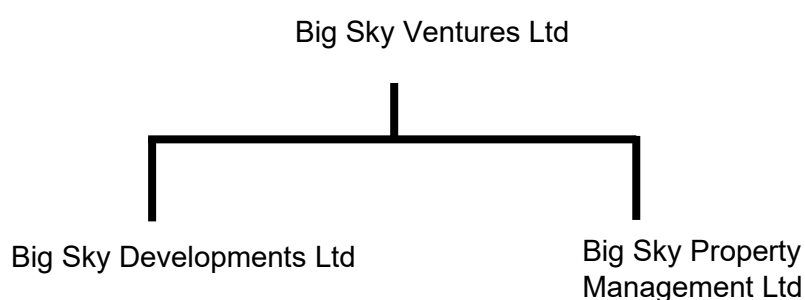
24.5.2 Voting members may request that their votes are recorded

24.5.3 In the event of an equality of votes the Chairman shall have a second or casting vote.

South Norfolk Council is the sole stakeholder and owner of the Big Sky Group of companies which exist to :

- Support the growth of the local economy whilst enhancing the quality of life for people and place.
- Generate a revenue stream for South Norfolk Council.

The Big Sky Group is made up of three companies:



Each company has a Board made up of:

Big Sky Ventures Ltd

3 Directors:

- 2 Council appointed Directors
- The Managing Director (MD) of South Norfolk Council

The Company Secretary also attends Board meetings but is not a Director and is therefore non-voting.

Big Sky Developments Ltd

Big Sky Property Management Ltd



4 Directors are appointed by each company, but must include the MD of South Norfolk Council.

The Company Secretary also attends Board meetings but is not a Director and is therefore non-voting.

Appointments are ratified by the Big Sky Ventures Board.

The Council will appoint:

- The Shareholder's representative, who will normally be the Leader of the Council and is a person of significant influence, with the nomination of company board members.
- The Shareholder's representative will be supported by the Director of Resources.

Shareholder's Representative: Roles & Responsibilities

- Make financial provision in accordance with any agreed Business Plan.
- Delegate to the Councils s151 and Portfolio Holder for the release of any loan agreed by the shareholder subject to an appropriate business case.

The Share Holder –

Members of the Council will collectively be the shareholder of the Big Sky Group of Companies

- Annual receipt of the Big Sky companies Business Plan and borrowing requirements.
- Appoint a Shareholder's Representative

Shareholder's Representative -

The Member, usually the Council Leader, will act as the Shareholder's representative and a person of significant influence responsible for nominations of Directors to Big Sky Ventures, as well as:

- Agreement of any company dividends declared
- Agreement of changes in equity structure or changes in ownership
- Agreement of amendments to the Articles of Association
- Agreement of changes to company name or registered office
- Ratify appointment of external auditors and annual company accounts
- Removal of Directors and ratify appointment of Directors
- Agree annual pay policy
- Set the company long term objectives

Finance, Resources, Audit and Governance
Committee -

The Councils FRAG committee
will be responsible for monitoring
the progress of:

1. Big Sky Companies' Performance against the agreed Business Plans quarterly.
2. Any material change to the Big Sky agreed Business plans including:
 - a. Financial performance of the companies
 - b. Risk
 - c. Reputation – Customer Feedback

Annual

3. Review of the Big Sky Group Business Plans, making recommendation to Council with
 - a. Income anticipated to the Council in year.
 - b. Any loans provision requested by the Big Sky Group.

Big Sky Ventures Directors -

The 2 Council appointed Directors should
be selected based on:

1. Skills, qualifications and experience in relation to the activities of the company and general business acumen.
2. Appropriate skills balance on the Board.
3. Consideration of potential conflicts of interest

At the company AGM, one third of Directors and a minimum of 1 (based on longest service and subsequently by rotation) will retire from their position and seek re-election (if applicable).

Directors of Big Sky Ventures Ltd will act as Shareholder Representatives for its subsidiary companies.

Update from the Council's representative on the Norfolk Police and Crime Panel

I currently sit on the Police and Crime Panel, Police Crime Commissioners Scrutiny Panel, Police Complaints Panel.

I had the opportunity to attend the Police Accountability Meeting Tuesday 25th October 2022 that discussed the recent HMICFRS (Her Majesty's Inspectorate of Constabulary and Fire Rescue Services) inspection of Norfolk Constabulary.

The Norfolk Constabulary did very well.

The results were as follows:-

Outstanding - Good use of resources

Satisfactory – Investigating Crime, Responding to the public, Protecting vulnerable people

Requires Improvement – Treatment of the public (relates to 'Stop and Search' data)

More details can be found at www.justiceinspectorates.gov.uk/hmcifrs

Other information from the accountability meeting:-

Norfolk has the 2nd lowest Burglary rate in the country

60% of all calls to Police are not crime related, most are mental health issues

Best performing County in the UK for answering 999 and 101 calls

Rape and sexual assaults are increasing

Domestic abuse is increasing

Nationwide 40% of all crime is cyber related and most from overseas or out of area which makes investigation very difficult

Speeding – 48000 tickets issued per year. After administration costs all monies are re-invested in Road Safety. NOT in Constabulary or Government coffers.

E scooters cannot be ridden on the road but 'Beryl' scooters can be in Norwich.

Cllr James Easter