

Lowestoft Town Council
Meeting of the Standing Orders and Policies Sub-Committee
Via Video Meeting
14:00 on 8 July 2020

MINUTES

Video meeting participants: Cllrs Sue Barnard, Neil Coleby, Amanda Frost, Alan Green, Jacqueline Hardie, Paul Page, Keith Patience (Chair), Andy Pearce and Alice Taylor

Also participating: Shona Bendix (Clerk) and Lauren Elliott (Committee Clerk)

1. Appointing the Chair of the Standing Orders and Policies Sub-Committee

Cllr Pearce Chaired the meeting for this item, as Chair of the Finance and Governance Committee. Cllr Taylor nominated herself for the position of Chair of the Standing Orders and Policies Sub-Committee, and this was seconded by Cllr Hardie. Cllr Barnard nominated Cllr Patience for the position of Chair of the Standing Orders and Policies Sub-Committee, and this was seconded by Cllr Pearce. The vote was taken in the order in which the nominations had been submitted. Cllr Taylor received three votes and Cllr Patience received six votes. Cllr Patience was duly appointed Chair of the Standing Orders and Policies Sub-Committee.

2. Welcome

The right to report and the application of the video meeting protocol were explained and noted, and the meeting was welcomed.

3. Apologies for absence

There were no apologies and all Sub-Committee members were present. It was queried who was responsible for determining the agenda items. It was explained that officers put the meetings agendas together, as directed by Councillors. Councillors are welcome to submit suggestions for agenda items.

4. Declarations of Interests and dispensations

There were none.

5. Advance comments from the public on any matters on this agenda

There were no comments.

6. Sub-Committee arrangements

6.1 Membership of the Standing Orders and Policies Sub-Committee – Membership was confirmed as Cllrs Sue Barnard, Neil Coleby, Amanda Frost, Jacqueline Hardie, Paul Page, Keith Patience, Andy Pearce and Alice Taylor.

6.2 Appointing the Deputy Chair of the Standing Orders and Policies Sub-Committee – Cllr Pearce nominated Cllr Page for the position of Deputy Chair, and this was seconded by Cllr Coleby. There were no further nominations. Six Councillors voted in favour of appointing Cllr Page as the Deputy Chair of the Standing Orders and Policies Sub-Committee; three Councillors voted against. Cllr Page was duly appointed as the Deputy Chair. Cllr Frost requested a recorded vote for the rest of the items on this agenda.

6.3 Terms of Reference of the Standing Orders and Policies Sub-Committee – Under the responsibilities of the Sub-Committee, it states that the Town Council's Standing Orders and policies should be reviewed at least annually, and the Sub-Committee should review its own remit at least annually. It was queried whether the Finance and Governance Committee or Full Council had amended this so reviews take place more frequently. It was suggested that the minutes could be checked, or this Sub-Committee could suggest an amendment itself. Cllr Pearce proposed an amendment to the Standing Orders and Policies Sub-Committee's Terms of Reference to reflect that the

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Town Council's Standing Orders and policies will be reviewed at least quarterly, or as required, and the Sub-Committee will review its own remit at least quarterly, or as required; seconded by Cllr Barnard; Cllrs Barnard, Coleby, Green, Page, Patience and Pearce voted in favour; Cllrs Frost and Taylor voted against; Cllr Hardie abstained from the vote.

7. Reviewing the following Town Council policies and procedures:

7.1 Standing Orders, including to consider the following changes:

7.1a To prevent Chairs and Deputy Chairs of Committees from also being the Chair or Deputy Chair of that Committee's Sub-Committees – It was commented that this creates a situation which could be seen as undemocratic and not inclusive. Councillors have received comments to this effect from members of the public, although no formal complaints have been submitted to the Council about this matter yet, further to the complaint which was discussed at the last Full Council meeting. Each position has been democratically appointed, and some positions have received only one valid nomination. Should any changes be made to the Standing Orders, it was suggested that this should be with effect from next year, before these appointments are made again at the Annual Meeting. There is no legal obligation for the appointment of Deputy Chairs, but the Town Council has adopted Terms of Reference for its Committees and Sub-Committees which state that Deputy Chairs will be appointed. It was requested that as per Standing Orders, Councillors limit their comments on a particular item to no more than three minutes. The Mayor raised a point of order and reminded Councillors to remain respectful of one another. Cllr Pearce made a proposal that this issue be carried forward to the next Annual Meeting, so that appointments which have already been made this year are not revisited, but that Full Council considers this matter before appointments are made next year. Cllr Taylor made a proposal to prevent Chairs and Deputy Chairs of Committees from also being the Chair or Deputy Chair of that Committee's Sub-Committees. Cllr Hardie seconded Cllr Taylor's proposal. Cllrs Frost, Hardie and Taylor voted in favour of Cllr Taylor's proposal. Cllrs Barnard, Coleby, Green, Page, Patience and Pearce voted against. Cllr Coleby requested to make a counter-proposal, as the matter would need to be considered before the Annual Meeting, otherwise it would not be considered until after the election of the Mayor and Deputy Mayor. Cllr Coleby proposed that Chairs of Committees should not hold the position of Chair or Deputy Chair of any of that Committee's Sub-Committees or Working Groups. This is to be considered at the Full Council meeting before - or earlier but not take effect until - the Annual Meeting in May 2021. This was seconded by Cllr Pearce. Cllrs Barnard, Coleby, Green, Hardie, Page, Patience and Pearce voted in favour; Cllr Frost voted against; Cllr Taylor abstained from the vote.

7.1b Automatic replacement of Town Council representatives to outside bodies at the next available Full Council meeting, should the current representative miss two or more meetings – The Standing Orders themselves state that Standing Orders are reviewed at the Annual Meeting. This Sub-Committee will need to consider how this provision impacts on its other decisions. Full Council has already voted to adopt the current Standing Orders and its policies at the Annual Meeting. It also voted that the current representative roles should continue for this year. There is a system of substitutes and reserves in place. There have been concerns relating to one particular body which have been discussed and measures agreed to address the concerns. It is understood that no issues have been reported with representation on other bodies, and it was therefore queried whether a blanket approach to all is required. When a Councillor is appointed to an outside body it is their responsibility to attend meetings or arrange for a substitute to attend on their behalf. The Council currently has no mechanism in place to remove and re-appoint roles if the current representative is not fulfilling their duties.

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Before these measures are taken, it was suggested that the representative should first be approached to establish what the issue is, before they are removed from their role. It was requested that the Clerk issue a general reminder to all Councillors about their responsibilities regarding representing the Town Council on outside bodies, then any individual issues arising can be taken forward as appropriate, and a set process should be agreed which can be followed in the event of an issue arising. The Clerk will remind all Councillors that they must provide apologies if they cannot attend a meeting of an outside body which they represent the Council on, and they must arrange for a substitute to attend in their place. It was requested that this be reviewed in six months' time to see if there are any issues. In the interim, Councillors will be asked to obtain a schedule of upcoming meetings from the outside bodies they represent the Council on, in preparation for November's Full Council meeting. However, not all organisations prepare an advanced schedule of their meetings. Councillors are also responsible for feeding back to the Council from any meetings they have attended, whether this be via sending in the minutes of the meeting or providing a report. Full Council has adopted a protocol for representation to outside bodies, which could be reviewed by this Sub-Committee. It was suggested that the Councillor reporting form could be circulated to all Councillors, to provide an update on the outside bodies which they are representatives for, to be considered six months before the Annual Meeting, at November's Full Council meeting. Cllrs Barnard, Coleby, Frost, Green, Hardie, Page, Patience, Pearce and Taylor voted in favour of this. There were no votes against and no abstentions.

- 7.2 Financial Regulations, including procurement, contracts and preferred supplier arrangements – It was suggested that this should be considered by the Finance and Governance Committee first, as it is a specialist financial matter, which requires consideration as to whether the Town Council should have preferred supplier arrangements, and whether the limits for obtaining quotations are correct given the size of this Council. Professional advice has been sought. It was agreed that this should be considered by the Finance and Governance Committee first, and referred back to this Sub-Committee if necessary. Regarding the Town Council's energy supplier, one of the only suppliers of electric vehicle charging points may not have the necessary green credentials that the Town Council is seeking, in line with its climate emergency declaration. This issue will need to be considered by the Finance and Governance and Climate Emergency Committees. It was requested that if Councillors take telephone calls during the meeting, or are otherwise unable to participate in or listen to the discussion, that they stop their video or notify the Clerk so that it is clear they are not present, as they should not be participating in the vote if they have not been present for the discussion.

Cllr Hardie temporarily left the meeting 15:07

Cllr Pearce proposed that the Financial Regulations, including procurement, contracts and preferred supplier arrangements, be considered by the Finance and Governance Committee, and that the consideration of energy suppliers, including with regard to the promotion of electric vehicles in the town, goes to the Finance and Governance and Climate Emergency Committees; seconded by Cllr Coleby; Cllrs Barnard, Coleby, Frost, Green, Page, Patience, Pearce and Taylor voted in favour. Cllr Hardie was not present for the vote.

Cllr Hardie returned 15:10

- 7.3 The amended Complaints Procedure – Officers have applied the amendments recommended by the Finance and Governance Committee. The procedure states that appeals must be requested within five days, decisions will be confirmed within five working days and any appeal against the decision must be made within seven days. It was suggested that any reference to timescales should be standardised. None of the

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timescales relate to investigation periods, but are timescales for responses to be provided or received after information has already been gathered and considered, and should the timescales should therefore be standardised. It was also suggested that the bullet points in the procedure should be replaced with a list represented by numbers or letters, for ease of reference. Cllr Pearce proposed that the three references to timescales should be standardised to ten working days, and that the list represented by bullet points should be amended to be represented by numbers or letters; seconded by Cllr Coleby; Cllrs Barnard, Coleby, Frost, Green, Page, Patience, Pearce and Taylor voted in favour; Cllr Hardie abstained from the vote.

- 7.4 Any proposed Youth Engagement and Communities Engagement policies from the Assets, Inclusion and Development Committee – It was suggested that officers draft policies for the Assets, Inclusion and Development Committee and this Sub-Committee to consider. Cllrs Barnard, Coleby, Frost, Green, Hardie, Page, Patience, Pearce and Taylor voted in favour of this. There were no votes against or abstentions.

8. Consideration of a consultation on the proposed new model Code of Conduct

All Councils have been sent a copy of the proposed new model Code of Conduct to provide feedback to a national consultation. It was queried if this is what this Sub-Committee is being asked to consider. Any comments Councillors wish to make can be fed back. This Sub-Committee would also wish to review the Council's Code of Conduct anyway. It was suggested that any feedback from the District and County Councils should be considered, in case there are any major discrepancies in the feedback being provided between the different authorities, although the Town Council does not have to align with what is adopted by other authorities. It was agreed to add this item to the Full Council agenda for consideration.

9. Appointing two representatives from the Standing Orders and Policies Sub-Committee to the Working Group to review the Town Council's conduct in relation to the Equality and Diversity Policy and Code of Conduct

It is anticipated that whoever is appointed will have completed the Equality and Diversity e-learning module which all Councillors and staff have been asked to complete. Cllrs Coleby, Hardie and Taylor would like to be considered and have completed the e-learning module. The decision from Full Council was that two Councillors would be appointed from this Sub-Committee and two Councillors would be appointed from the Personnel Committee. The vote was taken in the order in which the three Councillors put their names forward. It was clarified that each Sub-Committee member could have up to two votes. The vote for Cllr Taylor was taken first. Cllrs Barnard, Frost, Green, Hardie and Taylor voted in favour to appoint Cllr Taylor. The vote for Cllr Hardie was taken next. Cllrs Coleby, Frost, Hardie, Patience, Pearce and Taylor voted in favour to appoint Cllr Hardie. The vote for Cllr Coleby was taken next. Cllrs Barnard, Coleby, Green, Page, Patience and Pearce voted to appoint Cllr Coleby. Cllrs Coleby and Hardie were duly appointed to the Working Group. It was clarified that two different Councillors would be appointed from the Personnel Committee.

10. Date of the next meeting

It was agreed that this Sub-Committee should meet again before November's Full Council meeting, and should meet midway between now and then to consider other policies and the Financial Regulations, following consideration by the Finance and Governance Committee. The date of the next meeting was agreed as 14:00 on 16 September.

11. Items for the next Agenda and Close

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Some items for the next agenda had already been identified during the meeting. Any other requests can be sent to officers. It is understood that new model Financial Regulations and Standing Orders are being released.

12. Resolution to close the meeting to the public

The Chair thanked those who had been viewing the meeting via live stream. There were no confidential matters for consideration and the Chair closed the meeting at 15:44.

Signed: 

16 June 2021