



## Lostwithiel Town Council Extraordinary Meeting Tuesday 21 January 2025

### **Cornwall Councillor Report**

None

### **Meeting Minutes**

A meeting of Lostwithiel Town Council was held in Lostwithiel Library on Tuesday 21 January 2025 at 7pm.

### **Councillors Present**

Mayor Henderson, Deputy Mayor Guiterman, Councillor Anders, Councillor Berryman, Councillor Eastham, Councillor Henderson, Councillor Rawlings, Councillor Saundry & Councillor Wisdom.

### **In attendance**

One member of the public was in attendance.

Laura Highton Poynton Bradbury was in attendance

Town Clerk Sandra Harris was in attendance.

### **290/24 Apologies of Absence**

Apologies for absence were received and accepted from Councillor Guy, Councillor Kent, Councillor Pearce, Councillor Ross & Councillor Townsend.

### **291/24 Declarations of interest**

None

### **292/24 Public Participation**

None

**293/24 Meeting Minutes**

It was **resolved** that the minutes of the Council Meeting held on 14 January 2025 are accepted, approved and duly signed by Mayor Henderson.

**Proposer:** D.M. Guiterman

**Seconder:** Cllr Rawlings

Vote – 9 In favour

**294/24 To note the CLUP Committee minutes dated 05 December 24 & 16 January 25**

The minutes of the CLUP Committee meetings held on 05 December 2024 and 16 January 2025 were noted by Council.

**295/24 Poynton Bradbury**

It was **resolved** in accordance with Standing Order 3f to allow Laura Highton to address the meeting.

Laura gave a brief overview of the project to date and answered questions regarding the preferred option, the associated financials and feedback received from Cornwall Council's Heritage Team.

Laura agreed to provide details of the capital costs for the Taprell House extension and for the lift as separate figures.

Laura also discussed further funding which may be available to drive the project forward Architectural Heritage Fund and National Lottery Heritage Fund grants. Laura recommended submitting an expression of interest form to the latter as soon as practicable. Unfortunately, initial discussions with Historic England indicate that the project would not meet their current funding criteria. Laura also agreed to provide an indication of the levels of match funding required.

Laura Highton and one member of the public left the meeting room.

**296/24 Lostwithiel Town Council 2025-2026 Budget**

It was **resolved** to approve the Council's 2025-2026 Budget as follows:-

Expenditure	£291,055	Income	£ 8,855
-------------	----------	--------	---------

Precept requirement £282,200 which equates to a 2.01% increase and an annual increase of £4.66 on a Band D property.

**Proposer:** D.M. Guiterman

**Seconder:** Cllr Rawlings

Vote – 6 votes in favour, 3 against

### **297/24 Lostwithiel Town Council 2025-2026 Precept**

It was **resolved** to instruct the Proper Officer to submit the precept demand to Cornwall Council at £282,200

**Proposer:** D.M. Guiterman      **Seconded:** Cllr Henderson

Vote – 7 votes in favour, 2 against

### **298/24 CLUP Project update**

Cllr Rawlings advised the Council that there are still some outstanding works to be completed and that one or two areas i.e. public realm are coming in over budget.

Whilst the Committee is confident the project will be delivered within the figures agreed under minute ref 149/24 namely:-

Project match funding      £29,000

Project contingency      £22,000

Project expansion      £10,000

The CLUP Committee wish to ask if Council would consider revising the project expansion that it was no longer restricted to decorating.

It was **resolved** to amend the restrictions on the use of this money to general CLUP expenditure.

**Proposer:** D.M. Guiterman      **Seconded:** Cllr Anders

Vote – 9 votes in favour.

### **299/24 Strengthening the Standards and Conduct Framework for Local Authorities in England**

It was **resolved** to respond to this consultation questions as follows:-

#### **Question 1**

Please tick all that apply - are you responding to this consultation as:

c) a council body – if so please indicate which local authority type

- Town or Parish Council

#### **Question 2**

Do you think the government should prescribe a mandatory minimum code of conduct for local authorities in England?

- Yes

**Question 3**

If yes, do you agree there should be scope for local authorities to add to a mandatory minimum code of conduct to reflect specific local challenges?

- Yes – it is important that local authorities have flexibility to add to a prescribed code

**Question 4**

Do you think the government should set out a code of conduct requirement for members to cooperate with investigations into code breaches?

- Yes

**Question 5**

Does your local authority currently maintain a standards committee?

- Yes

**Question 6**

Should all principal authorities be required to form a standards committee?

- Yes

**Question 7**

In most principal authorities, code of conduct complaints are typically submitted in the first instance to the local authority Monitoring Officer to triage, before referring a case for full investigation. Should all alleged code of conduct breaches which are referred for investigation be heard by the relevant principal authority's standards committee?

- Yes, decisions should only be heard by standards committees

**Question 8**

Do you agree that the Independent Person and co-opted members should be given voting rights?

- Yes – this is important for ensuring objectivity

**Question 9**

Should standards committees be chaired by the Independent Person?

- Unsure

**Question 10**

If you have further views on ensuring fairness and objectivity and reducing incidences of vexatious complaints, please use the free text box below.

None

**Question 11**

Should local authorities be required to publish annually a list of allegations of code of conduct breaches, and any investigation outcomes?

- Yes - the public should have full access to all allegations and investigation outcomes

**Question 12**

Should investigations into the conduct of members who stand down before a decision continue to their conclusion, and the findings be published?

- Yes

**Question 13**

If responding as a local authority, what is the average number of complaints against elected members that you receive over a 12-month period?

- N/A

**Question 13a**

For the above, where possible, please provide a breakdown for complaints made by officers, other elected members, the public, or any other source:

- N/A

**Question 14**

If you currently work, or have worked, within a local authority, have you ever been the victim of (or witnessed) an instance of misconduct by an elected member and felt that you could not come forward? Please give reasons if you feel comfortable doing so.

- N/A

**Question 15**

If you are an elected member, have you ever been subject to a code of conduct complaint? If so, did you feel you received appropriate support to engage with the investigation?

- N/A

**Question 16**

If you did come forward as a victim or witness, what support did you receive, and from whom? Is there additional support you would have liked to receive?

- N/A

**Question 17**

In your view, what measures would help to ensure that people who are victims of, or witness, serious councillor misconduct feel comfortable coming forward and raising a complaint?

- N/A

**Question 18**

Do you think local authorities should be given the power to suspend elected members for serious code of conduct breaches?

- Yes – authorities should be given the power to suspend members

**Question 19**

Do you think that it is appropriate for a standards committee to have the power to suspend members, or should this be the role of an independent body?

- Yes - the decision to suspend for serious code of conduct breaches should be for the standards committee

**Question 20**

Where it is deemed that suspension is an appropriate response to a code of conduct breach, should local authorities be required to nominate an alternative point of contact for constituents during their absence?

- Yes – councils should be required to ensure that constituents have an alternative point of contact during a councillor's suspension
-

**Question 21**

If the government reintroduced the power of suspension do you think there should be a maximum length of suspension?

- Unsure

**Question 22**

If yes, how frequently do you consider councils would be likely to make use of the maximum length of suspension?

- N/A

**Question 23**

Should local authorities have the power to withhold allowances from suspended councillors in cases where they deem it appropriate?

- N/A

**Question 24**

Do you think it should be put beyond doubt that local authorities have the power to ban suspended councillors from council premises and to withdraw the use of council facilities in cases where they deem it appropriate?

- Yes – premises and facilities bans are an important tool in tackling serious conduct issues

**Question 25**

Do you agree that the power to withhold members' allowances and to implement premises and facilities bans should also be standalone sanctions in their own right?

- Yes

**Question 26**

Do you think the power to suspend councillors on an interim basis pending the outcome of an investigation would be an appropriate measure?

- Yes, powers to suspend on an interim basis would be necessary

**Question 27**

Do you agree that local authorities should have the power to impose premises and facilities bans on councillors who are suspended on an interim basis?

- Yes - the option to institute premises and facilities bans whilst serious misconduct cases are investigated is important

### **Question 28**

Do you think councils should be able to impose an interim suspension for any period of time they deem fit?

- No

### **Question 29**

Do you agree that an interim suspension should initially be for up to a maximum of 3 months, and then subject to review?

- Yes

### **Question 30**

If following a 3-month review of an interim suspension, a standards committee decided to extend, do you think there should be safeguards to ensure a period of interim extension is not allowed to run on unchecked?

- Yes – there should be safeguards

### **Question 30a**

If you answered yes to above question, what safeguards do you think might be needed to ensure that unlimited suspension is not misused?

- Regular Review

### **Question 31**

Do you think councillors should be disqualified if subject to suspension more than once?

- No - the power to suspend members whenever they breach codes of conduct is sufficient

### **Question 32**

Is there a case for immediate disqualification for gross misconduct, for example in instances of theft or physical violence impacting the safety of other members and/or officers, provided there has been an investigation of the incident and the member has had a chance to respond before a decision is made?

- Yes



**Question 33**

Should members have the right to appeal a decision to suspend them?

- Yes - it is right that any member issued with a sanction of suspension can appeal the decision

**Question 34**

Should suspended members have to make their appeal within a set timeframe?

- Yes – but within a different length of time 10 working days

**Question 35**

Do you consider that a complainant should have a right of appeal when a decision is taken not to investigate their complaint?

- Yes

**Question 36**

Do you consider that a complainant should have a right of appeal when an allegation of misconduct is not upheld?

- No

**Question 37**

If you answered yes to either of the previous two questions, please use the free text box below to share views on what you think is the most suitable route of appeal for either or both situations.

- N/A

**Question 38**

Do you think there is a need for an external national body to hear appeals?

- Dependant on severity of identified issue

**Question 39**

If you think there is a need for an external national appeals body, do you think it should:

- Both of the above should be in scope

**Question 40**

In your view, would the proposed reforms to the local government standards and conduct framework particularly benefit or disadvantage individuals with protected characteristics, for example those with disabilities or caring responsibilities?

Please tick an option below:

- neither

**Proposer:** D.M. Guiterman      **Seconder:** Cllr Henderson

Vote – 9 votes in favour

### **300/24 Council Ceremonial Offices, Awards & Recognition**

It was **resolved** to agree to defer this agenda item until the next Council meeting.

**Proposer:** Cllr Henderson      **Seconder:** Cllr Rawlings

Vote – 9 votes in favour

### **302/24 February Council meeting**

It was **resolved** to formally agree to change the date of the February Council meeting from Tuesday 04 February 2025 to Tuesday 11 February 2025.

**Proposer:** Cllr Henderson      **Seconder:** Cllr Anders

Vote – 9 votes in favour

The meeting closed at 20.46pm

Chairman

Date