



Leigh-on-Sea Town Council

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Chairman: Cllr Valerie Morgan
Vice Chairman: Cllr Jill Healey
Town Clerk: Helen Symmons

Members are requested to attend a meeting of the
POLICY AND RESOURCES COMMITTEE of Leigh-on-Sea Town Council on
Tuesday, 30th April 2019 at the Leigh Community Centre, 71 - 73 Elm Road, Leigh-on-Sea
commencing at **7.30 p.m.**

Committee Membership

Cllrs: Mark Bromfield, John Duprey, Patrick Fox, Jill Healey, Valerie Morgan, Carole Mulroney,
Declan Mulroney (Chairman), Ron Owen and Vivien Rosier

AGENDA

1. CHAIRMAN'S OPENING REMARKS & HOUSEKEEPING ANNOUNCEMENTS
2. APOLOGIES FOR ABSENCE
3. DECLARATION OF MEMBERS' INTERESTS
4. APPROVAL OF THE MINUTES OF THE MEETING 5TH MARCH 2019
5. PUBLIC REPRESENTATIONS
6. TOWN CLERK'S REPORT ([Appendix 1](#)) page 5

POLICY

7. TERMS OF REFERENCE - **DECISION ITEM**

Council approved the Terms of Reference for the new Council structure at its meeting 20th November 2018 (minute 78). These will take effect from 14th May 2019. However it is **RECOMMENDED** that Council consider two further amendments:

- a) Community Committee be renamed Community & Culture Committee
- b) Planning, Licensing and Highways meetings be held every 3 weeks commencing 21st May

If approved the draft diary schedule of meetings for 2019/20 will be amended slightly to avoid any committee clashes.

8. REVIEW OF FINANCIAL REGULATIONS ([Appendix 2](#)) page 6 - **DECISION ITEM**

In accordance with Financial Regulation 17.1 it is the duty of the Council to review the Financial Regulations annually. The Town Clerk wishes to suggest to Council the amendments to the Financial Regulations as per Appendix 2 in preparation of the new Committee structure that will take effect from 14th May 2019.

It is **RECOMMENDED** that the Committee adopt the revised regulations with **recommendation to Council**.

9. REVIEW OF STANDING ORDERS ([Appendix 3](#)) page 21 - **DECISION ITEM**

It is **RECOMMENDED** that the Committee undertake the annual review and adoption of Standing Orders with **recommendation to Council**. Recommended amendments are shown on the appendix document.

RESOURCES

10. LTC MAGAZINE – REPORT FROM THE MARKETING & PROFILE OFFICER (MPO)

The MPO has not received any formal feedback from the latest magazine from members of the public, however 8 new people attended the April Social Club stating that they had seen it advertised in the magazine. This is a positive sign that it is being read. We have also received a lot of enquiries from people wanting to be featured in the next issue.

This issue was particularly large and we had to extend to 36 pages. The additional cost of the extra 4 pages was nearly £1000. In the future the Magazine Working Group will review how many outside groups are given articles and the amount of space that they are allowed in order to maintain 32 page editions.

The MPO has been pro-active in ensuring the delivery of the magazine has had a wide reach. The Leigh Times have confirmed that all addresses within the boundary were delivered to. Copies of the magazine were also given to several churches, the Heritage Centre and the library. A lot of copies were also taken at the Annual Community Meeting. There is only one box left at the Community Centre.

The MPO has confirmed the date for the next magazine and booked this with the Leigh Times and Icicle Design – Tuesday 15th October. We have booked a full-page advert in the Leigh Times for 25th June for the Newsflash article.

The MPO will arrange a meeting of the new Magazine Working Group soon after the first Council meeting of the new administration. Research is being undertaken for costings of a smaller quarterly magazine rather than bi-annually. This will be reported in due course.

11. COMMUNITY SPECIAL CONSTABLES

Unfortunately 1 volunteer was unsuccessful in their training and was withdrawn. We await training dates for the remaining volunteer but have recently been advised that another volunteer has applied and we await news of an assessment date.

12. YOUTH GROUP – REPORT FROM THE MPO

A meeting was held with members of the Council and representatives from the local churches and youth groups. It was a positive meeting and going forward, the office will have a good connection with the churches and can work on different things together regarding Youth in Leigh.

It appears that there are already quite a few different Youth Groups running in Leigh, the MPO is now working on a design for a Youth Flyer with information of all groups in the Leigh Town Council area.

There will be ongoing conversations and meetings, and most that attended were keen to get involved in the Youth Market in July. There is also potential that all groups might work together on an event, such as a Career Fair in the future.

13. VOLUNTEERS – **DECISION ITEM**

As a thank you to those who volunteer for the Town Council including those in community groups linked to the Council, it is **RECOMMENDED** that an Afternoon Tea be organised at the Community Centre on Friday 7th June as part of Volunteers Week (1st – 7th June). If resolved, a budget of £750 from the Volunteer budget is requested to be set aside to run the 'thank-you' event.

FINANCIAL

14. COMMITTEE AND COUNCIL BUDGETS 2018/19 ([Appendix 4](#)) page 47

Year-end accounts have been prepared and ahead of signing the Annual Return at Council in May, the Income & Expenditure and Balance sheet are shown at Appendix 4. The adjustments to Earmarked Reserves as recommended below have been included in these figures. The predicted General Reserve in calculating the precept for 2019/20 is exactly as budgeted - £90,000.

Income was £46,679 above budget mainly due to the CIL receipt received, grant funding for the Spatial Plan, high ticket sales for the Childrens' Holiday programme and rental of more allotment plots.

The increase in expenditure over budget was £33,520 all down to the refurbishment programme. There is a Capital Reserve to cover this major project expenditure which is not reflected in the I&E figures. That said the actual deficit of expenditure over income for the year which includes the Community Centre refurbishment programme spend to date was £22,658 as opposed to the £35,790 predicted.

15. ADJUSTMENT TO EARMARKED RESERVES FIGURE – **DECISION ITEM**

Council approved the recommended Earmarked reserve transfers at its meeting 19th March 2019. However, the Salaries EMR balance is incorrect as Minute 11d from Council 15th May 2018 resolved that £3,064 would be used to cover the salary increase for the year. It is therefore **RECOMMENDED** that the Committee formally note that the Salaries EMR balance at the year-end is £13,015.

An EMR was approved for CFC Community Centre Salaries £10,000. The Town Clerk apologises but due to report timings, the under spend for this budget was only £4,000. It is therefore **RECOMMENDED with recommendation to Council** that this underspend is absorbed into the General Reserve rather than a separate EMR.

Additionally an EMR was approved for P&R Furniture and Equipment £3,500. The Town Clerk apologises but year-end procedures highlighted that a prepayment from the last financial year was allocated to the wrong cost code in this year. This should have come from P&R Furniture and Equipment and therefore the underspend in this budget was not as high as predicted. It is therefore **RECOMMENDED with recommendation to Council** that this underspend is absorbed into the General Reserve rather than a separate EMR.

16. QUARTERLY FINANCE CHECK

Quarter 4 check has been completed with no issues raised.

17. BANK RECONCILIATION CHECK

The third quarter reconciliation checks are completed. The final quarter checks are nearing completion.

18. TO NOTE INTERNAL ACCOUNT TRANSFERS AND APPROVE EXPENDITURE SINCE THE LAST MEETING ([Appendix 5](#)) page 49 - **DECISION ITEM**

The Committee is asked to **NOTE** the account transfers and **RECOMMEND the expenditure to Council**.

19. BANK ACCOUNT BALANCES AS AT 23RD APRIL 2019

HSBC Current	£ 31,299.02
HSBC BMM	£216,267.81
HSBC Payroll	£ 24,973.65
HSBC Imprest	£ 967.26

CONFIDENTIAL

20. MOTION TO EXCLUDE PUBLIC – The Public Bodies (Admission to Meetings) Act 1960

That in view of the confidential nature of the business to be transacted the public and press be excluded and instructed to withdraw – SO 3(d)

21. GRANT AID AWARDS (Confidential Papers – for Committee members only) - **DECISION ITEM**

Grant requests have been made as follows:

SABUG	£156.00 (LCC Room Hire)
Havens Hospice	£300.00 (LCC Room Hire £168 plus promotional costs)
Royal British Legion Leigh	£91.20 (LCC Room Hire)
Leigh Folk Festival	£500.00 (Event funding)
Lions Club of Leigh-on-Sea	£500.00 (Children's entertainment at Regatta)
Leigh Art Trail	£500.00 (Event funding)
SAFE (Supporting Asperger Families in Essex)	£500.00 (Group funding)

Helen Symmons

Helen Symmons
Town Clerk
25TH April 2019

Any member who is unable to attend the meeting should send their apologies before the meeting.

TOWN CLERK'S REPORT - COUNCIL AND COMMITTEE DECISIONS FOLLOW UP RECORDS 2018/19

Committee	Minute No. and Subject	Completion Status	Completion Date	Outcome	Forward Action Required	Responsible
P&R 05-09-17	31. Staff	RESOLVED to review Staff Handbook		Consultant instructed.	Review ongoing and TC has spoken with consultant	TC
P&R 05-03-19	76. Alteration of meeting date	RESOLVED to change date to 30 th April	05-03-19	Councillors advised	NFA	
P&R 05-03-19	77. PSPO	RESOLVED to write to SBC expressing concern	06-03-19	Advised Deputy Chief Exec (Place) will respond direct	Reply awaited	TC
P&R 05-03-19	78. Risk Management Strategy	RESOLVED with recommendation to Council	19-03-19	Added to Council Agenda	NFA	
P&R 05-03-19	79. Risk Register	RESOLVED with recommendation to Council	19-03-19	Added to Council Agenda	NFA	
P&R 05-03-16	80. LTC Magazine	RESOLVED a working group be formed for next publication	05-03-16	All councillors will be invited in due course	NFA	
P&R 05-03-19	83. CIL Projects	RESOLVED £6,000 of CIL for Belton Hills nature boards	05-03-16	Town Clerk to work in partnership with SBC	SBC Officers advised of funding. Response awaited	
P&R 05-03-19	84. Skate Park	RESOLVED budget of £30k with recommendation to Council	19-03-19	Added to Council Agenda	NFA	
P&R 05-03-19	85. Earmarked reserves E&L and CFC	RESOLVED with recommendation to Council	19-03-19	Added to Council Agenda	NFA	
P&R 05-03-19	88. Underspends for P&R as Earmarked reserves	RESOLVED with recommendation to Council	19-03-19	Added to Council Agenda	NFA	
P&R 05-03-19	91. Expenditure	RESOLVED with recommendation to Council	19-03-19	Added to Council Agenda	NFA	

[Agenda](#)

LEIGH-ON-SEA TOWN COUNCIL

FINANCIAL REGULATIONS

Reviewed and Adopted

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Definitions

Councillor – means a duly elected person and any person co-opted to act as a Councillor.

Member means a duly elected or Co-opted Councillor.

Delegated Officer means any officer of the Council delegated to act by the Town Clerk in a particular capacity on the Town Clerk’s behalf.

These Financial Regulations were reviewed, revised and adopted by the Council at its Meeting held on 14th May 2019 (TBC)

1. GENERAL

- 1.1. These financial regulations govern the conduct of financial management by the Council and may only be amended or varied by resolution of the Council. Financial Regulations are one of the Council's three governing policy documents providing procedural guidance for members and officers. Financial Regulations must be observed in conjunction with the Council's Standing Orders and any individual financial regulations relating to contracts.
- 1.2. The Council is responsible in law for ensuring that its financial management is adequate and effective and that the Council has a sound system of internal control which facilitates the effective exercise of the Council's functions, including arrangements for the management of risk.
- 1.3. The Council's accounting control systems must include measures:
 - for the timely production of accounts;
 - that provide for the safe and efficient safeguarding of public money;
 - to prevent and detect inaccuracy and fraud; and
 - identifying the duties of officers.
- 1.4. These Financial Regulations demonstrate how the Council meets these responsibilities and requirements.
- 1.5. At least once a year, prior to approving the Annual Governance Statement, the Council must review the effectiveness of its system of internal control which shall be in accordance with proper practices.
- 1.6. All staff must take care to operate within these Regulations. Breaches could lead to the Council's actions being called into question by auditors or members of the public and to challenges concerning the legality of those actions. Wilful breaches which seriously damage the Council's reputation, or lead to financial gain for the officer concerned could be construed as gross misconduct. Other breaches may result in disciplinary action.
- 1.7. Members of Council are expected to follow the instructions within these Regulations and not to entice employees to breach them. Failure to follow instructions within these Regulations brings the office of Councillor into disrepute.
- 1.8. The Responsible Financial Officer (RFO) holds a statutory office to be appointed by the Council. The Town Clerk has been appointed as RFO for this Council and these regulations will apply accordingly.
- 1.9. The RFO;
 - acts under the policy direction of the Council;
 - administers the Council's financial affairs in accordance with all Acts, Regulations and proper practices;
 - determines on behalf of the Council its accounting records and accounting control systems;
 - ensures the accounting control systems are observed;
 - maintains the accounting records of the Council up to date in accordance with proper practices;

- assists the Council to secure economy, efficiency and effectiveness in the use of its resources; and
 - produces financial management information as required by the Council.
- 1.10. The accounting records determined by the RFO shall be sufficient to show and explain the Council's transactions and to enable the RFO to ensure that any income and expenditure account and statement of balances, or record of receipts and payments and additional information, as the case may be, or management information prepared for the Council from time to time comply with the Accounts and Audit Regulations¹.
- 1.11. The accounting records determined by the RFO shall in particular contain:
- entries from day to day of all sums of money received and expended by the Council and the matters to which the income and expenditure or receipts and payments account relate;
 - a record of the assets and liabilities of the Council; and
 - wherever relevant, a record of the Council's income and expenditure in relation to claims made, or to be made, for any contribution, grant or subsidy.
- 1.12. The accounting control systems determined by the RFO shall include:
- procedures to ensure that the financial transactions of the Council are recorded as soon as reasonably practicable and as accurately and reasonably as possible;
 - procedures to enable the prevention and detection of inaccuracies and fraud and the ability to reconstruct any lost records;
 - identification of the duties of officers dealing with financial transactions and division of responsibilities of those officers in relation to significant transactions;
 - procedures to ensure that uncollectable amounts, including any bad debts are submitted to the Council for approval to be written off except with the approval of the RFO and that the approvals are shown in the accounting records; and
 - measures to ensure that risk is properly managed.
- 1.13. The Council is not empowered by these Regulations or otherwise to delegate certain specified decisions. In particular any decision regarding:
- setting the final budget or the precept (Council Tax Requirement);
 - approving accounting statements;
 - approving an annual governance statement;
 - borrowing;
 - writing off bad debts;
 - declaring eligibility for the general power of competence; and
 - addressing recommendations in any report from the internal or external auditors, which shall be a matter for the full Council only.
- 1.14. In addition the Council must:

¹ Accounts and Audit (England) Regulations 2015

- determine and keep under regular review the bank mandate for all Council bank accounts;
- approve any grant or a single commitment in excess of £5,000; and
- in respect of the annual salary for any employee have regard to recommendations about annual salaries of employees made by Staffing Committee in accordance with its terms of reference.

1.15. In these Financial Regulations, references to the Accounts and Audit Regulations or ‘the regulations’ shall mean the regulations issued under the provisions of section 27 of the Audit Commission Act 1998, or any superseding legislation, and then in force unless otherwise specified.

In these Financial Regulations the term ‘proper practice’ or ‘proper practices’ shall refer to guidance issued in *Governance and Accountability for Local Councils– a Practitioners’ Guide (England)* issued by the Joint Practitioners Advisory Group (JPAG), available from the websites of NALC and the Society for Local Council Clerks (SLCC).

2. ACCOUNTING AND AUDIT (INTERNAL AND EXTERNAL)

- 2.1. All accounting procedures and financial records of the Council shall be determined by the RFO in accordance with the Accounts and Audit Regulations, appropriate guidance and proper practices.
- 2.2. On a regular basis, at least once in each quarter, and at each financial year end, a member other than the Chairman shall be appointed to verify bank reconciliations (for all accounts) produced by the RFO. The member shall sign the reconciliations and the original bank statements (or similar document) as evidence of verification. This activity shall on conclusion be reported, including any exceptions, to and noted by the Council’s **Finance & Governance Policy and Resources Committee**.
- 2.3. The RFO shall complete the annual statement of accounts, annual report, and any related documents of the Council contained in the Annual Return (as specified in proper practices) as soon as practicable after the end of the financial year and having certified the accounts shall submit them and report thereon to the Council within the timescales set by the Accounts and Audit Regulations.
- 2.4. The Council shall ensure that there is an adequate and effective system of internal audit of its accounting records, and of its system of internal control in accordance with proper practices. Any officer or member of the Council shall make available such documents and records as appear to the Council to be necessary for the purpose of the audit and shall, as directed by the Council, supply the RFO, internal auditor, or external auditor with such information and explanation as the Council considers necessary for that purpose.
- 2.5. The internal auditor shall be appointed by and shall carry out the work in relation to internal controls required by the Council in accordance with proper practices.
- 2.6. The internal auditor shall:
 - be competent and independent of the financial operations of the Council;
 - report to Council in writing, or in person, on a regular basis with a minimum of one annual written report during each financial year;
 - to demonstrate competence, objectivity and independence, be free from any actual or perceived conflicts of interest, including those arising from family relationships; and

- have no involvement in the financial decision making, management or control of the Council.
- 2.7. Internal or external auditors may not under any circumstances:
- perform any operational duties for the Council;
 - initiate or approve accounting transactions; or
 - direct the activities of any Council employee, except to the extent that such employees have been appropriately assigned to assist the internal auditor.
- 2.8. For the avoidance of doubt, in relation to internal audit the terms 'independent' and 'independence' shall have the same meaning as is described in proper practices.
- 2.9. The RFO shall make arrangements for the exercise of electors' rights in relation to the accounts including the opportunity to inspect the accounts, books, and vouchers and display or publish any notices and statements of account required by the Audit Commission Act 1998, or any superseding legislation, and the Accounts and Audit Regulations.
- 2.10. The RFO shall, without undue delay, bring to the attention of all Councillors any correspondence or report from internal or external auditors.

3. ANNUAL ESTIMATES (BUDGET) AND FORWARD PLANNING

- 3.1. Each committee shall review its three year forecast of revenue and capital receipts and payments. Having regard to the forecast, it shall thereafter formulate and submit proposals for the following financial year to the Council not later than the end of November each year including any proposals for revising the forecast.
- 3.2. The RFO must each year, by no later than December, prepare detailed estimates of all receipts and payments including the use of reserves and all sources of funding for the following financial year in the form of a budget to be considered by the relevant committee and the Council.
- 3.3. The Council shall consider annual budget proposals in relation to the Council's three year forecast of revenue and capital receipts and payments including recommendations for the use of reserves and sources of funding and update the forecast accordingly.
- 3.4. The Council shall fix the precept (Council tax requirement), and relevant basic amount of Council tax to be levied for the ensuing financial year as soon as possible following confirmation from the Principal Authority of the tax base and grant monies and not later than the end of February. The RFO shall issue the precept to the billing authority and shall supply each member with a copy of the approved annual budget.
- 3.5. The approved annual budget shall form the basis of financial control for the ensuing year.

4. BUDGETARY CONTROL AND AUTHORITY TO SPEND

- 4.1. Expenditure on revenue items may be authorised up to the amounts included for that class of expenditure in the approved budget as approved by Council. This authority is to be determined by:
- The Council for all items over £5,000 unless pre-authorised in the budget
 - A duly delegated Committee of the Council for items over £2,500 but below £5,001 ~~£1,000~~ unless pre-authorised in the budget

- The Clerk, in conjunction with Chairman of Council or Chairman of the appropriate Committee, for any items exceeding ~~£1,000~~ £250 but below ~~£2,500~~ £1,000 unless pre-authorised in the budget;
- The Clerk for items below ~~£1,000~~ £250

Such authority is to be evidenced by a Minute or by an authorisation slip duly signed by the Clerk and where necessary also by the appropriate Chairman. Contracts may not be disaggregated to avoid controls imposed by these Regulations.

- 4.2. No expenditure may be authorised that will exceed the amount provided in the revenue budget for that class of expenditure other than by resolution of the Council, or duly delegated standing committee. During the budget year and with the approval of Council and **Finance & Governance** ~~Policy and Resources~~ Committee or if so delegated a standing committee having considered fully the implications for public services, unspent sums and available amounts may be moved to other budget headings or to an earmarked reserve as appropriate ('virement').
- 4.3. Unspent provisions in the revenue or capital budgets for completed projects shall not be carried forward to a subsequent year.
- 4.4. The salary budgets are to be reviewed at least annually in October for the following financial year and such review shall be evidenced by a hard copy schedule signed by the Clerk and the Chairman of the Council or relevant committee. The RFO will inform committees of any changes impacting on their budget requirement for the coming year in good time.
- 4.5. In cases of extreme risk to the delivery of Council services, the Town Clerk in consultation with all Committee Chairmen (a quorum being acceptable to make a decision) may authorise revenue expenditure on behalf of the Council which in his/her judgement it is necessary to carry out. Such expenditure includes repair, replacement or other work, whether or not there is any budgetary provision for the expenditure, subject to a limit of ~~£5,000~~ £2,500. The Clerk shall report such action to the appropriate Standing Committee as soon as possible and to the Council as soon as practicable thereafter.
- 4.6. No expenditure shall be authorised in relation to any capital project and no contract entered into or tender accepted involving capital expenditure unless the Council is satisfied that the necessary funds are available and the requisite borrowing approval has been obtained.
- 4.7. All capital works shall be administered in accordance with the Council's Standing Orders and Financial Regulations relating to contracts.
- 4.8. The RFO shall regularly provide the Council with a statement of receipts and payments to date under each budget head, comparing actual expenditure to the appropriate date against that planned as shown in the budget. These statements are to be prepared at least at the end of each financial quarter and shall show explanations of material variances. For this purpose "material" shall be in excess of £500 or 20% of the budget.
- 4.9. Changes in earmarked reserves shall be approved by Council as part of the budgetary control process.

5. BANKING ARRANGEMENTS AND AUTHORISATION OF PAYMENTS

- 5.1. The Council's banking arrangements, including the bank mandate, shall be made by the RFO and approved by the Council; banking arrangements may not be delegated to a committee. They shall be regularly reviewed for safety and efficiency.
- 5.2. The RFO/Delegated Officer shall prepare a schedule of payments made during the reporting period, requiring authorisation, forming part of the agenda for the meeting (invoices are available for viewing if requested) and present the schedule to Council [or **F&G P&R** committee]. The Council / Committee shall review the schedule for compliance and, having satisfied itself shall retrospectively authorise payment by a resolution of the Council or P&R Committee. The

approved schedule shall be ruled off and initialled by the Chairman of the meeting. A detailed list of all payments shall be disclosed within or as an attachment to the minutes of the meeting at which payment was authorised. Personal payments (including salaries, wages, expenses and any payment made in relation to the termination of a contract of employment) must be summarised to remove public access to any personal information.

- 5.3. All invoices for payment shall be examined, verified and certified by the RFO to confirm that the work, goods or services to which each invoice relates has been received, carried out, examined and represents expenditure previously approved by the Council.
- 5.4. The ARFO/delegated officer shall examine invoices for arithmetical accuracy and analyse them to the appropriate expenditure heading. The RFO shall take all steps to report all invoices submitted, and which are in order, at the next available **Finance & Governance Policy and Resources Committee Meeting**.
- 5.5. The Town Clerk/RFO shall have delegated authority to authorise the payment of items only in the following circumstances:
 - a) If a payment is necessary to avoid a charge to interest under the Late Payment of Commercial Debts (Interest) Act 1998, and the due date for payment is before the next scheduled meeting of Council, where the Town Clerk/RFO certify that there is no dispute or other reason to delay payment, provided that a list of such payments shall be submitted to the next appropriate meeting of Policy and Resources Committee;
 - b) An expenditure item authorised under 5.6 below (continuing contracts and obligations) provided that a list of such payments shall be submitted to the next appropriate meeting of Policy and Resources Committee; or
 - c) fund transfers within the Council's banking arrangements up to the sum of £100,000, provided that a list of such payments shall be submitted to the next appropriate meeting of Policy and Resources Committee.
- 5.6. For each financial year the Town Clerk/RFO shall draw up a list of due payments which arise on a regular basis as the result of a continuing contract, statutory duty, or obligation (such as but not exclusively, Salaries, PAYE and NI, Superannuation Fund and regular maintenance contracts and the like) for which Council, may authorise payment for the year provided that the requirements of Regulation 4.1 (Budgetary Controls) are adhered to, provided also that a list of such payments shall be submitted to the next appropriate meeting of Council or **Finance & Governance Policy and Resources Committee** when they arise in the financial year.
- 5.7. A record of regular payments made under 5.6 above shall be drawn up and be signed by two members on each and every occasion when payment is authorised - thus controlling the risk of duplicated payments being authorised and / or made.
- 5.8. In respect of grants a duly authorised committee shall approve expenditure within any limits set by Council and in accordance with any policy statement approved by Council. Any Revenue or capital grant in excess of £5,000 shall, before payment, be subject to ratification by resolution of the Council.
- 5.9. Members are subject to the Code of Conduct that has been adopted by the Council and shall comply with the Code and Standing Orders when a decision to authorise or instruct payment is made in respect of a matter in which they have a disclosable pecuniary or other interest, unless a dispensation has been granted.
- 5.10. The Council will aim to rotate the duties of members in these Regulations so that onerous duties are shared out as evenly as possible over time.
- 5.11. Any changes in the recorded details of suppliers, such as bank account records, shall be approved in writing by a Member.

6. INSTRUCTIONS FOR THE MAKING OF PAYMENTS

- 6.1. The Council will make safe and efficient arrangements for the making of its payments.
- 6.2. Following authorisation under Financial Regulation 5 above, the Council, a duly delegated committee or, if so delegated, the Town Clerk or RFO shall give instruction that a payment shall be made.
- 6.3. All payments shall be effected by cheque or other instructions to the Council's bankers, or otherwise, in accordance with a resolution of Council or duly delegated Committee.
- 6.4. Cheques or orders for payment drawn on the bank account in accordance with the schedule as presented to Council or committee shall be signed by duly authorised Councillors in accordance with a resolution instructing that payment. If a Councillor who is also a bank signatory has declared a disclosable pecuniary interest, or has any other interest, in the matter in respect of which the payment is being made, that Councillor shall be required to consider Standing Orders, and thereby determine whether it is appropriate and / or permissible to be a signatory to the transaction in question.
- 6.5. To indicate agreement of the details shown on the cheque or order for payment with the counterfoil and the invoice or similar documentation, the signatories shall each also initial the cheque counterfoil.
- 6.6. Cheques or orders for payment shall be reported to the Policy and Resources Committee at the next convenient meeting.
- 6.7. If thought appropriate by the Council, payment for utility supplies (energy, telephone and water) and any National Non-Domestic Rates may be made by variable Direct Debit provided that the instructions are signed by two Councillors and any payments are reported to Council as made. The approval of the use of a variable Direct Debit shall be renewed by resolution of the Council at least every two years.
- 6.8. If thought appropriate by the Council, payment for certain items (principally Salaries) may be made by Banker's Standing Order provided that the instructions are signed, or otherwise evidenced by two Councillors are retained and any payments are reported to Council as made. The approval of the use of a Banker's Standing Order shall be renewed by resolution of the Council at least every two years.
- 6.9. If thought appropriate by the Council, payment for certain items may be made by BACS or CHAPS methods provided that the instructions for each payment are signed, or otherwise evidenced, by two authorised bank signatories are retained and any payments are reported to Council as made. The approval of the use of BACS or CHAPS shall be renewed by resolution of the Council at least every two years.
- 6.10. If thought appropriate by the Council payment for certain items may be made by internet banking transfer provided evidence is retained showing which Councillors approved the payment.
- 6.11. Where a computer requires use of a personal identification number (PIN) or other password(s), for access to the Council's records on that computer, a note shall be made of the PIN and passwords which shall be retained by the Chairman of Council in a sealed dated envelope. This envelope may not be opened other than in the presence of two other Councillors. After the envelope has been opened, in any circumstances, the PIN and / or passwords shall be changed as soon as practicable. The fact that the sealed envelope has been opened, in whatever circumstances, shall be reported to all Councillors immediately and formally to the next available meeting of the Council. This will not be required for a Councillor's personal computer used only for remote authorisation of bank payments.

- 6.12. No employee or Councillor shall disclose any PIN or password, relevant to the working of the Council or its bank accounts, to any person not authorised in writing by the Council or a duly delegated committee.
- 6.13. Regular back-up copies of the records on any computer shall be made and shall be stored securely away from the computer in question, and preferably off site.
- 6.14. The Council, and any members using computers for the Council's financial business, shall ensure that anti-virus, anti-spyware and firewall, software with automatic updates, together with a high level of security, is used.
- 6.15. Where internet banking arrangements are made with any bank, the RFO shall be appointed as the Service Administrator. The Bank Mandate approved by the Council shall identify a number of Councillors who will be authorised to approve transactions on those accounts. The bank mandate will state clearly the amounts of payments that can be instructed by the use of the Service Administrator alone, or by the Service Administrator with a stated number of approvals.
- 6.16. Access to any internet banking accounts will be directly to the access page (which may be saved under "favourites"), and not through a search engine or e-mail link. Remembered or saved passwords facilities must not be used on any computer used for Council banking work. Breach of this Regulation will be treated as a very serious matter under these regulations.
- 6.17. Changes to account details for suppliers, which are used for internet banking may only be changed on written hard copy notification by the supplier and supported by hard copy authority for change signed by two Councillors. A programme of regular checks of standing data with suppliers will be followed.
- 6.18. Any Debit Card issued for use will be specifically restricted to the RFO or delegated officer and will also be restricted to a single transaction maximum value of £1000 unless authorised by Council or **Finance & Governance** ~~Policy and Resources~~ Committee in writing before any order is placed.
- 6.19. A pre-paid debit card may be issued to employees with varying limits. These limits will be set by the **Finance & Governance** ~~Policy and Resources~~ Committee. Transactions and purchases made will be reported to the **Finance & Governance** ~~Policy and Resources~~ Committee and authority for topping-up shall be at the discretion of the **Finance & Governance** ~~Policy and Resources~~ Committee.
- 6.20. Any corporate credit card or trade card account opened by the Council will be specifically restricted to use by the RFO or delegated officer and shall be subject to automatic payment in full at each month-end. Personal credit or debit cards of members or staff shall not be used to incur Council expenses without prior written authorisation from the RFO and shall be only used for payment of pre-authorised Council expenditure up to a limit of £100.
- 6.21. The RFO may provide petty cash to officers for the purpose of defraying operational and other expenses. Vouchers for payments made shall be forwarded to the RFO with a claim for reimbursement.
 - a) The RFO shall maintain a petty cash float of £200 for the purpose of defraying operational and other expenses. Vouchers for payments made from petty cash shall be kept to substantiate the payment.
 - b) Income received must not be paid into the petty cash float but must be separately banked, as provided elsewhere in these Regulations.
 - c) Payments to maintain the petty cash float shall be shown separately on the schedule of payments presented to Council under 5.2 above.

7. PAYMENT OF SALARIES

- 7.1. As an employer, the Council shall make arrangements to meet fully the statutory requirements placed on all employers by PAYE and National Insurance legislation. The payment of all salaries shall be made in accordance with payroll records and the rules of PAYE and National Insurance currently operating, and salary rates shall be as agreed by Council, or duly delegated committee.
- 7.2. Payment of salaries and payment of deductions from salary such as may be required to be made for tax, National Insurance and pension contributions, or similar statutory or discretionary deductions must be made in accordance with the payroll records and on the appropriate dates stipulated in employment contracts, provided that each payment is reported to the next available Council meeting, as set out in these Regulations.
- 7.3. No changes shall be made to any employee's pay, emoluments, or terms and conditions of employment without the prior consent of the **Finance & Governance Policy and Resources Committee**.
- 7.4. Each and every payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a separate confidential record (confidential cash book). This confidential record is not open to inspection or review (under the Freedom of Information Act 2000 or otherwise) other than:
 - a) by any Councillor who can demonstrate a need to know;
 - b) by the internal auditor;
 - c) by the external auditor; or
 - d) by any person authorised under Audit Commission Act 1998, or any superseding legislation.
- 7.5. The total of such payments in each calendar month shall be reported with all other payments as made as may be required under these Financial Regulations, to ensure that only payments due for the period have actually been paid.
- 7.6. An effective system of personal performance management should be maintained for the senior officers.
- 7.7. Any termination payments shall be supported by a clear business case and reported to the Council. Termination payments shall only be authorised by Council.
- 7.8. Before employing interim staff the Council must consider a full business case.

8. LOANS AND INVESTMENTS

- 8.1. All borrowings shall be effected in the name of the Council, after obtaining any necessary borrowing approval. Any application for borrowing approval shall be approved by Council as to terms and purpose. The application for Borrowing Approval, and subsequent arrangements for the Loan shall only be approved by full Council.
- 8.2. Any financial arrangement which does not require formal Borrowing Approval from the Secretary of State (such as Hire Purchase or Leasing of tangible assets) shall be subject to approval by the full Council. In each case a report in writing shall be provided to Council in respect of value for money for the proposed transaction.
- 8.3. All loans and investments shall be negotiated in the name of the Council and shall be for a set period in accordance with Council policy.

- 8.4. The Council shall consider the need for an Investment Strategy which, if drawn up, shall be in accordance with relevant regulations, proper practices and guidance. Any Strategy shall be reviewed by the Council at least every four years.
- 8.5. All investments of money under the control of the Council shall be in the name of the Council.
- 8.6. All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.
- 8.7. Payments in respect of short term or long term investments, including transfers between bank accounts held in the same bank, or branch, shall be made in accordance with Regulation 5 (Authorisation of Payments) and Regulation 6 (Instructions for Payments).

9. INCOME

- 9.1. The collection of all sums due to the Council shall be the responsibility of and under the supervision of the RFO or delegated officer.
- 9.2. Particulars of all charges to be made for work done, services rendered or goods supplied shall be agreed annually by the Council, notified to the RFO and the RFO shall be responsible for the collection of all accounts due to the Council.
- 9.3. The Council will review all fees and charges at least annually, following a report of the Town Clerk.
- 9.4. Any sums found to be irrecoverable and any bad debts shall be reported to the Council and shall be written off in the year.
- 9.5. All sums received on behalf of the Council shall be banked intact as directed by the RFO. In all cases, all receipts shall be deposited with the Council's bankers with such frequency as the RFO considers necessary and at least weekly.
- 9.6. The origin of each receipt shall be entered on the paying-in slip.
- 9.7. Personal cheques shall not be cashed out of money held on behalf of the Council.
- 9.8. The RFO/Delegated Officer shall promptly complete any VAT Return that is required. Any repayment claim due in accordance with VAT Act 1994 section 33 shall be made at least annually coinciding with the financial year end.
- 9.9. Where any significant sums of cash are regularly received by the Council, the RFO shall take such steps as are agreed by the Council to ensure that more than one person is present when the cash is counted in the first instance, that there is a reconciliation to some form of control such as ticket issues, and that appropriate care is taken in the security and safety of individuals banking such cash.
- 9.10. Any income arising which is the property of a charitable trust shall be paid into a charitable bank account. Instructions for the payment of funds due from the charitable trust to the Council (to meet expenditure already incurred by the authority) will be given by the Managing Trustees of the charity meeting separately from any Council meeting (see also Regulation 16 below).

10. ORDERS FOR WORK, GOODS AND SERVICES

- 10.1. An official order or letter shall be issued for all work in excess of £250 for goods and services unless a formal contract is to be prepared or an official order would be inappropriate. Copies of orders shall be retained.
- 10.2. Order books shall be controlled by the RFO.
- 10.3. All Members and Officers are responsible for obtaining value for money at all times. An officer issuing an official order shall ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction, usually by obtaining three or more quotations or estimates from appropriate suppliers, subject to any *de minimis* provisions in Regulation 11 (I) below.
- 10.4. A member may not issue an official order or make any contract on behalf of the Council.
- 10.5. The RFO shall verify the lawful nature of any proposed purchase before the issue of any order, and in the case of new or infrequent purchases or payments, the RFO shall ensure that the statutory authority shall be reported to the meeting at which the order is approved so that the Minutes can record the power being used.

11. CONTRACTS

- 11.1. Procedures as to contracts are laid down as follows:
 - a. Every contract shall comply with these Financial Regulations, and no exceptions shall be made otherwise than in an emergency provided that this Regulation need not apply to contracts which relate to items (i) to (vi) below:
 - i. for the supply of gas, electricity, water, sewerage and telephone services;
 - ii. for specialist services such as are provided by solicitors, accountants, surveyors and planning consultants;
 - iii. for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant;
 - iv. for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the Council;
 - v. for additional audit work of the external Auditor up to an estimated value of £500 (in excess of this sum the Town Clerk/RFO shall act after consultation with the Chairman and Vice Chairman of Council); and
 - vi. for goods or materials proposed to be purchased which are proprietary articles and / or are only sold at a fixed price.
 - b. Where the Council intends to procure or award a public supply contract, public service contract or public works contract as defined by The Public Contracts Regulations 2015 ('the Regulations') which is valued at £25,000 or more, the Council shall comply with the relevant requirements of the Regulations.²
 - c. The full requirements of the Regulations, as applicable, shall be followed in respect of the tendering and award of a public supply contract, public service contract or public works

² The Regulations require the Council to use the Contracts Finder website to advertise contract opportunities, set out the procedures to be followed in awarding new contracts and to publicise the award of new contracts.

contract which exceed threshold in the Regulations set by the Public Contracts Directive 2014/24/EU (which may change from time to time).³

- d. When applications are made to waive financial regulations relating to contracts to enable a price to be negotiated without competition the reason shall be embodied in a recommendation to the Council.
- e. Such invitation to tender shall state the general nature of the intended contract and the Town Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the Clerk in the ordinary course of post. Each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract.
- f. All sealed tenders shall be opened at the same time on the prescribed date by the Town Clerk in the presence of at least one member of Council.
- g. If less than three tenders are received for contracts above £25,000 or if all the tenders are identical the Council may make such arrangements as it thinks fit for procuring the goods or materials or executing the works.
- h. Any invitation to tender issued under this Regulation shall be subject to Standing Order 19, and shall refer to the terms of the Bribery Act 2010.
- i. When it is to enter into a contract of less than £25,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Town Clerk/RFO shall obtain 3 quotations (priced descriptions of the proposed supply); where the value is below £1,000 and above £100 the Town Clerk/RFO shall strive to obtain 3 estimates. Otherwise, Regulation 10 (3) above shall apply.
- j. The Council shall not be obliged to accept the lowest or any tender, quote or estimate.
- k. Should it occur that the Council, or duly delegated committee, does not accept any tender, quote or estimate, the work is not allocated and the Council requires further pricing, provided that the specification does not change, no person shall be permitted to submit a later tender, estimate or quote who was present when the original decision making process was being undertaken.
- l. The European Union Procurement Directive shall apply and the terms of the Public Contracts Regulations 2015 and the Utilities Contracts Regulations 2006 including thresholds shall be followed.

12. PAYMENTS UNDER CONTRACTS FOR BUILDING OR OTHER CONSTRUCTION WORKS

- 12.1. Payments on account of the contract sum shall be made within the time specified in the contract by the RFO upon authorised certificates of the architect or other consultants engaged to supervise the contract (subject to any percentage withholding as may be agreed in the particular contract).
- 12.2. Where contracts provide for payment by instalments the RFO shall maintain a record of all such payments. In any case where it is estimated that the total cost of work carried out under a

³ Thresholds currently applicable are:

- a. For public supply and public service contracts £164,176
- b. For public works contracts £4,104,394

contract, excluding agreed variations, will exceed the contract sum by 5% or more a report shall be submitted to the Council.

- 12.3. Any variation to a contract or addition to or omission from a contract must be approved by the Council or delegated standing committee and Town Clerk to the contractor in writing, the Council being informed where the final cost is likely to exceed the financial provision.

13. STORES AND EQUIPMENT

- 13.1. The Facilities Manger shall be responsible for the care and custody of stores and equipment of the Community Centre excluding the requirements of the Council Offices which shall be the responsibility of the Town Clerk or duly Delegated Officer.
- 13.2. Delivery Notes shall be obtained in respect of all goods received into store or otherwise delivered and goods must be checked as to order and quality at the time delivery is made.
- 13.3. Stocks shall be kept at the minimum levels consistent with operational requirements.
- 13.4. The RFO or Delegated Officer shall be responsible for periodic checks of stocks and stores at least annually.

14. ASSETS, PROPERTIES AND ESTATES

- 14.1. The Clerk shall make appropriate arrangements for the custody of all title deeds and Land Registry Certificates of properties held by the Council. The RFO shall ensure a record is maintained of all properties held by the Council, recording the location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held in accordance with Accounts and Audit Regulations.
- 14.2. No tangible moveable asset shall be purchased or otherwise acquired, sold, leased or otherwise disposed of, without the authority of the Council, together with any other consents required by law, save where the estimated value of any one item of tangible movable asset does not exceed £250.
- 14.3. No real property (interests in land) shall be sold, leased or otherwise disposed of without the authority of the Council, together with any other consents required by law, In each case a Report in writing shall be provided to Council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).
- 14.4. No real property (interests in land) shall be purchased or acquired without the authority of the full Council. In each case a Report in writing shall be provided to Council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).
- 14.5. The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date. The continued existence of tangible assets shown in the Register shall be verified at least annually, possibly in conjunction with a health and safety inspection of assets.

15. INSURANCE

- 15.1. Following the annual risk assessment (per Financial Regulation 17), the RFO or Delegated Officer shall effect all insurances and negotiate all claims on the Council's insurers.
- 15.2. The RFO shall keep a record of all insurances effected by the Council and the property and risks covered thereby and annually review it.
- 15.3. The RFO shall be notified of any loss liability or damage or of any event likely to lead to a claim, and shall report these to Council or appropriate delegated standing committee at the next available meeting.
- 15.4. All Members and employees of the Council shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined annually by the Council, or duly delegated committee.

16. RISK MANAGEMENT

- 16.1. The Council is responsible for putting in place arrangements for the management of risk. The RFO shall prepare, for approval by the Council, risk management policy statements in respect of all activities of the Council. Risk policy statements and consequential risk management arrangements shall be reviewed by the Council at least annually.
- 16.2. When considering any new activity, the RFO shall prepare a draft risk assessment including risk management proposals for consideration and adoption by the Council.

17. SUSPENSION AND REVISION OF FINANCIAL REGULATIONS

- 17.1. It shall be the duty of the Council to review the Financial Regulations of the Council annually. The Town Clerk shall make arrangements to monitor changes in legislation or proper practices and shall advise the Council of any requirement for a consequential amendment to these Financial Regulations.
- 17.2. The Council may, by resolution, if duly notified in accordance with Standing Orders Section 10, suspend any part of these Financial Regulations provided that reasons for the suspension are recorded and that an assessment of the risks arising has been drawn up and presented in advance to all Members of Council. Such resolution must be passed by two thirds of those present at the Council meeting.

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Leigh-on-Sea

Town Council -

Standing Orders

1. Rules of debate at meetings

- a Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the Chairman of the meeting.
- b A motion (including an amendment) shall not be progressed unless it has been moved and seconded and a report with sufficient information to be used in the debate circulated in writing with the agenda.
- c A motion on the agenda that is not moved by its proposer or another Councillor (one of whom is a member of the Committee and present) may be treated by the Chairman of the meeting as withdrawn.
- d If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer, only with the consent of the seconder at the meeting.
- e An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- f If an amendment to the original motion is carried, the motion as amended becomes the substantive motion upon which further amendment(s) may be moved.
- g An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the Chairman of the meeting, is expressed in writing to the Chairman.
- h A Councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- i If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the Chairman.

- j Subject to standing order 1(k) below, only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chairman of the meeting.
- k One or more amendments may be discussed together if the Chairman of the meeting considers this expedient but each amendment shall be voted upon separately.
- l A Councillor may not move more than one amendment to an original or substantive motion.
- m The mover of an amendment has no right of reply at the end of debate on it.
- n Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate of the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.
- o Unless permitted by the Chairman of the meeting, a Councillor may speak once in the debate on a motion except:
 - i. to speak on an amendment moved by another Councillor;
 - ii. to move or speak on another amendment if the motion has been amended since he last spoke;
 - iii. to make a point of order;
 - iv. to give a personal explanation; or
 - v. to exercise a right of reply.
- p During the debate of a motion, a Councillor may interrupt only on a point of order or a personal explanation and the Councillor who was interrupted shall stop speaking. A Councillor raising a point of order shall identify the standing order which he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.
- q A point of order shall be decided by the Chairman of the meeting and his decision shall be final.
- r When a motion is under debate, no other motion shall be moved except:
 - i. to amend the motion;
 - ii. to proceed to the next business;
 - iii. to adjourn the debate;
 - iv. to put the motion to a vote;
 - v. to ask that a person to be no longer heard or leaves the meeting;
 - vi. to refer a motion to a committee or sub-committee for consideration;
 - vii. to exclude the public and press;
 - viii. to adjourn the meeting; or
 - ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory requirements.

- s Before an original or substantive motion is put to the vote, the Chairman of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.
- t Excluding motions moved under Standing Order 1(r) above, the contributions or speeches by a Councillor shall relate only to the motion under discussion and shall not exceed 5 minutes without the consent of the Chairman of the meeting.
- u Any member who considers they will take longer than 5 minutes to present their views shall submit them in writing to the Proper Officer for circulation to 24 hours in advance of the meeting to enable members to consider the submission.

2. Disorderly conduct at meetings

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the Chairman of the meeting shall request such person(s) to moderate or improve their conduct.
- b If person(s) disregard the request of the Chairman of the meeting to moderate or improve their conduct, any Councillor or the Chairman of the meeting may move that the person be no longer heard or shall be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- c If a resolution made under standing order 2(b) above is ignored, the Chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

3. Meetings generally

- Full Council meetings
- Committee meetings
- Sub-committee meetings

- a **Meetings shall not take place in the part of the premises which at the time of the meeting is used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.**
- b **The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**
- c **The minimum three clear days' public notice of a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice.**
- ■ d **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**
- e Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.
- f The period of time designated for public participation at a meeting in accordance with standing order 3(e) above is at the Chairman's discretion and shall not exceed 15 minutes unless directed by the Chairman of the meeting.
- g Subject to standing order 3(f) above, a member of the public shall speak only once and shall not speak for more than 3 minutes unless permitted to do so by the Chairman.
- h In accordance with standing order 3(e) above, a question shall not require a response at the meeting nor start a debate on the question. The Chairman of the meeting may direct that a written or oral response be given.
- i A person shall raise his hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort). The Chairman of the meeting may at any time permit a person to be seated when speaking.

- j A person who speaks at a meeting shall direct his comments to the Chairman of the meeting.
- k Only one person is permitted to speak at a time. If more than one person wants to speak, the Chairman of the meeting shall direct the order of speaking.
-   l **Subject to standing order 3(m), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To ‘report’ means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.**
-   m **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**
-   n **The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**
-  o **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in his absence be done by, to or before the Vice-Chairman of the Council (if any).**
-  p **The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.**
-    q **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the Councillors or Councillors with voting rights present and voting.**
-    r **The Chairman of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote.**
See standing orders 6(h) and (i) below for the different rules that apply in the election of the Chairman of the Council at the annual meeting of the Council.
- s **Unless standing orders provide otherwise, voting on a question shall be by a show of hands** or, if at least two members so request, by signed ballot provided there has not been a request for a recorded vote. **At the request of a Councillor, the voting on any question shall be recorded so as to show whether each Councillor present and voting gave his vote for or against that question.** Such a request shall be made before moving on to the next item of business on the agenda.

- t The minutes of a meeting shall include an accurate record of the following:
- i. the time and place of the meeting;
 - ii. the names of Councillors present and absent;
 - iii. interests that have been declared by Councillors and non-Councillors with voting rights;
 - iv. the grant of dispensations (if any) to councillors and non-councillors with voting rights.
 - v. whether a Councillor or non-Councillor with voting rights left the meeting when matters in which they held relevant interests were being considered;
 - vi. if there was a public participation session;
 - vii. the resolutions made.
- and may include a brief resume of any debate at the minute taker's discretion in consultation with the Chairman and a view expressed by a Councillor on his request should be included in the minutes.

 u **A Councillor or a non-Councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter.**

 v **No business may be transacted at a meeting unless at least one-third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three.**
See standing order 4d(vi) below for the quorum of a committee or sub-committee meeting.

 w **If a meeting is or becomes inquorate no business shall be transacted** and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting. ⁴

x A meeting shall not exceed a period of 3 hours unless a motion is passed to suspend this Standing Order.

4. Standing Committees and sub-committees

a **Unless the Council determines otherwise, a Standing Committee may appoint a Sub-Committee whose terms of reference and members shall be determined by the Committee.**

b **The members of a Standing Committee may include non-Councillors unless it is**

⁴ For Planning, Licensing &Highways see Terms of Reference

a Committee which regulates and controls the finances of the Council.

- c **Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**
- d The Council may appoint Standing Committees as may be necessary, and:
- i. shall determine their terms of reference;
 - ii. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of full Council;
 - iii. shall permit a Standing Committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
 - iv. shall, subject to the provisions of Standing Order 4b & 4c, appoint and determine the terms of office of members of such a Committee;
 - v. shall, after it has appointed the members of a committee, adjourn the meeting to allow the committee to select its Chairman;
 - vi. shall determine the place, notice requirements and quorum for a meeting of a Standing Committee and a Sub-Committee which shall be no less than three;
 - vii. shall determine if the public may participate at a meeting of a Standing Committee;
 - viii. shall determine if the public and press are permitted to attend the meetings of a Sub-Committee and also the advance public notice requirements, if any, required for the meetings of a Sub-Committee;
 - ix. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
 - x. may dissolve a Standing Committee.
- e The Chairman and Vice Chairman of the Council will be ex-officio members of all Standing Committees and Sub-Committees unless they signify they do not wish to serve and if so signified the place shall be filled by the election of another member.

5. Project Development⁵ Groups

- a) Every Standing Committee shall have a PDG (a discussion and not a decision making group) comprising the members of the Standing Committee to be chaired by the Chairman of the Standing Committee which shall meet and discuss matters relating to the Standing Committee and prepare reports and recommendations to the Standing Committee. These groups are not open to the public or press.
- b) Notice of a PDG is to be given to ALL Councillors preferably two weeks in advance of the proposed meeting date. Meetings will be held at the Town Council's offices.
- c) PDG's may co-opt members, not necessarily Councillors, either on an annual basis or for specific meetings. Any Councillor may attend and speak at any PDG meeting, even if not a member of that PDG.
- d) The Proper Officer or an appropriate officer will attend PDG meetings
- e) Each meeting of a PDG will produce a written report for the Agenda of the next meeting of the relevant Standing Committee. The Proper Officer or appropriate officer will produce the report.
- f) If the PDG requires action to be taken, it will make a recommendation to the relevant Standing Committee. That recommendation will be typed in bold within the report of the meeting, as in 5(a) above.
- g) In the event that there is a disagreement over PDG recommendations, or whether another person is co-opted, it will be decided by a vote of those members present, with the Chairman of the PDG having a casting vote.
- h) No power can be delegated to a PDG, (Council can only delegate power to Standing Committees, Sub-Committees or officers of the Council)
- i) The views of PDGs are advisory only but can aid in any decision making of Standing Committees and officers with delegated authority.

6. Ordinary Council meetings

⁵ Full Council Minute 48/2016

- i. Each Committee will have a PDG which can meet at any time but preferably with 2 weeks' notice.
- ii. The PDG will comprise all members of the Committee if they wish to attend. It will be chaired by the parent Committee Chairman unless the Chairman wishes to relinquish the chair to another member who may be a more appropriate chair for the specific subject matter that the PDG was discussing.
- iii. All other members of the Council can attend and co-option of non-Councillors applies.
- iv. If a project requires more research within the PDG and some members are willing to do this then it may be undertaken independently, meeting together if they wish. The Town Clerk and PDG Chairman should be advised. The research is then to be brought back to the PDG for wider discussion and possible recommendations.

It was noted that it already exists that at any time Councillors can undertake independent research and recommendations to a Committee without formal regulations and over prescriptive procedures. The new Committee administration system introduced last year was an example of this.

The Council DID NOT RESOLVE the proposal put forward by Cllr Fraser.

The Council RESOLVED the recommendation of P&RC and approved the revised Standing Orders and Terms of Reference as resolved by the Committee with the interpretation as in this minute.

- a **In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the new Councillors elected take office.**
- b **In a year which is not an election year, the annual meeting of a Council shall be held on such day in May as the Council may direct.**
- c **If no other time is fixed, the annual meeting of the Council shall take place at 6.00 pm.**
- d **In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council directs.** Additional meetings of the Council shall normally take place on Tuesdays as per the timetable approved annually at the Annual Council Meeting.
- e **The first business conducted at the annual meeting of the Council shall be the election of the Chairman and Vice-Chairman of the Council.**
- f **The Chairman of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the Council.**
- g **The Vice-Chairman of the Council, if there is one, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.**
- h **In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he shall preside at the annual meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the Council but shall give a casting vote in the case of an equality of votes.**
- i **In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, he shall preside at the annual meeting until a new Chairman of the Council has been elected. He may exercise an original vote in respect of the election of the new Chairman of the Council and shall give a casting vote in the case of an equality of votes.**
- j Following the election of the Chairman of the Council and Vice-Chairman (if any) of the Council at the Annual Council Meeting, the business of that meeting shall include:
 - l. **In an election year, delivery by the Chairman of the Council and Councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chairman of the Council of his acceptance of office form unless the Council resolves for this to be done at a later date;**

- II. Confirmation of the accuracy of the minutes of the last meeting of the Council;
- III. Receipt of the minutes of the last meeting of a Standing committee;
- IV. Consideration of the recommendations made by a Standing committee;
- V. Review of delegation arrangements to Standing Committees, Sub-Committees, staff and other local authorities;
- VI. Review of the terms of reference for committees;
- VII. Appointment of members to existing committees;
- VIII. Appointment of any new committees in accordance with standing order 4 above;
- IX. Review and adoption of appropriate standing orders and financial regulations;
- X. Review of arrangements, (including legal agreements), with other local authorities; not-for-profit bodies and businesses.
- XI. Review of representation on or work with external bodies and arrangements for reporting back;
- XII. In an election year, to make arrangements with a view to the Council becoming eligible to exercise the general power of competence in the future;
- XIII. Review of inventory of land and assets including buildings and office equipment;
- XIV. Confirmation of arrangements for insurance cover in respect of all insurable risks;
- XV. Review of the Council's and/or staff subscriptions to other bodies;
- XVI. Review of the Council's complaints procedure;
- XVII. Review of the Council's policies, procedures and practices in respect of its obligations under freedom of information and data protection legislation (see also standing orders 12, 25 and 26);
- XVIII. Review of the Council's policy for dealing with the press/media; and
- XIX. Determination of the time and place of ordinary meetings of the Council and committees up to and including the next annual meeting of full Council.

7. Extraordinary meetings of the Council and Standing Committees and Sub-Committees

- a **The Chairman of the Council may convene an extraordinary meeting of the Council at any time.**
- b **If the Chairman of the Council does not or refuses to call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two Councillors, any two Councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a**

meeting must be signed by the two Councillors.

- c The Chairman of a Standing Committee [or a Sub-Committee] may convene an extraordinary meeting of the Standing Committee [or the Sub-Committee] at any time.
- d If the Chairman of a Standing Committee or a Sub-Committee does not or refuses to call an extraordinary meeting within 7 clear working days of having been requested by to do so by two members of the committee or the sub-committee, any two members of the Standing Committee or Sub-Committee may convene an extraordinary meeting of a Standing Committee and a Sub-Committee. The public notice giving the time, place and agenda for such a meeting must be signed by the two Councillors.

8. Previous resolutions

- a A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least six Councillors to be given to the Proper Officer in accordance with standing order 10 below, or by a motion moved in pursuance of the recommendation of a Standing Committee or a Sub-Committee.
- b When a motion moved pursuant to standing order 8(a) above has been disposed of, no similar motion may be moved within a further six months.

9. Voting on appointments

- a Where more than two persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exercisable by the Chairman of the meeting.

10. Motions for a meeting that require written notice to be given to the Proper Officer

- a A motion shall relate to the responsibilities of the meeting which it is tabled for and in any event shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.
- b No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least 7 clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- c A motion may not go direct to Council, unless the Proper Officer and the Chairman agree

that the matter is of such urgency that it cannot go through the committee process.

- d The Proper Officer may, before including a motion on the agenda received in accordance with standing order 10(b) above, correct obvious grammatical or typographical errors in the wording of the motion.
- e If the Proper Officer considers the wording of a motion received in accordance with standing order 10(b) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer so that it can be understood at least 5 clear days before the meeting.
- f If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the Chairman of the forthcoming meeting or, as the case may be, the Councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
- g The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- h Motions received shall be recorded in a book for that purpose and numbered in the order that they are received.
- i Motions rejected shall be recorded in a book for that purpose with the explanation by the Proper Officer for their rejection.

11. Motions at a meeting that do not require written notice

- a The following motions may be moved at a meeting without written notice to the Proper Officer;
 - i. to correct an inaccuracy in the draft minutes of a meeting;
 - ii. to move to a vote;
 - iii. to defer consideration of a motion;
 - iv. to determine matters arising from the consideration of reports from officers, Standing Committees or Sub-Committees which are included in the agenda;
 - v. to refer a motion to a particular Standing Committee or Sub-Committee;
 - vi. to appoint a person to preside at a meeting;
 - vii. to change the order of business on the agenda;
 - viii. to proceed to the next business on the agenda;
 - ix. to require a written report;
 - x. to appoint a Standing Committee or Sub-Committee and their members;
 - xi. to extend the time limits for speaking;
 - xii. to exclude the press and public from a meeting in respect of confidential or other information which is prejudicial to the public interest;
 - xiii. to not hear further from a Councillor or a member of the public;

- xiv. to exclude a Councillor or member of the public for disorderly conduct;
- xv. to temporarily suspend the meeting;
- xvi. to suspend a particular standing order (unless it reflects mandatory statutory requirements);
- xvii. to adjourn the meeting; or
- xviii. to close a meeting.

12. Management of Information

See also standing order 25

- a **The Council shall have in place and keep under review, technical and organisation measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.**
- b **The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (e.g. the Limitation Act 1980).**
- c **The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.**
- d **Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.**

13. Questions

- e A Councillor may seek an answer to a question concerning any business of the Council provided 5 clear days' notice of the question has been given to the Proper Officer.
- f Questions not related to items of business on the agenda for a meeting shall only be asked during the agenda item 'Questions From Councillors'.
- g Every question shall be put and answered without discussion.

14. Handling confidential or sensitive information

- a The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential or sensitive information which for special reasons would not be in the public interest.
- b Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.

- c When a meeting is convened to discuss items under SO 24(a) all matters discussed shall be confidential to the members at the meeting and shall not be disclosed to any other Councillor, Staff Member or the public, any disclosure will constitute a breach of confidentiality.

15. Draft minutes

- a If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- b There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 11(a)(i) above.
- c The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the Chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d If the Chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:

“The Chairman of this meeting does not believe that the minutes of the meeting of the () held on [date] in respect of () were a correct record but his view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.”
- e Upon a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

16. Code of conduct and dispensations

See also standing order 3(t) above.

- a All Councillors and non-Councillors with voting rights shall observe the code of conduct adopted by the Council.
- b Unless he has been granted a dispensation, a Councillor or non-Councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.
- c Unless he has been granted a dispensation, a Councillor or non-Councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has another interest if so required by the Council's code of conduct. He may return to the

meeting after it has considered the matter in which he had the interest.

- d **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- e A decision as to whether to grant a dispensation shall be made by a meeting of the Council or Standing Committee or sub-committee for which the dispensation is required and that decision is final.
- f A dispensation request shall confirm:
 - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
 - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
 - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
 - iv. an explanation as to why the dispensation is sought.
- g Subject to standing orders 15(d) and (e) above, dispensation requests shall be considered at the beginning of the meeting of the Council, or Standing Committee or sub-committee for which the dispensation is required.
- h **A dispensation may be granted in accordance with standing order 15(f) above if having regard to all relevant circumstances the following applies:**
 - i. **without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business or**
 - ii. **granting the dispensation is in the interests of persons living in the Council's area or**
 - iii. **it is otherwise appropriate to grant a dispensation.**

17. Code of conduct complaints

- a Upon notification by the Unitary Council that it is dealing with a complaint that a Councillor or non-Councillor with voting rights has breached the Council's code of conduct, the Proper Officer shall, subject to standing order 14 above, report this to the Council.
- b Where the notification in standing order 17(a) above relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of Council of this fact, and the Chairman shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Council has agreed what action, if any, to take in accordance with standing order 17(d) below].

- c The Council may:
- i. provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement;
 - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
- d **Upon notification by the Unitary Council that a Councillor or non-Councillor with voting rights has breached the Council's code of conduct, the Council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.**

18. Proper Officer

- a The Proper Officer shall be either (i) the town clerk or (ii) other staff member(s) nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent.
- b The Proper Officer of the Council is under a statutory duty to carry out all the functions required by law of a local authority's Proper Officer. The Proper Officer is totally responsible for ensuring that the instructions of the Council in connection with its functions as a Local Authority are carried out.

The Proper Officer is expected to advise the Council on, and assist in the formation of, overall policies to be followed and to implement constructively all decisions. The Proper Officer is accountable to the Council, not to any individual or group of Councillors, for the effective management of all its resources and will report to the Council as and when required or its Standing Committees.

- c The Proper Officer shall:
- i. **at least three clear days before a meeting of the Council, a Standing Committee or a Sub-Committee**
 - **serve on Councillors by deliver or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit a signed summons, confirming the time, place and the agenda (provided the Councillor has consented to service by email), and.**
 - **Provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by Councillors is signed by them).**

See standing order 3(b) above for the meaning of clear days for a meeting of a full Council and standing order 3 (c) above for a meeting of a committee.

- ii. subject to standing order 10 above, include on the agenda all motions in the order received unless a Councillor has given written notice at least 5 days before the meeting confirming his withdrawal of it;
- iii. **convene a meeting of full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;**

- iv. **facilitate inspection of the minute book by local government electors;**
- v. **receive and retain copies of byelaws made by other local authorities;**
- vi. retain acceptance of office forms from Councillors;
- vii. retain a copy of every Councillor's register of interests;
- viii. assist with responding to requests made under the freedom of Information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
- ix. liaise, as appropriate, with the Council's Data Protection Officer (if one appointed);
- x. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- xi. assist in the organisation, storage of, access to and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980)
- xii. arrange for legal deeds to be executed;
See also standing order 27 below.
- xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations;
- xiv. record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;
- xv. refer a planning application received by the Council to the Chairman or in his absence Vice-Chairman of the Planning, Licensing and Highways Committee within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of Planning, Licensing and Highways Committee;
- xvi. manage access to information about the Council via the publication scheme; and
- xvii. retain custody of the seal of the Council which shall not be used without a resolution to that effect.
See also standing order 27 below.

19. Responsible Financial Officer

- a The Council shall appoint appropriate staff member(s) to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

20. Accounts and accounting statements

- a "Proper practices" in standing orders refer to the most recent version of Governance and Accountability for Local Councils – a Practitioners' Guide (England).
- b All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial regulations.
- c The Responsible Financial Officer shall supply to each Councillor bi-monthly a statement to summarise:

- i. the Council's receipts and payments made since those approved at the previous meeting;
 - ii. the Council's aggregate income and expenditure for the year to date;
 - iii. the balances currently held at the end of the period being reported and which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
- d As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
- i. each Councillor with a statement summarising the Council's receipts and payments for the period since those approved at the previous meeting and the year to date for information; and
 - ii. to the full Council the accounting statements for the year in the form of Section 2 of the annual governance & accountability return, as required by proper practices, for consideration and approval.
- e The year-end accounting statements shall be prepared in accordance with proper practices and applying the form of accounts determined by the Council (income & expenditure) for the year to 31 March. A completed draft annual governance & accountability return shall be presented to all Councillors at least 3 days prior to anticipated approval by the Council. The annual governance & accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to Council for consideration and formal approval before 30 June.

21. Financial controls and procurement

- a The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
- i. the keeping of accounting records and systems of internal controls;
 - ii. the assessment and management of financial risks faced by the Council;
 - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
 - iv. the inspection and copying by Councillors and local electors of the Council's accounts and/or orders of payments; and
 - v. whether contracts with an estimated value below £25,000 due to special circumstances are exempt from a tendering process or procurement exercise.
- b Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds in standing order 20 (f) is subject to Regulations 109-114 of the Public Contracts**

Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity unless it proposes to use an existing list of approved suppliers (framework agreement).

- d Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
- i. a specification for the goods, materials, services or the execution of works shall be drawn up;
 - ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting Councillors or staff to encourage or support their tender outside the prescribed process;
 - iii. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
 - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
 - v. tenders shall be opened by the Proper Officer in the presence of at least one Councillor after the deadline for submission of tenders has passed;
 - vi. Tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.
- e Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- f **A public contract regulated by the Public Contracts Regulations 2018 with an estimated value in excess of £181,302 for a public service or supply contract or in excess of £4,551,413 for a public works contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU) shall comply with relevant procurement procedures and other requirements in the public Contracts Regulations 2015 which include advertising the contact opportunity on the Contracts Finder website and in OJEU**
- g **A public contract in connection with the supply of gas, heat electricity , drinking water, transport services or postal series to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £363,424 for a supply, services or design contract; or in excess of £4,551,413 for a works contract; or £820,370 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.**

22. Canvassing of and recommendations by Councillors

- a. Canvassing Councillors or the members of a Standing Committee or Sub-Committee, directly or indirectly, for appointment by the Council shall disqualify the candidate from such an appointment. The Proper Officer shall disclose the requirements of this standing order to every candidate.
- b. A Councillor or a member of a Standing Committee or Sub-Committee shall not solicit a person for appointment by the Council or recommend a person for such appointment or for promotion; but, nevertheless, any such person may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
- c. This Standing Order shall apply to tenders as if the person making the tender were a candidate for an appointment.

23. Handling staff matters

- a. A matter personal to a member of staff that is being considered by meeting of the Staffing Committee or Council is subject to standing order 13 above.
- b. Subject to the Council's policy regarding absences from work, the Council's most senior member of staff shall notify the Chairman of the Staffing Committee or, if he is not available, the vice-Chairman of the Staffing Committee of absence occasioned by illness or other reason and that person shall report such absence to the Personnel sub-committee at its next meeting.
- c. The Staffing Committee upon resolution shall appoint an Appraisal Panel of 3 members to conduct a review of the performance and annual appraisal of the work of the Town Clerk and RFO. The reviews and appraisal shall be reported in writing and are subject to approval by resolution by the Staffing Committee.
- d. Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior employee shall contact the Chairman of the Staffing Committee or in his absence, the vice-Chairman of the Staffing Committee in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Staffing Committee.
- e. Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by Town Clerk relates to the Chairman or vice-Chairman of the Staffing Committee, this shall be communicated to another member of the Staffing Committee, which shall be reported back and progressed by resolution of the Personnel sub-committee.
- f. Any persons responsible for all or part of the management of staff shall treat the written

records of all meetings relating to their performance, capabilities, grievance or disciplinary matters as confidential and secure.

- g In accordance with standing order 13 a, persons with line management responsibilities shall have access to staff records referred to in standing order 24 f

24. Responsibilities to provide information

See also standing order 27

- a **In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.**
- b **The Council, shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015**

25. Responsibilities under data protection legislation

(Below is not an exclusive list)
See also Standing order 11

- a **The Council may appoint a Data Protection Officer**
- b **The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his personal data.**
- c **The Council shall have a written policy in place for responding to and managing a personal data breach.**
- d **The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.**
- e **The Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.**
- f **The Council shall maintain a written record of its processing activities.**

26. Relations with the press/media

Requests from the press or other media for an oral or written comment or statement from the Council, its Councillors or staff shall be handled in accordance with the

Council's policy in respect of dealing with the press and/or other media.

27. Execution and sealing of legal deeds

See also standing orders 18(c)(xi) and (xvi) above.

- a A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.
- b Subject to standing order 27(a) above, the Council's common seal shall alone be used for sealing a deed required by law. It shall be applied by the Proper Officer in the presence of two Councillors who shall sign the deed as witnesses.**

28. Communicating with Unitary Councillors

- a An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the ward Councillor(s) of the Unitary Council (Principal Authority – PA) representing the area of the Council.
- b If the Council so orders, a copy of each letter sent to the PA shall be sent to the PA Councillor representing its electoral ward.
- c Any decision taken by the Council or a Standing Committee which requires contact with the PA shall be effected by the Town Clerk or his nominated officer.
- d Contact by Councillors with PA officers, unless authorised by the Council or a Standing Committee, shall be restricted to information and clarification only.

29. Restrictions on Councillor activities

- a. Unless authorised by a resolution, no Councillor shall:
 - i. inspect any land and/or premises which the Council has a right or duty to inspect;
or
 - ii. issue orders, instructions or directions.

30. Delegation

- a. Where the next scheduled meeting of the Council is after the date when the Council is requested to either reply to a consultation document, or to nominate a representative to an outside body, the power to act shall be delegated to the appropriate Standing Committee. Where a decision is required before the committee can be convened then the power to act shall be delegated to the Proper Officer in consultation with either the Chairman or Vice-Chairman of Council and either the Chairman or Vice-Chairman of the appropriate Standing Committee.
- b. Power shall be delegated to the Proper Officer in consultation with the Chairman and Vice-Chairman of Planning, Licensing and Highways Committee to negotiate with licensing applicants and/or their agents, and to rescind or amend the decision of the Planning, Licensing and Highways Committee in the light of new information, satisfactory reassurances, undertakings or explanations in writing. All such decisions are to be reported to the next meeting of P,L&HC
- c. In the event that a Standing Committee or Sub-Committee meeting is not quorate, power shall be delegated to the Proper Officer to respond to any consultations, and take decisions, up to the limit of the power of that Standing Committee or Sub-Committee, including responding to planning applications, in consultation with those Standing Committee or Sub-Committee members present. The Proper Officer to report any such decisions or actions to the next ordinary meeting of the committee or sub-committee.
- d. When carrying out their duties under delegated authority granted to them by the Council officers will act within the parameters set by the Council's standing orders and financial regulations.

31. Standing orders generally

- a. All or part of a standing order, except one that incorporates mandatory statutory requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b. A motion to add to or vary or revoke one or more of the Council's standing orders, except one that incorporates mandatory statutory requirements, shall be proposed by a special motion, the written notice by at least 3 Councillors to be given to the Proper Officer in accordance with standing order 10 above.
- c. The Proper Officer shall provide a copy of the Council's standing orders to a Councillor as soon as possible after he has delivered his acceptance of office form.

- d The decision of the Chairman of a meeting as to the application of standing orders at the meeting shall be final.

Reviewed and adopted by Council May 2018

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31/03/2018		31/03/2018	Budget
£		£	
	INCOME		
400,904.00	BC - Precept	411,692.00	411,692.00
9,800.00	BC - Grants	21,674.75	6,860.00
6,400.60	CFC - Events	7,733.39	3,500.00
277.41	CFC - LCC Friends	1,055.32	1,000.00
300.00	CFC - Other	0.00	
	CFC - SW Memorial Plaques		
127,868.23	CFC - LCC Room Hire	154,862.81	156,000.00
14,771.84	E&L - Allotments	15,303.10	13,085.00
1,267.00	E&L - Community Transport	1,982.29	2,500.00
7,842.09	E&L - Other	9,563.41	5,700.00
5,834.54	P&R - Cil Income	19,591.90	
1,090.11	P&R - Interest on Investments	3,309.24	800.00
1,555.99	P&R - Other	2,248.44	1,200.00
10000	P&R - Leigh Partnership Group	0.00	
£587,911.81	INCOME TOTAL	649,016.65	602,337.00
	EXPENDITURE		
13,012.13	Capital Equipment	45,773.96	
39,118.08	CFC - LCC Premises	161,472.95	147,100.00
1,827.39	CFC - Skate Park	1,709.81	3,150.00
143,473.25	CFC - Staff	136,626.66	141,820.00
1,564.48	CFC - Strand Wharf	350.75	700.00
16,234.24	CFC -LCC Administration	14,501.17	14,100.00
4,621.75	CFC - Other	8,068.85	8,200.00
21,686.22	E&L - Allotments	25,636.75	21,857.00
5,618.43	E&L - Community Transport	5,334.19	6,866.00
57,134.61	E & L - Events & General Services	55,171.99	67,197.00
34,375.07	P&R -Administration	56,602.92	73,550.00
25,885.59	P&R - Expenditure	50,723.68	49,710.00
339.77	P&R - Re-imbusement of Councillors Expenses	33.95	
98,403.62	P&R - Staff	99,213.50	92,549.00
14,276.75	Planning	10,453.70	11,328.00
	Section 137 Payments		
£477,571.38	EXPENDITURE TOTAL	671,674.83	638,127.00
127,261.00	Balance from Previous Year	109,139.23	
587,911.81	Add Total Income	649,016.65	
715,172.81		758,155.88	
477,571.38	Deduct Total Expenditure	671,674.83	
237,601.43		86,481.05	
-128,462.20	Transfer from/ to Earmarked Reserves	3,545.29	
£109,139.23	Balance as at 31st March	90,026.34	90,000.00

31/03/2017			31/03/2018
£		£	
	Current assets		
473,636.23	Investments		474,113.25
9,727.63	VAT Recoverable		6,353.92
18,208.15	Other Debtors		16,333.48
10,331.65	Payments in Advance		9,071.10
19,083.61	Cash in Hand and at Bank		-791.70
530,987.27	TOTAL CURRENT ASSETS		505,080.05
16,353.42	Creditors		9,414.26
528.27	Receipts in Advance		4,218.39
16,881.69	TOTAL CURRENT LIABILITIES		13,632.65
£514,105.58	NET CURRENT ASSETS		£ 491,447.40
	Represented by		
109,139.23	General Fund		90,026.34
	Earmarked Reserves		
	P & R	106,146.37	
	E & L	27,725.77	
	Planning	-	
	CFC	44,029.53	
236,558.40	Other	38,380.23	216,281.90
	Capital Reserves		
168,407.95	Capital Projects	185,139.16	185,139.16
£514,105.58			£ 491,447.40

[Agenda](#)



Leigh-on-Sea Town Council

71-73 Elm Road, Leigh-on-Sea, Essex SS9 1SP - Tel: 01702 716288
council@leighonseatowncouncil.gov.uk www.leighonseatowncouncil.gov.uk



Chairman: Cllr Valerie Morgan
 Vice Chairman: Jill Healey
 Town Clerk: Helen Symmons

Payments List 23rd Feb 2019 – 23rd April 2019 Report 2714/ Expenditure incurred under the General Power of Competence

Cheque	Expenditure	Payee	Purpose
		Expenditure - Cheques	
102760	£7656.00	Quantum Services	Final instalment re new lift supply and installation
102761	£198.00	Entertainer	Children's events entertainer
102762	£516.00	Auditing Solutions Ltd	Interim audit visit
102763	£73.32	James Todd & Co Ltd	Payroll processing
102764	£100.00	Entertainer	Children's events entertainer
102765	£175.50	Miskos Ltd	Server monitoring, spam filtering and server maintenance
102766	£28.80	Staff member	Reimburse travel expenses
102767	£100.00	Entertainer	Children's events entertainer
102768	£4332.00	Regiment Traffic Management	Traffic management at Leigh Lights
102769	£78.12	Fulton Paper	Paper
102770	£2405.80	Southend BC	October 2018 By-Election costs
102771	£150.00	Entertainer	Children's events entertainer
102772	£30.00	Plot-holder	Plot deposit refund
102773	£176.82	Essex Supplies (UK) Ltd	Cleaning materials
102774	£25.00	Bob's Barber Shop Boys	Entertainment
102775	£4396.67	Southend BC	Provision of a school crossing patrol at Elm Road
102776	£495.64	Secom plc	Alarm monitoring
102777	£315.00	Entertainer	Children's Easter events
102778	£17196.74	Mansard Roofing Ltd	Roof repairs Community Centre
102779	£504.00	Leigh Times Series Ltd	Magazine distribution
102780	£570.90	Quantum Services	Lift maintenance contract

102781	£176.82	Essex Supplies (UK) Ltd	Cleaning materials
102782	£67.33	Viking	Stationery
102783	£500.00	South Essex College	Employer contribution
102784	£119.00	Staff member	Reimburse expenses
102785	£204.00	Meyer Fire Protection Company Ltd	Fire Extinguisher Service
102786	£5474.00	Icicle Graphic Design	Magazine production
102787	£70.20	James Todd & Co	Payroll processing
102788	£75.00	Royal British Legion	Donation for assistance
102789	£38.15	Staff member	Reimburse expenses
102790	£2410.82	Johnson Gillies Ltd	Contract management roof repairs
102791	£11.28	Recognition Express Essex	Name badge
102792	£81.75	St John Ambulance	Distribution of collection at Leigh Lights (chq reissued original lost)
102793	£360.00	Meyer Fire Protection Company Ltd	Fire risk assessment
102794	£10.00	Wyvern Community Transport	Deposit for minibus hire
102795	£1833.80	Essex Association of Local Councils	Affiliation fees for EALC and NALC 2019/20
102796	£250.00	Entertainer	Children's events
102797	£100.00	Entertainer	Children's events
102798	£36.40	Staff member	Reimburse for purchase of plumbing parts
102799	£44.46	Essex Supplies (UK) Ltd	Cleaning materials
102800	£110.00	Entertainer	Children's events
102801	£21.56	Viking Direct	Stationery
102802	£8011.20	Aylesford Electrical Contractors Ltd	Christmas lighting scheme replacements
102803	£70.00	The Art Ministry	Community Transport Social Club
Bk Trs	£125.00	Marshall Close	ASA agreement
Bk Trs	£750.00	MDAS	ASA agreement
Bk Trs	£9303.60	Allies and Morrison	Old Leigh Spatial Plan
Bk Trs	£25000.00	Payroll	March payroll
Bk Trs	£3359.81	HMRC	DRN50/18
Bk Trs	£150.00	The Art Ministry	Donation re Children's event

		Expenditure – Imprest Items	
	£72.80	The Range	Presentation frames
	£21.00	Southend BC	Community Day permit
	£26.00	Southend BC	Community Day TENS
	£21.00	Southend BC	Youth Market permit
	£26.00	Southend BC	Youth Market TENS
	£251.00	Southend BC	Community Centre Planning application
	£15.47	Amazon	Cable ties
	£30.75	Solopress	Flyers Easter Fun day
	£27.70	Solopress	Flyers Social Club
	£128.95	Solopress	Annual Report printing
	£27.70	Solopress	Flyers re hanging baskets
	£251.00	Southend BC	Skate Park planning application
	£109.62	Vinyl Banners Printing	Banners Community Day
	£93.54	UK POS Group	Display clip frames
	£256.00	Palace Theatre	Tickets for Community Transport trip
	£87.43	Amazon	Events equipment
	£16.00	Palace Theatre	Tickets for Community Transport trip
	£138.60	UK POS Group	Display clip frames
	£71.55	Solopress	Strategic plan booklets
	£27.00	Southend BC	Event application Carols on Strand Wharf
	£27.24	Value Products Ltd	Safety signage
		Expenditure – Direct Debits	
	£769.96	SSE	Electricity
	£26.26	SSE	Strand Wharf electricity
	£65.14	The Calls Warehouse	Call charges 477248
	£93.07	Biffa Environmental	Recycling Community Centre
	£119.65	Biffa Environmental	Waste collection Community Centre
	£92.15	Biffa Environmental	Waste collection Skate Park

	£316.80	CF Corporate Finance	Dokoni software lease
	£12.00	Retail Funding Ltd	Card machine fee
	£199.92	British Telecom	Broadband charges
	£6.00	Paynetworx	Virtual terminal fee
	£12.00	British Telecom	Mobile broadband
	£66.53	DOTS	Photocopying
	£18.03	Global Payments	Card processing fees
	£28.87	Global Payments	Card processing fees
	£22.72	SSE	Electricity at Strand Wharf
	£745.63	SSE	Electricity Community Centre
	£12.00	Retail Funding Ltd	Card machine fee
	£811.50	Southend BC	Business rates CC
	£138.53	Wessex Products Leasing	Hand drier lease
	£75.07	Biffa Environmental	Recycling Community Centre
	£96.34	Biffa Environmental	Waste collection Community Centre
	£92.15	Biffa Environmental	Waste collection Skate Park
	£12.00	British Telecom	Mobile broadband
	£2059.77	SSE	Gas
	£592.32	DOTS	Photocopying and IT Support
	£96.00	FP Mailing	Franking machine lease
	£6.00	Paynetworx	Virtual terminal fee
	£44.90	Global Payments	Card processing fees
	£18.41	Global Payments	Card processing fees
	£26.58	SSE	Electricity Strand Wharf
	£62.77	SSE	Electricity Skate Park

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Agenda