



# Leigh-on-Sea Town Council

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Chairman: Cllr Richard Herbert  
Vice Chairman: Cllr Carole Mulroney  
Town Clerk: Paul Beckerson

You are hereby summoned to the annual meeting of the Leigh-on-Sea Town Council, which will take place on **Tuesday 17<sup>th</sup> May 2016** in Leigh Community Centre, 71-73 Elm Road, Leigh-on-Sea commencing at **7.00pm** when it is hoped to transact the following business.

## AGENDA

**Prior to the start of the meeting, the outgoing Chairman would like to address the meeting.**

1. ELECTION OF CHAIRMAN  
The Chairman will sign the Declaration of Acceptance of Office as Chairman
2. ELECTION OF VICE CHAIRMAN
3. DECLARATIONS OF MEMBERS' INTERESTS
4. APOLOGIES FOR ABSENCE
5. CO-OPTION OF COUNCILLOR FOR HIGHLANDS WARD

Applications have been received from 3 candidates (Confidential Appendix 1). Each applicant will be invited to speak for 5 minutes and the Chairman will ask appropriate questions pre-set by Councillors.

6. NOMINATION AND VOTING ON CO-OPTION

The Chairman will request the Councillors present to nominate any of the candidates. Voting will then be in accordance with Standing Orders and will continue until one candidate has received an absolute majority of those Councillors present.

The successful candidate will be declared co-opted and will sign the Declaration of Acceptance of Office and join the meeting.

## ANNUAL COMMITTEES

7. REVIEW OF TERMS OF REFERENCE FOR COMMITTEES

A review is being undertaken and recommendations for any amendments will be submitted to Council in due course.

8. MEMBERSHIP OF COMMITTEES FOR 2016/17

A note on Committee membership has been previously circulated to Councillors prior to the meeting and nominations and elections for Committees will take place for:

- a) Planning, Highways & Licensing Committee (6 Members)
- b) Environment & Leisure Committee (7 Members)
- c) Community Facilities Committee (7 Members)

**The meeting will be adjourned, and Committee meetings for each of the above will be held to elect a Chairman who will then sit on Policy & Resources Committee as per Terms of Reference TR3. Each Committee will also elect a Vice Chairman.**

Nomination and election of member places will take place for:

- d) Policy & Resources Committee (4 Members) (Terms of Reference 3)

**Following this, the meeting will be adjourned, and a meeting of the Policy & Resources Committee will be held to elect a Chairman and Vice Chairman.**

9. MEMBERSHIP OF SUB-COMMITTEES FOR 2016/17

- a) Personnel Sub-Committee (4 Members)

10. INVITATIONS TO APPOINT CO-OPTED MEMBERS TO DESIGNATED PDG, T&FG AND ADVISORY GROUPS

- a) Community Transport T&FG
- b) Farmers' Market Group

<b>ANNUAL REVIEWS</b>
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11. REVIEW AND ADOPTION OF STANDING ORDERS AND TERMS OF REFERENCE – Appendix 1

A review is being undertaken of Standing Orders with particular regard to Section 5 and recommendations for any amendments will be submitted to Council in due course. . It is **RECOMMENDED** that at this time, Council adopt Standing Orders presented in Appendix 1 with the amendments to Section 20 following new legislation pending the review.

12. REVIEW AND ADOPTION OF FINANCIAL REGULATIONS – Appendix 2

Financial Regulations were reviewed by Council with the **RECOMMENDATION** that two further amendments be made at 13.1 and 17.2. Since the review, and following legislation, an additional clause has been added 11.1c. It is **RECOMMENDED** that Council adopt Financial Regulations presented in Appendix 2 with the amendments.

13. REVIEW OF MEMBERS' INTERESTS

Councillors were asked to review their Declaration of Interest on the website to ensure it is current, advising the Acting Town Clerk should a new Declaration be needed. Cllr Fraser in this respect has complete a new notice to replace his existing notice.

It is **RECOMMENDED** that all Councillors now acknowledge that their individual interests are up to date as it is a requirement for the Acting Town Clerk to acknowledge this to Southend Borough Council.

14. REPRESENTATIVES TO OUTSIDE BODIES (Current representatives in brackets)

Representative to Public and Passenger Transport Group – 1 + Reserve (Cllr Caroline Parker, No Reserve)  
Thames Estuary Partnership – 2 (Cllrs Carole Mulroney, Val Morgan and Fr. Clive Hillman)  
Leigh Port Partnership – 1 (not a Board appointment but an attendee to open meetings)  
Southend Airport Consultative Committee – 1 (Cllr Valerie Morgan)  
Leigh Crime Prevention Panel – 1 (Cllr Helen Robertson)  
EALC Larger Local Councils Forum & AGM – 2 + Town Clerk (Cllr Carole Mulroney)  
EALC Executive Committee – 1 (Cllr Richard Herbert)  
Southend Finance Business Briefing – 2 (Cllrs Mark Bromfield and Ron Owen)  
Southend Business Partnership – 2 + Town Clerk (Cllrs Caroline Parker and Carole Mulroney)

Southend Standards Committee – 1 + Reserve (Cllr Carole Mulroney, Reserve Cllr Caroline Parker)

Southend Bio Diversity Committee – 1 (Cllr Fr. Clive Hillman)

15. DATES AND TIMES OF MEETINGS – Appendix 3

Following the review of Appendix 3 at Council Meeting 15<sup>th</sup> March 2016, it is **RECOMMENDED** that the dates and times of meetings as per Appendix 3 be adopted.

16. REVIEW OF INVENTORY OF LAND AND ASSETS INCLUDING BUILDINGS AND OFFICE EQUIPMENT – Appendix 4

SBC has confirmed in writing that all LTC shelters are accepted as the responsibility of SBC. It is their understanding that in 2011, we were advised that the shelters were at an age where they could not be repaired if damaged and it was agreed that Southend Council would take over responsibility for them and include them in their own maintenance programme, that way replacing shelters of a better quality as funding became available.

The Acting Town Clerk believes this may have been misunderstood by us hence remaining as an asset of this Council.

It is **RECOMMENDED** that the shelters are now removed as an asset and this will be reflected in the 2016/17 audit.

17. CONFIRMATION OF ARRANGEMENTS FOR INSURANCE COVER IN RESPECT OF ALL INSURED RISKS – Appendix 5

The Council entered into a new three year agreement with Aviva in August 2014 at £5,147.59. Additionally the Council pay SBC to insure the Leigh Community Centre at a cost of £2,702.34.

The Town Clerk made various cover amendments in August 2015 and additionally added Street Furniture and Lighting at Strand Wharf to the policy in February 2016. As a result of this, the annual premium changed to £5647.98 in August 2015 and £5695.92 in February 2016.

It is **RECOMMENDED** Council confirm the arrangements, with an amendment to the cover if resolved to remove the bus shelters as an asset of the Council.

18. REVIEW OF COUNCIL'S COMPLAINTS PROCEDURE – Appendix 1 Section 30

It is **RECOMMENDED** Council review and adopt the Procedure.

19. REVIEW OF COUNCIL'S PROCEDURES FOR HANDLING REQUESTS MADE UNDER THE FREEDOM OF INFORMATION ACT 2000 AND THE DATA PROTECTION ACT 1998 - Appendix 6

It is **RECOMMENDED** Council review and adopt the Procedures.

20. REVIEW OF COUNCIL'S POLICY FOR DEALING WITH THE PRESS/MEDIA - Appendix 7

It is **RECOMMENDED** Council review and adopt the Procedure.

21. TO AUTHORISE PAYMENT OF ANNUAL SUBSCRIPTIONS, CONTRACTS AND LICENCES IN ACCORDANCE WITH INTERNAL FINANCIAL REGULATIONS EITHER BY VARIABLE DIRECT DEBIT, BANK TRANSFER OR CHEQUE – Appendix 8

It is **RECOMMENDED** Council confirm payment and approve the use of direct debit and bank transfer methods.

22. TO NOMINATE COUNCILLORS TO SIGN CHEQUES AND SALARY PAYMENTS ON BEHALF OF THE COUNCIL

Financial Regulation 6.3 requires Council to nominate cheque signatories (at least four), any two of whom must sign each cheque and authorise staff salaries.

The current signatories are Cllrs: Donald Fraser, Richard Herbert, Fr. Clive Hillman, Carole Mulroney, Declan Mulroney, Ron Owen, Caroline Parker, Helen Robertson and Jane Ward

### REGULAR COUNCIL BUSINESS

23. ACTING TOWN CLERK'S REPORT – Report 2598/HS (For Information Only) -Appendix 9
24. APPROVAL OF THE MINUTES OF THE MEETING 15<sup>TH</sup> MARCH 2016
25. TO RECEIVE THE MINUTES OF THE ANNUAL TOWN ELECTOR'S MEETING 29<sup>TH</sup> APRIL 2016
26. QUESTIONS FROM PUBLIC
27. QUESTIONS FROM COUNCILLORS OF WHICH WRITTEN NOTICE IS RECEIVED

### COMMITTEES

#### 28. COMMITTEES

To receive Minutes of Committees and report 2597/I&E (Minutes have been sent out following the meetings and therefore will not be printed again with this Agenda, only with the Chairman's copy)

a) Planning Committee - To receive minutes of 22<sup>nd</sup> March, 12<sup>th</sup> and 26<sup>th</sup> April, 10<sup>th</sup> May 2016  
**NO RECOMMENDATIONS TO COUNCIL**

b) Community Facilities Committee – To receive minutes of 5<sup>th</sup> April 2016  
**RECOMMENDATIONS TO COUNCIL –**

- **Minute 85 Strand Wharf – Terms & Conditions for Users**  
The Acting Town Clerk was on annual leave at the time of the meeting and having read the document and undertaken research, **RECOMMENDS to Council** that the item be represented to CFC on 7<sup>th</sup> June 2016
- **Minute 86 – Arts PDG**  
**RECOMMENDED** to Council that the Attic Licence be agreed – Appendix 10
- **Minute 90 – Civic Bookings**  
**RECOMMENDED** to Council that the cost of civic events be sponsored by P&RC
- **Minute 97 – Class Expenditure**  
**RECOMMENDED** to Council to agree the Class Expenditure headings relating to CF – Appendix 11

c) Environment & Leisure - To receive minutes of 19<sup>th</sup> April 2016  
**NO RECOMMENDATIONS TO COUNCIL**

d) Policy & Resources - To receive minutes of 3<sup>rd</sup> May 2016  
**RECOMMENDATIONS TO COUNCIL –**

- **Minute 110 – Co-option of Councillors – Procedure Policy**  
**RECOMMENDED** that the policy be adopted – Appendix 12

Since approval at P&R, it has been confirmed to the Acting Town Clerk that press and public are not to be excluded from any stage of the co-option process. The Procedure Policy has been amended to reflect this.

- **Minute 118 – To Note Income and Approve Expenditure**  
**RECOMMENDED** that the Council note the income and approve the expenditure in Report 2597/I&E – Appendix 13
- **Minute 121 – Class Expenditure**  
**RECOMMENDED** to Council to agree the Class Expenditure headings relating to P&R – Appendix 11

<b>FINANCIAL</b>
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29. APPOINTMENT OF EXTERNAL AUDITORS – Appendix 14 – **DECISION ITEM**

It is **RECOMMENDED** that Auditing Solutions be re-appointed as external auditors for Leigh Town Council for the year 2016/17 with the scope of work set out in Report 2531. We have been advised that they fee will be £1640.



Helen Symmons  
Acting Town Clerk  
12<sup>th</sup> May 2016

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

**DATE OF NEXT MEETING:** Tuesday 7th June 2016

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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 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, or seconder, only with the consent of the seconder and the proposer.
- 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 a motion or an amendment has a 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. in exercise of 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, with the advice of the Proper Officer if required, 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 a person to be no longer heard or to leave 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 shall submit the content of their paper 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 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 for 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 The chairman may at any time adjourn the meeting to permit members of the public to 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 **Filming, photographing or audio recording of proceedings, and/ or commentary on proceedings, for the purposes of reporting is allowed at any public meeting of the council and its committees by any person attending. Any communication methods, including the internet, may be used to broadcast, transmit, publish, post or otherwise share this reporting with persons not present, either during the meeting or later.**





As a courtesy, those persons planning to make a visual or audio recording of proceedings and/ or commentary for broadcast, transmission or otherwise sharing, either during a meeting or later, are requested to liaise with the Town Clerk (or council officer acting in that capacity) before the meeting begins. Officers will notify the meeting's chairman, in order that all attendees can be informed before the recording, broadcast or transmission begins.

The chairman of the meeting will ask for any recording, broadcasting or transmitting to be undertaken in such a way that it is not disruptive or distracting to the good order and conduct of the meeting. In the case of disorderly conduct, persons may be excluded from public meetings, or public proceedings may be suspended in accordance with the relevant Standing Order/s.

**Recording for broadcast, transmission or otherwise sharing with persons not present, either during the meeting or later, must cease if the meeting resolves to move into confidential session as per the Public Bodies (Admission to Meetings) Act 1960. In these cases, the proceedings of the confidential session will be reported as per the Public Bodies (Admission to Meetings) Act 1960.**

-   m **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.**
-  n **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).**
-  o **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.**

-  p **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.**
-  q **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(i) and (j) below for the different rules that apply in the election of the Chairman of the Council at the annual meeting of the council.*
- r **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.
- s 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. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
  - v. if there was a public participation session; and
  - vi. the resolutions made.
  - vii. And may include a brief resume of any debate at the minute takers discretion in consultation with the chairman.
  - viii. A view expressed by a councillor on his request should be included in the minutes.
-  t **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.**
-  u **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(viii) below for the quorum of a committee or sub-committee meeting.*



- v **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.
  
- w A meeting shall not exceed a period of 3 hours.

## 4. Committees and sub-committees

- a **Unless the council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**
  
- b **The members of a committee may include non-councillors unless it is 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 Non-Councillor members of a committee may not vote on any financial matter or matters of council policy.
  
- e The council may appoint standing committees or other 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 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 standing orders 4(b) and (c) above, appoint and determine the terms of office of members of such a committee;
  - v. shall, after it has appointed the members of a standing committee, shall adjourn the meeting to allow the standing committee to select its chairman;
  - vi. shall permit a committee, to appoint its own chairman at the first meeting of the committee;
  - vii. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which shall be no less than three;
  - viii. shall determine if the public may participate at a meeting of a committee;
  - ix. 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;
  
  - x. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
  - xi. may dissolve a committee.

- e The Chairman and Vice Chairman of the council will be ex-officio members of all 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. Advisory Committee and Working Parties, PDGs & T&FGs (WPs)

- a. The council may appoint advisory committees comprised of a number of councillors and non-councillors, unless the council determines otherwise.
- b. Advisory committees and any advisory sub-committees may consist wholly of persons who are non-councillors.
- c. Every committee may appoint working parties (WPs) whose terms of reference and members shall be determined by resolution of the committee.
- d. Where a WP reports directly to council, rather than to the committee that formed it, because of timing issues, then notice of the time, date, place and business is to be notified to all councillors.
- e. The membership and size of WPs is normally by election, selection or appeal for volunteers, and is set by the committee. A convenor will be nominated, whose role, it is to call meetings, notify the chairman of the committee to which the WP reports and the Proper Officer of the day, time and place of a WP meeting for circulation to all councillors and ensure that a report is issued. The convenor frequently, but not always, chairs the WP.
- f. WPs do not have to meet at the Town Council's offices.
- g. WPs may co-opt members, not necessarily councillors, either permanently or for specific meetings. Any councillor may attend and speak at any WP meeting, even if not a member of that WP, but without voting rights.
- h. The Proper Officer or an appropriate officer will attend WP meetings if available and required.
- i. Each meeting of a WP will produce a written report to go to members of the WP and chairman of the committee to which it reports as soon as possible after a meeting and then to the committee that set it up. If the Proper Officer or appropriate officer is present, he will produce the report, but if not, then it is the responsibility of the convenor to write the report and send it to the Proper Officer so that the report is on the agenda for the next committee meeting.
- j. If the WP requires action to be taken, it will make a recommendation to the committee. That recommendation will be typed in bold within the report of the meeting, as in 5(i) above.
- k. In the event that there is a disagreement over WP recommendations, or whether another person is co-opted, it will be decided by a vote of those members present, with the chairman of the WP having a casting vote.
- l. No power can be delegated to a WP, (Council can only delegate power to committees, sub-committees or officers of the council) but power can be delegated to the Proper Officer in consultation with the WP).
- m. The views of PDGs and T&FGs will be used to inform the decision of committees and officers with delegated authority. That, for clarity, these are discussion groups not decision making committees and attendance is restricted to Councillors, co-opted



members and interested parties at the discretion of the Chairman unless otherwise designated. Only appointed members of the Group will be able to vote.

## 6. Ordinary council meetings

- 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 7.30pm.**
- 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 take place on the second Wednesday in all other months except August.
- 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 any, 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 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 must 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 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 must 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 meeting of the council, the business of the annual meeting shall include:**

- k. **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;**
- I. Confirmation of the accuracy of the minutes of the last meeting of the council;
  - II. Receipt of the minutes of the last meeting of a committee;
  - III. Consideration of the recommendations made by a committee;
  - IV. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;
  - V. Review of the terms of reference for committees;
  - VI. Appointment of members to existing committees;
  - VII. Appointment of any new committees in accordance with standing order 4 above;
  - VIII. Review and adoption of appropriate standing orders and financial regulations;
  - IX. Review of arrangements, including any charters and agency agreements, with other local authorities and review of contributions made to expenditure incurred by other local authorities;
  - X. Review of representation on or work with external bodies and arrangements for reporting back;
  - XI. 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;
  - XII. Review of inventory of land and assets including buildings and office equipment;
  - XIII. Confirmation of arrangements for insurance cover in respect of all insured risks;
  - XIV. Review of the council's and/or staff subscriptions to other bodies;
  - XV. Review of the council's complaints procedure;
  - XVI. Review of the council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998;
  - XVII. Review of the council's policy for dealing with the press/media; and
  - XVIII. Determining 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 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 committee [or a sub-committee] may convene an extraordinary meeting of the committee [or the sub-committee] at any time.
- d If the chairman of a 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 committee and the sub-committee may convene an extraordinary meeting of a 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 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 Motions 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 If a motion specified in the agenda is not moved either by the member who gave notice of it or by any other councillor, it shall, unless postponed by the council be treated as withdrawn and shall not be moved without fresh notice.
- e If a motion fails at committee, it will be recorded as such in the minutes. When the committee minutes are reported to council, the mover of the motion may ask that the matter be reconsidered and voted upon. For the sake of clarification, the minutes of the meeting which contain the failed motion shall constitute the written notice under SO 10(a) and the mover of the motion shall give prior notice to the chairman of the relevant committee.
- f 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.
- g 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.
- h 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.

- i Subject to standing order 10(h) above, the decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- j Motions received shall be recorded in a book for that purpose and numbered in the order that they are received.
- k 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, committees or sub-committees which are included in the agenda;
  - v. to refer a motion to a particular 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 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 sensitive 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. Questions

- a 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.
- b Questions not related to items of business on the agenda for a meeting shall only be asked during the part of the meeting set aside for such questions.

- c Every question shall be put and answered without discussion.

## 13. 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.

## 14. 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 having been 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.

## 15. 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 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.
- f Subject to standing orders 15(d) and (e) above, dispensation requests shall be considered by the Chairman and Vice Chairman of Council before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required.
- g **A dispensation may be granted in accordance with standing order 15(f) above if having regard to all relevant circumstances the following applies:**
  - a. **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**
  - b. **granting the dispensation is in the interests of persons living in the council's area or**
  - c. **it is otherwise appropriate to grant a dispensation.**

## 16. 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 13 above, report this to the council.
- b Where the notification in standing order 16(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 15(d) below].
- c The council may:
  - i. provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;
  - 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.**

## 17. 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 committees.

- c The Proper Officer shall:
  - at least three clear days before a meeting of the council, a committee and a sub-committee serve on councillors a summons, by email or post on request at their residences, confirming the time, place and the agenda provided any such notice contains the signature (electronic or otherwise) and title of the Proper Officer.



*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.*

- i. **give public notice of the time, place and agenda at least three clear days before a meeting of the council or a meeting of a committee or a sub-committee (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 Act 2000 and Data Protection Act 1998, in accordance with and subject to the council's policies and procedures relating to the same;
- ix. receive and send general correspondence and notices on behalf of the council except where there is a resolution to the contrary;
- x. manage the organisation, storage of, access to and destruction of information held by the council in paper and electronic form;
- xi. arrange for legal deeds to be executed;  
*See also standing order 27 below.*
- xii. 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;
- xiii. record every planning application notified to the council and the council's response to the local planning authority in a book for such purpose;
- xiv. refer a planning application received by the council to the Chairman or in his absence Vice-Chairman of the Planning and Licensing 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 and Licensing Committee;
- xv. manage access to information about the council via the publication scheme; and
- xvi. 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.*

- xvii. Keep proper records required before and after meetings.

- d If the wording or subject of a proposed agenda item is considered unlawful or 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 item shall be included in the agenda or rejected.

- e the decision of the Proper Officer as to whether or not to include this item on the agenda shall be final.

## 18. 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.

## 19. 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 as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:
  - i. the council’s receipts and payments for each quarter;
  - ii. the council’s aggregate receipts and payments for the year to date;
  - iii. the balances held at the end of the quarter being reported

and which includes a comparison with the budget for the financial year and highlights any actual or potential overspends. Similar statements to those above will be supplied for all other months with the exception of August.

- 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 last quarter and the year to date for information; and
  - ii. to the full council the accounting statements for the year in the form of Section 1 of the annual 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 (receipts and payments, or income and expenditure) for a year to 31 March. A completed draft annual return shall be presented to each councillor before the end of the following month of May. The annual 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.

## 20. 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. procurement policies (subject to standing order 20(c) below) including the setting of values for different procedures where a contract has an estimated value of less than ~~£30,000~~ £25,000
- b Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c **Financial regulations shall confirm that a proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of ~~£30,000~~ £25,000 shall be procured on the basis of a formal tender as summarised in standing order 20(d) below and must satisfy the requirements of the Public Contracts Regulations 2015 which include use of 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.**
- 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; 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;
  - v. 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 **Where the value of a contract exceeds thresholds in The Regulations set by the Public Contracts Directive 2014/24/EU (which may change from time to time)<sup>1</sup> 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 contract. is likely to exceed ~~£138,893~~ (or other threshold specified by the Office of Government Commerce from time to time) the council must consider whether the Public Contracts Regulations 2006 (SI No. 5, as amended) and the Utilities Contracts Regulations 2006 (SI No. 6, as amended) apply to the contract and, if either of those Regulations apply, the Council must comply with EU procurement rules.**

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<sup>1</sup> Thresholds currently applicable are:

- a. For public supply and public service contracts 209,000 Euros (£164,176)
- b. For public works contracts 5,225,000 Euros (£4,104,394)

## 21. Estimates / Precepts

- a. **The council shall approve written estimates and the precept for the coming financial year** at its meeting before the end of January.
- b. Any committee desiring to incur expenditure shall give the Proper Officer a written estimate of the expenditure recommended for the coming year no later than December.

## 22. Canvassing of and recommendations by Councillors

- a. Canvassing councillors or the members of a 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 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. Inspection of Documents

- a. Subject to standing orders to the contrary or in respect of matters which are confidential, a councillor may, for the purpose of his official duties (but not otherwise), inspect any document in the possession of the council or a committee or a sub-committee, and request a copy for the same purpose. The minutes of meetings of the council, its committees or sub-committees shall be available for inspection by councillors.

## 24. Handling staff matters

- a. A matter personal to a member of staff that is being considered by any meeting of 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 Personnel sub-committee or, if he is not available, the vice-chairman of the Personnel sub-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 chairman of the Personnel sub-committee or in his absence, the vice-

chairman together with the Chairman and Vice Chairman of Council shall upon a resolution 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 is subject to approval by resolution by the Personnel sub-committee.

- d Subject to the council's policy regarding the handling of grievance matters, the council's most senior employee (or other employees) shall contact the chairman of the Personnel sub-committee or in his absence, the vice-chairman of the Personnel sub-committee in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Personnel sub-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 Personnel sub-committee, this shall be communicated to another member of the Personnel sub-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 The council shall keep all written records relating to employees secure. All paper records shall be secured and locked and electronic records shall be password protected and encrypted.
- h Only persons with line management responsibilities shall have access to staff records referred to in standing orders 24(f) and (g) above if so justified.
- i Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 24(f) and (g) above shall be provided only to (post holder) and/or the chairman of the Personnel sub-committee.

## 25. Requests for information

- a Requests for information held by the council shall be handled in accordance with the council's policy in respect of handling requests under the Freedom of Information Act 2000 and the Data Protection Act 1998.
- b Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the chairman of the Finance and General Purposes committee. The said committee shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000.

## 26. Relations with the press/media

- a 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.
- b In accordance with the Council's policy in respect to dealing with the press and/or other media, councillors shall not, in their official capacity, provide oral or written statements or written articles to the press or other media.

## 27. Execution and sealing of legal deeds

*See also standing orders 17(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 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 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. Complaints Procedure

- a. The following procedure will be adopted for dealing with complaints about the council's administration or its procedures. Complaints about a policy decision made by the Council will be referred back to the Council, or relevant Committee, as appropriate, for consideration.
- b. This procedure does not cover complaints about the conduct of a councillor (refer Standing Order 16).
- c. If a complaint about procedures, administration or the actions of any of the council's employees is notified orally to a councillor, or to the Proper Officer of the Council, a written record of the complaint will be made, noting the name and contact details of the complainant and the nature of the complaint.
- d. The complainant will be asked to put the complaint in writing to the Proper Officer of the Council at 71-73 Elm Road, Leigh-on-Sea, Essex SS9 1SP. The complaint will be dealt with within 35 days of receipt. Refusal to put the complaint in writing does not necessarily mean that the complaint cannot be investigated, but it is easier to deal with if it is in writing.
- e. If the complainant prefers not to put the complaint to the Proper Officer of the Council (because the matter relates to the Proper Officer, for example,) he should be advised to write to the Chairman.
- f. (a) On receipt of a written complaint, the Proper Officer of the Council (except where the complainant is about his own actions) or Chairman (if the complaint relates to the Proper Officer), will seek to settle the complaint directly with the complainant. This will not be done without first notifying any person complained about and giving him an opportunity to comment. Efforts should be made to resolve the complaint at this stage.  
(b) Where the Proper Officer of the Council or a councillor receives a written complaint about the Proper Officer's actions, he or she shall refer the complaint to the Chairman.



The Proper Officer of the Council will be formally advised of the matter and given an opportunity to comment.

- g The Proper Officer of the Council (or Chairman) will report any complaint disposed of by direct action with the complainant to the next meeting of the Council.
- h The Proper Officer of the Council (or Chairman) will report any complaint that has not been resolved to the next meeting of the council. The Proper Officer will notify the complainant of the date on which the complaint will be considered and the complainant will be offered an opportunity to explain the complaint to the Council orally.
- i Matters relating to Grievance or Disciplinary proceedings that are taking, or are likely to take place, should be dealt with in accordance with the Council's grievance and disciplinary procedures (refer Standing Order 24).
- j The Council may consider whether the circumstances of any complaint warrant the matter being discussed in the absence of the press and public, but any decision on the complaint will be announced at the Council meeting in public.
- k The Council may consider in the circumstances of any particular complaint whether to make any without liability payment or provide other reasonable benefit to any person who has suffered loss as a result of the Council's maladministration. Any payment may only be authorised by the council after obtaining legal advice and advice from the council's auditor on the propriety of such a payment.
- l As soon as possible after the decision has been made (and in any event not later than 10 clear working days after the meeting) the complainant will be notified in writing of the decision and any action to be taken.
- m The Council may defer dealing with any complaint if it is of the opinion that issues arise on which further advice is necessary. The advice will be considered and the complaint dealt with at the next meeting after the advice has been received.
- n The Council will set up a complaints register.

## 31. 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 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 committee.
- b. Power shall be delegated to the Proper Officer in consultation with the Chairman and Vice-Chairman of Planning and Licensing to negotiate with licensing applicants and/or their agents, and to rescind or amend the decision of the Planning and Licensing 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 F&GPC.
- c. In the event that a 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 committee or sub-committee, including responding to planning applications, in consultation with those 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.

## 32. 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 A motion to permanently add to or to vary or to revoke one or more of the council's standing orders not mandatory by law shall not be carried unless two-thirds of the councillors at a meeting of the council vote in favour of the same.
- d 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.
- e The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final.

These Standing Orders were adopted by Council on the 17<sup>th</sup> May 2016

**LEIGH-ON-SEA TOWN COUNCIL  
FINANCIAL REGULATIONS**

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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 Annual Council Meeting held on 17<sup>th</sup> May 2016.

## 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<sup>2</sup> 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;

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<sup>2</sup> Model standing orders for Councils are available in Local Councils Explained © 2013 National Association of Local Councils

- 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 Regulations<sup>3</sup>.
- 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 ~~not~~ 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;

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<sup>3</sup> Accounts and Audit (England) Regulations 2015

- 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:

- 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 Policy and Resources 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 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;
- A duly delegated Committee of the Council for items over £1,000
- The Clerk, in conjunction with Chairman of Council or Chairman of the appropriate Committee, for any items exceeding £250 but below £1,000;
- The Clerk for items below £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 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 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 £500. The Clerk shall report such action to the Chairman 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 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) may 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 RFO 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 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, or a duly authorised committee, 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 Policy and Resources Committee.
- 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 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 Policy and Resources Committee. Transactions and purchases made will be reported to the Policy and Resources Committee and authority for topping-up shall be at the discretion of the 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 £140 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 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. The Council will arrange with the Council's Banks and Investment providers for the sending of a copy of each statement of account to the Chairman of Policy and Resources Committee at the same time as one is issued to the RFO.
- 8.4. 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.
- 8.5. The Council shall consider the need for an Investment Strategy and Policy which, if drawn up, shall be in accordance with relevant regulations, proper practices and guidance. Any Strategy and Policy shall be reviewed by the Council at least annually.
- 8.6. All investments of money under the control of the Council shall be in the name of the Council.
- 8.7. All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.
- 8.8. 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 (l) 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.<sup>4</sup> Where it is intended to enter into a contract exceeding £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~~

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<sup>4</sup> 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.

~~services as are excepted as set out in paragraph (a) the Town Clerk shall invite tenders and must ensure the requirements of Public Contracts Regulations 2015 are satisfied including use of the Contracts Finder website and advertising the contract opportunity.~~

- 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 contract which exceed threshold in the Regulations set by the Public Contracts Directive 2014/24/EU (which may change from time to time).<sup>5</sup>**
- 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**

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<sup>5</sup> **Thresholds currently applicable are:**

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



- 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 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 officer in charge of each section shall be responsible for the care and custody of stores and equipment in that section.~~ **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, of the Council duly notified prior to the relevant meeting of Council**, 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.

\* \* \*

**Leigh-on-Sea Town Council - Meetings timetable 2016/17**

Meeting	Time	Regular Date	May 2016	June	July	Aug	Sept	Oct	Nov	Dec	Jan 2017	Feb	Mar	April	May
<b>Council</b>	7.30	3rd Tuesday Month 1	17th	7th§	19th		20th		15th		17th	7th §§	21st		16th
<b>Policy &amp; Resources</b>	7.30	1st Tuesday Month 1	3rd		5th		6th		1st		3rd		7th		2nd
<b>Planning &amp; Licensing</b>	7.30	2nd & 4th Tuesday	10th 24th	14th 28th	12th 26th	9th 23rd	13th 27th	11th 25th	8th 22nd	13th*	4th** 24th	14th 28th	14th 28th	11th 25th	9th 23rd
<b>Environment and Leisure</b>	7.30	3rd Tuesday Month 2		21st		16th		18th		20th		21st		18th	
<b>Allotments PDG</b>	2.00	1st Tuesday Quarterly			5th			4th			10th***			4th	
<b>Community Facilities</b>	7.30	1st Tuesday Month 2		7th		2nd		4th		6th		7th		4th	

\* It is recommended that the meetings on the 2nd (13th) and 4th Tuesday (27th) December be replaced by one meeting held on 13th December

\*\* Planning meeting a week early on Wednesday to reduce gap from December meeting

\*\*\* Allotments PDG on Second Tuesday

§ Extra Meeting to approve Accounts @ 7.00pm

§§ Extra Meeting to approve Precept @ 7.00pm

**LEIGH-ON-SEA TOWN COUNCIL ASSET REGISTER AS AT 31<sup>st</sup> March 2016****Assets**

During the year, the following assets were purchased at the following cost:

Computer	£ 841.87
Leigh Lights	£ 3,601.00
LCC Equipment	£ 2,929.66
LCC Fixtures & Fittings	£ 4,314.88
Allotments	£ 281.29
Events Equipment	£ 492.47

During the year, the following assets were disposed of at an asset value of:

None

At 31<sup>st</sup> March 2016 the following assets were held:

Computers	£ 19,169.06*
Bus Shelters	£ 16,757.00*
Notice Boards	£ 5,017.67*
Chairman's Insignia (Donated by Mr. T. Hatton)	£ 1,500.00**
Christmas Lights	£ 62,008.44*
Buildings & Infrastructure on allotments	£ 31,904.89*
Seats	£ 1,932.00*
Bins	£ 880.00*
Bollards	£ 7,017.63*
Franking Machine	£ 1,109.00*
Skate Park Lighting	£ 7,866.65*
Leigh Sign	£ 2,220.00*
Allotments -	
Marshall Close	£ 1.00***
Manchester Drive	£ 1.00***
Leigh	£ 1.00***
Youth Facility	£280,000.00****
Strand Wharf Street Furniture	£ 26,000.00****

\* The basis of valuation of these assets is purchase value.

\*\* Insignia at Insurance value.

\*\*\* Nominal value, not purchased, transferred from Southend B.C.

\*\*\*\* Insurance Value

Value of other assets not required to be individually identified £44,980.17.



**Aviva Insurance Limited.** Registered in Scotland, No. 2115.  
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## ENDORSEMENT

### Your Services Policy

Policy Number 24896590 CCI

Produced on 27th February 2016

This Schedule forms part of Your policy

If the information in The Schedule is incorrect or incomplete or if the insurance does not meet Your requirements, please tell Us as soon as possible.  
You are reminded of the need to tell Us immediately of any facts or charges which We would take into account in Our assessment or acceptance of this insurance as failure to disclose all relevant facts may invalidate Your policy, or may result in the policy not operating fully.

### Your Policy Details

Effective Date	24th February 2016	Annual Premium	£5695.92
Policy Expires	Midnight 18th August 2016	Premium Due	£24.65
Renewal Date	19th August 2016	Inclusive of Vat of Insurance Premium Tax of	£0.00 £1.40

On the following page we have summarised all of the Risks which apply to your Policy. Any pages which follow the summary relate only to the Risks which have changed. They replace the previous details for these Risks, and form part of your Policy.

### Your Details

The Policyholder Leigh-on-Sea Town Council

Address Leigh Community Centre, 71-73 Elm Road,  
Leigh-on-Sea  
SS9 1SP

### Your Insurance Adviser's Details

Agency Number 37 0037140

Name WPS INSURANCE BROKERS SCHEME

Address SPARGO HOUSE  
10 BUDSHEAD WAY PLYMOUTH, DEVON PL6 5FE

Branch Details IB PLY PO Box 3345  
Norwich  
NR1 3FJ  
Telephone 08000 686347



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**SCHEDULE  
CONTINUED**

**Policy Number**  
24896590 CCI

**Effective From**  
24th February 2016

**Produced on**  
27/02/16

**The Policyholder** : Leigh-on-Sea Town Council

**The Business** : Town Council, Property Owners and Community Bus Operator

**The Premises** : Leigh Community Centre, 71-73 Elm Road,  
Leigh-on-Sea

**SUMMARY OF COVER**

<b>Asset Protection</b> -----		<b>Revenue Protection</b> -----	
Property Damage - Specified Contingencies	Not Insured	Business Interruption	Insured
Property Damage - All Risks	Insured	Business Interruption - Producers Indemnity	Not Insured
Theft	Insured	Book Debts	Not Insured
Computer	Not Insured	Loss of Licence	Not Insured
Electronic Equipment	Not Insured	<b>Asset/Revenue Protection</b> -----	
Business All Risks	Insured	Terrorism	Not Insured
Goods in Transit	Not Insured	Legal Liabilities -----	
Money and Assault	Insured	Employers' Liability	Insured
Specialist and Property Covers	Not Insured	Public and Products Liability	Insured
Glass	Insured	Commercial Legal Protection	Insured
Frozen Foods	Not Insured	Professional Indemnity	Not Insured
Engineering	Not Insured	Directors & Officers Management Liability	Not Insured Insured
Employee Dishonesty	Insured		
Contract Works	Not Insured		
		<b>Employee Benefits</b> -----	
		Personal Accident	Insured
		Business Travel	Insured

The Schedule forms part of the Policy and replaces  
the previous Schedule.

**SUMMARY COMPLETED**



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**SCHEDULE  
CONTINUED**

**Policy Number**  
24896590 CCI

**Effective From**  
24th February 2016

**Produced on**  
27/02/16

**Property Damage - All Risks**  
-----

**Risk 6**

**The Premises**  
-----

Anywhere within Leigh-on-Sea  
SS9 1SP

**Description/Occupation of Property Insured**  
-----

As specified in The Schedule

<b>Item</b>	<b>Description</b>	<b>Sum Insured</b>
----	-----	-----
1	Property as more fully described in The Schedule (Buildings).	£46,344
2	Property as more fully described in The Schedule (Buildings).	£31,599
3	Property as more fully described in The Schedule (Buildings).	£10,201
4	Property as more fully described in The Schedule (Buildings).	£26,000
<b>Total Risk Sum Insured</b>		<b>£114,144</b>

**The Excess in respect of Contingency**  
Groups (a), (b) and (c) is as follows:  
Contingency Group (a) - £250  
Contingency Group (b) - £250  
Contingency Group (c) - £250

Policy Condition 13 - Index Linking applies to Item(s) 1 2 3 4

Policy Condition 14 applies - 3 year Long Term Undertaking from 19/08/14

**Special Endorsement 1 - Additional Clause A Day One**  
-----  
Additional Clause A Day One (Non Adjustable)  
applies to each Item of property insured in the  
Schedule.

The sum insured by each item in the Schedule is the  
Declared Value. The Day One uplift is 20%

**Special Endorsement 2 - Theft Damage To Buildings**

**RISK 6 CONTINUED  
SCHEDULE CONTINUED**

POPO02



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**SCHEDULE  
CONTINUED**

**Policy Number**

**Effective From**

**Produced on**

24896590 CCI

24th February 2016

27/02/16

-----  
Where Buildings are insured under this Section, We  
will indemnify You in respect of Damage to such  
Buildings at The Premises, or which You are  
responsible, by theft or attempted theft.

We will not indemnify You in respect of

(a) Damage

- (i) caused to any property other than the  
Buildings
- (ii) caused by any person lawfully on the Premises
- (iii) while the building is unoccupied or disused
- (iv) more specifically insured by You or on Your  
behalf

(b) an excess of £250

Special Endorsement 3 - Excess  
-----

The Excess in respect of Contingency Group (a) is  
amended to Nil and not as stated in The Schedule

Memorandum 1 - Description of Items  
-----

The Items specified in The Schedule are more fully  
described as:

- Item 1 - Street Furniture
- Item 2 - Skate Park Equipment
- Item 3 - Fencing
- Item 4 - Street Furniture & Lighting at  
Strand Wharf



## FREEDOM OF INFORMATION ACT

### Information available from Leigh-on-Sea Town Council under the model publication scheme

Information to be published	How the information can be obtained	Cost
<p><b>Class1 - Who we are and what we do</b> (Organisational information, structures, locations and contacts)</p> <p>This will be current information only</p> <p>N.B. Councils should already be publishing as much information as possible about how they can be contacted.</p>		
Who's who on the Council and its Committees	<p>Electronically, go to website <a href="http://www.leighonseatowncouncil.gov.uk">www.leighonseatowncouncil.gov.uk</a> and click on Your Council</p> <p>Manually, the information can be obtained from the Council office</p>	Nil
Contact details for Town Clerk and Council members (named contacts where possible with telephone number and email address (if used))	<p>Electronically, go to website <a href="http://www.leighonseatowncouncil.gov.uk">www.leighonseatowncouncil.gov.uk</a> and click on Your Council</p> <p>Manually, the information can be obtained from the Council office</p>	Nil
Location of main Council office and accessibility details	<p>Electronically, go to website <a href="http://www.leighonseatowncouncil.gov.uk">www.leighonseatowncouncil.gov.uk</a> and click on Your Council.</p> <p>There is full disabled access throughout the building.</p>	Nil

Staffing structure	Electronically, go to website <a href="http://www.leighseatowncouncil.gov.uk">www.leighseatowncouncil.gov.uk</a> and click on Your Council Manually, the information can be obtained from the Council office	Nil
<b>Class 2 – What we spend and how we spend it</b> (Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit)  Current and previous financial year as a minimum		
Annual return form and report by auditor	Available on the web-site <a href="http://www.leighseatowncouncil.gov.uk">www.leighseatowncouncil.gov.uk</a>	Nil
Finalised budget	Available electronically by e-mail request to <a href="mailto:council@leighseatowncouncil.gov.uk">council@leighseatowncouncil.gov.uk</a> or manually from the office.	Nil Nil
Precept	Available electronically by e-mail request to <a href="mailto:council@leighseatowncouncil.gov.uk">council@leighseatowncouncil.gov.uk</a> or manually from the office.	Nil Nil
Borrowing Approval letter	Not currently available, no borrowing	
Financial Standing Orders and Regulations	Available electronically by e-mail request to <a href="mailto:council@leighseatowncouncil.gov.uk">council@leighseatowncouncil.gov.uk</a> or manually from the office.	Nil Nil
Grants given and received	Available electronically by e-mail request to <a href="mailto:council@leighseatowncouncil.gov.uk">council@leighseatowncouncil.gov.uk</a> or manually from the office.	Nil Nil

List of current contracts awarded and value of contract	Available electronically by e-mail request to <a href="mailto:council@leighseatowncouncil.gov.uk">council@leighseatowncouncil.gov.uk</a> or manually from the office.	Nil Nil
Members' allowances and expenses	There are no members' allowances. Details of expenses can be obtained electronically by e-mail request to <a href="mailto:council@leighseatowncouncil.gov.uk">council@leighseatowncouncil.gov.uk</a> or manually from the office.	Nil Nil
<b>Class 3 – What our priorities are and how we are doing</b> (Strategies and plans, performance indicators, audits, inspections and reviews)	(hard copy or website)	
Core Strategy and Committee Reviews	Available electronically by e-mail request to <a href="mailto:council@leighseatowncouncil.gov.uk">council@leighseatowncouncil.gov.uk</a> or manually from the office.	Nil
Parish Plan (current and previous year as a minimum)	"Vision for Leigh" publication is available in hard copy from the office	
Annual Report to Town Electors' Meeting (current and previous year as a minimum)	Available electronically by e-mail request to <a href="mailto:council@leighseatowncouncil.gov.uk">council@leighseatowncouncil.gov.uk</a> or manually from the office.	Nil Nil
Quality status	Only available manually by visiting or writing to the office	Nil
Local charters drawn up in accordance with DCLG guidelines	Not available	
<b>Class 4 – How we make decisions</b> (Decision making processes and records of decisions)  Current and previous council year as a minimum	(hard copy or website)	

Timetable of meetings (Council, any committee/sub-committee meetings and parish meetings)	Available electronically on website <a href="http://www.leighonseatowncouncil.gov.uk">www.leighonseatowncouncil.gov.uk</a> or manually from the office.	Nil Nil
Agendas of meetings (as above)	Available electronically on website <a href="http://www.leighonseatowncouncil.gov.uk">www.leighonseatowncouncil.gov.uk</a> or manually from the office. Depending on how much information is required, it may be available immediately or sent on by post within the legal timescales	Nil – within reason Nil – within reason
Minutes of meetings (as above) – nb this will exclude information that is properly regarded as private to the meeting.	Council minutes can be found on the website <a href="http://www.leighonseatowncouncil.gov.uk">www.leighonseatowncouncil.gov.uk</a> by clicking on Meetings, and on particular meeting. Committee minutes are available electronically by e-mail request to <a href="mailto:council@leighonseatowncouncil.gov.uk">council@leighonseatowncouncil.gov.uk</a> or manually from the office. Depending on how much information is required, it may be available immediately or sent on by post within the legal timescales	Nil – within reason Nil – within reason
Reports presented to council meetings - nb this will exclude information that is properly regarded as private to the meeting.	Available electronically on the website as part of the agenda papers <a href="http://www.leighonseatowncouncil.gov.uk">www.leighonseatowncouncil.gov.uk</a> or manually from the office. Depending on how much information is required, it may be available immediately or sent on by post within the legal timescales	Nil – within reason Nil – within reason

Responses to consultation papers	Available electronically by e-mail request to <a href="mailto:council@leighseatowncouncil.gov.uk">council@leighseatowncouncil.gov.uk</a> or manually from the office. Depending on how much information is required, it may be available immediately or sent on by post within the legal timescales	Nil – within reason Nil – within reason
Responses to planning applications	Available electronically by e-mail request to <a href="mailto:council@leighseatowncouncil.gov.uk">council@leighseatowncouncil.gov.uk</a> or manually from the office. Depending on	Nil – within reason Nil – within
	how much information is required, it may be available immediately or sent on by post within the legal timescales	reason
Bye-laws	Not available	
<p><b>Class 5 – Our policies and procedures</b>                  (Current written protocols, policies and procedures for delivering our services and responsibilities)</p> <p>information only Current</p>	(hard copy or website)	

<p>Policies and procedures for the conduct of council business:</p> <p>Procedural standing orders  Committee and sub-committee terms of reference  Delegated authority in respect of officers  Code of Conduct  Policy statements</p>	<p>Available electronically by e-mail request to <a href="mailto:council@leighseatowncouncil.gov.uk">council@leighseatowncouncil.gov.uk</a> or manually from the office. Depending on how much information is required, it may be available immediately or sent on by post within the legal timescales</p>	<p>Nil – within reason  Nil – within reason</p>
<p>Policies and procedures for the provision of services and about the employment of staff:</p> <p>Internal policies relating to the delivery of services  Equality and diversity policy  Health and safety policy  Recruitment policies (including current vacancies)  Policies and procedures for handling requests for information  Complaints procedures (including those covering requests for information and operating the publication scheme)</p>	<p>Available on the web-site  <a href="http://www.leighseatowncouncil.gov.uk">www.leighseatowncouncil.gov.uk</a></p>	<p>Nil</p>
<p>Information security policy</p>	<p>Not available</p>	
<p>Records management policies (records retention, destruction and archive)</p>	<p>Not available</p>	

Data protection policies	Available electronically by e-mail request to <a href="mailto:council@leighseatowncouncil.gov.uk">council@leighseatowncouncil.gov.uk</a> or manually from the office.	Nil
Schedule of charges (for the publication of information)	See end of document	
<b>Class 6 – Lists and Registers</b> Currently maintained lists and registers only	(hard copy or website; some information may only be available by inspection)	
Any publicly available register or list (if any are held this should be publicised; in most circumstances existing access provisions will suffice)	Not available	
Assets Register	Available electronically by e-mail request to <a href="mailto:council@leighseatowncouncil.gov.uk">council@leighseatowncouncil.gov.uk</a> or manually from the office.	Nil Nil
Disclosure log (indicating the information that has been provided in response to requests; recommended as good practice, but may not be held by parish councils)	Not available	
Register of members' interests	Available on the web-site <a href="http://www.leighseatowncouncil.gov.uk">www.leighseatowncouncil.gov.uk</a>	Nil
Register of gifts and hospitality	Only available for inspection by visiting the Town Council office	Nil
<b>Class 7 – The services we offer</b> (Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses) Current information only	(hard copy or website; some information may only be available by inspection)	

Allotments	Available electronically by e-mail request to <a href="mailto:council@leighseatowncouncil.gov.uk">council@leighseatowncouncil.gov.uk</a> or manually from the office. Depending on how much information is required, it may be available immediately or sent on by post within the legal timescales	Nil – within reason Nil – within reason
Burial grounds and closed churchyards	Not available	
Community Centres and village halls	Available electronically by e-mail request to <a href="mailto:council@leighseatowncouncil.gov.uk">council@leighseatowncouncil.gov.uk</a> or manually from the office. Depending on how much information is required, it may be available immediately or sent on by post within the legal timescales	Nil – within reason
Parks, playing fields and recreational facilities	Available electronically by e-mail request to <a href="mailto:council@leighseatowncouncil.gov.uk">council@leighseatowncouncil.gov.uk</a> or manually from the office. Depending on how much information is required, it may be available immediately or sent on by post within the legal timescales	Nil – within reason Nil – within reason
Seating, litter bins, clocks, memorials and lighting	Not available	
Bus shelters	Available electronically by e-mail request to <a href="mailto:council@leighseatowncouncil.gov.uk">council@leighseatowncouncil.gov.uk</a> or manually from the office. Depending on how much information is required, it may be available immediately or sent on by post within the legal timescales	Nil – within reason Nil – within reason
Markets	Available electronically by e-mail request to <a href="mailto:council@leighseatowncouncil.gov.uk">council@leighseatowncouncil.gov.uk</a> or manually from the office. Depending on how much information is required, it may be available immediately or sent on by post within the legal timescales	Nil – within reason Nil – within reason
Public conveniences	Not available	



Agency agreements	Not available	
A summary of services for which the council is entitled to recover a fee, together with those fees (e.g. burial fees)	Not available	
<b>Additional Information</b> This will provide Councils with the opportunity to publish information that is not itemised in the lists above		

Contact details:

Office – Town Clerk, Mr. P. A. Beckerson, 71-73 Elm Road, Leigh-on-Sea SS9 1SP

e-mail – [council@leighonseatowncouncil.gov.uk](mailto:council@leighonseatowncouncil.gov.uk)

website [www.leighonseatowncouncil.gov.uk](http://www.leighonseatowncouncil.gov.uk)

SCHEDULE OF CHARGES

This describes how the charges have been arrived at and should be published as part of the guide.

<b>TYPE OF CHARGE</b>	<b>DESCRIPTION</b>	<b>BASIS OF CHARGE</b>
<b>Disbursement cost</b>	Photocopying @ 5p per sheet (black & white)	Actual cost if more than 10 sheets required *
	Photocopying @ 12p per sheet (colour)	Actual cost if more than 10 sheets required
	Postage	Actual cost of Royal Mail standard 2 <sup>nd</sup> class
<b>Statutory Fee</b>		In accordance with the relevant legislation (quote the actual statute)
<b>Other</b>		

\* the actual cost incurred by the public authority



# Leigh-on-Sea Town Council

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Chairman: Cllr Richard Herbert  
Vice Chairman: Cllr Syrie Cox  
Town Clerk: Paul Beckerson

## Data Protection Policy & Information Security Policy

Adopted 13<sup>th</sup> May 2015

### The Data Protection Policy

Leigh-on-Sea Town Council recognises its responsibility to comply with the Data Protection Act 1998. The act regulates the use of personal data. This does not have to be sensitive data; it can be as little as a name and address.

### The Data Protection Act

The Data Protection Act 1998 sets out high standards for the handling of personal information and protecting individuals' rights for privacy. It also regulates how personal information can be collected, handled and used. The Data Protection Act applies to anyone holding personal information about people, electronically or on paper.

As a local authority, Leigh-on-Sea Town Council has a number of procedures in place to ensure that it complies with The Data Protection Act 1998 when holding personal information.

When dealing with personal data, Leigh-on-Sea Town Council staff and Councillors must ensure that,

- **Data is processed fairly and lawfully**

This means that personal information should only be collected from individuals if staff and Councillors have been open and honest about why they want the personal information.

- **Data is processed for specified purposes only**

- **Data is relevant to what it is needed for**

Data will be monitored so that too much or too little is not kept; only data that is needed should be held.

- **Data is accurate and kept up to date**

Personal data should be accurate, if it is not it should be corrected.

- **Data is not kept longer than it is needed**

Data no longer needed will be shredded or securely disposed.

- **Data is processed in accordance with the rights of individuals**

Individuals must be informed, upon request, of all the personal information held about them.

- **Data is kept securely**

Only staff and where necessary Councillors can access the data. It cannot be accessed by members of the public.

### **Storing and accessing data**

Leigh-on-Sea Town Council recognises its responsibility to be open with people when taking personal details from them. This means that Councillors and staff must be honest about why they want a particular piece of personal information. If, for example, a member of the public gives their phone number to staff or a member of Leigh-on-Sea Town Council, this will only be used for the purpose it has been given and will not be disclosed to anyone else without the person's permission.

Leigh-on-Sea Town Council may hold personal information about individuals such as their addresses and telephone numbers. Except for the main contact details for the Councillors the information about individuals will be securely kept and are not available for public access. Once data is not needed any more, is out of date or has served its use and falls outside the minimum retention time of Council's document retention policy, it will be shredded or securely deleted from the computer.

The Town Council is aware that people have the right to access any personal information that is held about them. If a person requests to see any data that is being held about them,

- They must be sent all of the personal information that is being held about them
- There must be an explanation for why it has been stored
- There must be a list of who has seen it
- It must be sent within 40 days

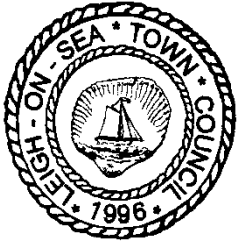
A fee to cover photocopying and postage charges will be charged to the person requesting the personal information. This fee will be agreed by the Town Council and amended in line with inflation from time to time. For postage the figure will be £2.00 and for photocopying it will be £0.15 per sheet.

### **Disclosure of personal Information**

If an elected member of the council, for example a Councillor, needs to access information to help carry out their duties, this is acceptable. They are only able to access as much information as necessary and it should only be used for that specific purpose. If, for instance, someone has made a complaint about over hanging bushes in a garden, a Councillor may access an address and telephone number of the person who has made the complaint so they can help with the enquiry. A Councillor may only do this providing they represent the area that the subject lives in. However, before they access any sensitive information about a person, they would need consent to do this from the Town Clerk. Data should never be used for political reasons unless the data subjects have consented.

### **Confidentiality**

Leigh-on-Sea Town Council Councillors and staff must be aware that when complaints or queries are made, they must remain confidential unless the subject gives permission otherwise. When handling personal data, this must also remain confidential.



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Chairman: Cllr Richard Herbert  
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Town Clerk: Paul Beckerson

## PRESS & MEDIA POLICY

### 1 INTRODUCTION

- 1.1 The purpose of this policy is to define the roles and responsibilities within Leigh-on-Sea Town Council (known as “the Council”) for working with the press and media (known as “the media”) and deals with the day-to-day relationship between the Council and the media.
- 1.2 It is not the intention of this policy to curb freedom of speech or to enforce strict rules and regulations. Rather, the intention is to establish a framework for achieving an effective working relationship with the media. The Council welcomes the opportunity to talk to the media and, through them, to debate issues in the public arena.

### 2 KEYS AIMS

- 2.1 The Council is accountable to the local community for its actions and this can only be achieved through effective two-way communications. The media – press, radio, TV, internet – are crucially important in conveying information to the community so the Council must maintain positive, constructive media relations and work with them to increase public awareness of the services and facilities provided by the Council and to explain the reasons for particular policies and priorities.
- 2.2 The media themselves have a vital role to play on behalf of the local community in holding the Council to account for its policies and actions. It is important that they have access to Officers and Members and to background information to assist them in this role. To balance this, the Council will defend itself from any unfounded criticism and will ensure that the public are properly informed of all the relevant facts using other channels of communication if necessary.

### 3 THE LEGAL FRAMEWORK

- 3.1 The law governing communications in local authorities can be found in the Local Government Acts 1986 and 1988. The Council must also have regard to the Government’s Code of Recommended Practice on Local Authority Publicity. Some aspects of the Code are relevant to this policy:-
  - “Any publicity describing the Council’s policies and aims [and the provision of services] should be as objective as possible, concentrating on facts or explanation or both.”
  - “Publicity touching on issues that are controversial, or on which there are arguments for and against the views or policies of the Council should be handled with particular care. Issues must be presented clearly, fairly and as simply as possible, although councils should not oversimplify facts, issues or arguments.”
  - “Publicity should not attack, nor appear to undermine, generally accepted moral standards.”
  - “Local authorities should not use public funds to mount publicity campaigns whose primary purpose is to persuade the public to hold a particular view on a question of policy.”
- 3.2 In particular, Officers and Members should always have due regard for the long-term reputation of the Council in all their dealings with the media.

- 3.3 Confidential documents, exempt Minutes, reports, papers and private correspondence should not be leaked to the media. If such leaks do occur, an investigation will take place to establish who was responsible and take appropriate action in accordance with the Standing Orders and Code of Conduct adopted by the Council.
- 3.4 When the media wish to discuss an issue that is, or is likely to be, subject to legal proceedings then advice should be taken from the Council's solicitor before any response is made.
- 3.5 There are a number of personal privacy issues for Officers and Members that must be handled carefully and sensitively in accordance with the Council's policies on Freedom of Information and Data Protection. These issues include the release of personal information, such as home address and telephone number (although Member contact details are in the public domain), disciplinary procedures and long-term sickness absences that are affecting service provision. In all these and similar situations, advice must be taken from the Town Clerk before any response is made to the media.

#### **4.0 CONTACT WITH THE MEDIA**

- 4.1 When responding to approaches from the media, the Chairman of the Council should be the authorised contact with the media in consultation with the Town Clerk. However, if the subject of an enquiry relates to the work of one of the Council's Committees, the Chairman of the Council may delegate the authorised contact role to the Chairman of that Committee.
- 4.2 Statements made must reflect the Council's opinion.
- 4.3 Other Councillors can talk to the media but must ensure that it is clear that the opinions given were their own and not necessarily those of the Council.
- 4.4 Caution should be exercised when submitting letters to the editor for publication in newspapers. There are occasions when it is appropriate for the Council to submit a letter, for example to explain important policies or to correct factual errors in letters submitted by other correspondents. However, such letters should be kept brief and balanced in tone and correspondence should not be drawn out over several weeks.
- 4.5 Letters representing the views of the Council should only be issued by the Town Clerk following agreement by the Council or relevant Committee. If individual Members choose to send letters to express their own opinions on Council policies, they are strongly advised to check their facts first with the Town Clerk. It should always be made absolutely clear whether the views put forward are those of the Council or of an individual Member.
- 4.6 At all times consideration should be given as to how the correspondence may affect the reputation of the Council.

#### **5 ATTENDANCE OF MEDIA AT COUNCIL OR COMMITTEE MEETINGS**

- 5.1 Agendas and minutes of meetings will be on the Council's website.
- 5.2 The Local Government Act 1972 requires that all agendas, reports and minutes are sent to the media on request, prior to the meeting.
- 5.3 The media are encouraged to attend Council and Committee meetings and seating and workspace will be made available.
- 5.4 Filming or taping of Council or Committee is permissible.

#### **6 ELECTIONS**

- 6.1 The Code of Recommended Practice on Local Authority Publicity contains guidance for providing publicity for Members and for publicity around elections. The code makes it clear that Council resources should not be used on publicising individual Members unless it is relevant to the

particular position they hold in the Council. These extracts from the Code illustrate the main points:-

- “Publicity about individual councillors may include the contact details, the positions they hold in the council (for example, Chairman of a committee), and their responsibilities. Publicity may also include information about individual councillors’ proposals, decisions and recommendations only where this is relevant to their position and responsibilities within the Council.  
All such publicity should be objective and explanatory, and personalisation of issues or personal images making should be avoided.”
- “Publicity should not be, or liable to misrepresentation as being, party political. Whilst it may be appropriate to describe policies put forward by an individual councillor which are relevant to their position and responsibilities within the council, and to put forward their justification in defence of them, this should not be done in party political terms, using political slogans, expressly advocating policies of those of a particular party or directly attacking policies and opinions of other parties, groups or individuals.”
- “The period between the notice of an election and the election itself should preclude proactive publicity in all its forms of candidates and other politicians involved directly in the election.”

6.2 In line with practice elsewhere in the country, the Council will not quote any Councillor in a news release or involve them in proactive publicity events during the election period, regardless of whether or not they are standing for election. The only exception to this (as laid down in the Code of Recommended Practice on Local Authority Publicity) is during an emergency or where there is a genuine need for a member level response to an important event outside the control of the Council. In this situation, Members holding key civic positions should be able to comment.

## **7 PRESS COMMUNICATIONS**

7.1 The purpose of a press release is to make the media aware of a potential story, to provide important public information or to explain the Council’s position on a particular issue. It is the responsibility of all Officers and Members to look for opportunities where the issuing of a press release may be beneficial.

7.2 Any Officer or Member may draft a press release, however they must all be issued by the Town Clerk following agreement by the Council or relevant Committee in order to ensure that the principles outlined in section three (Legal Framework) are adhered to, that there is consistency of style across the Council and that the use of the press release can be monitored.

## **8 NOTICES**

8.1 The Council website will be used to convey information on matters of interest and latest news and will be updated regularly by the Town Clerk.

8.2 The Council notice boards will be used for the advertising of agendas, minutes and other council information.

## **9 URGENT SITUATIONS**

9.1 In the case of an urgent letter or press release being required in advance of a Council or Committee meeting, this may be issued by the Town Clerk with the agreement of the Chairman of the Council or relevant Committee following circulation of a draft version to other Members for comment.

9.2 In the case of urgent actions being required in the absence of the Members and Officers with specific roles and responsibilities under this policy, the following delegations shall apply:

- a) the Vice Chairman of the Council may act in the absence of the Chairman;
- b) the Vice Chairman of a Committee may act in the absence of the Chairman;
- c) the Town Clerk may act in the absence of the Vice Chairman of the Council or a Committee

**Approval required for the following Annual Commitments****Subscriptions**

<b>Name/Reason</b>	<b>Frequency/Payment Type</b>	<b>Annual Spend</b>
EALC & NALC - Local Council Review Subscription	Annually/Cheque	£17.00
EALC & NALC – Affiliation fee	Annually/Cheque	£1550.14
National Society of Allotments - Subscription	Annually/Cheque	£55.00
CTA (UK) – Subscription/membership	Annually/Cheque	£295.00
Parish on Line - Subscription	Annually/Cheque	£308.00
Rural Community Council – Annual membership	Annually/Cheque	£50.00
Thames Estuary Partnership	Annually/Cheque	£250.00
Essex Playing Field Association	Annually/Cheque	£30.00

**Annual Contracts/Agreements**

<b>Name/Reason</b>	<b>Frequency/Payment Type</b>	<b>Annual Spend</b>
Secom – Security Alarm CC	Annually/Cheque	£471.00
JK Fire Systems- Fire Alarm CC	Annually /Cheque	£460.00
Safelincs –Fire Extinguishers CC	Annually/Cheque	£259.27
Edge IT Systems – Facilities & Finance systems	Annually/Cheque	£1521.00
Auditing Solutions – Internal Audit	Twice Yearly/Cheque	£1640.00
Greenworks Washrooms – Washroom services	Annually/Cheque	£1761.84
ATS Services – Boiler service	Annually/Cheque	£1000.00
Miskos Ltd – Server Monitoring	Monthly/Cheque	£900.00
Neopost – Franking Machine service agreement	Annually/Cheque	£347.59
Acumen Wages Services – Payroll processing	Monthly/Cheque	£503.00
Global Payments – Card processing Fees	Monthly/Direct Debit	£312.00
BNP Paribas – Photocopier lease	Quarterly/Direct Debit	£1301.76

**Licences**

<b>Name/Reason</b>	<b>Frequency/Payment Type</b>	<b>Annual Spend</b>
PRS & PPL – Music licences	Annually/Cheque	£2870.00
Southend BC – Premises Licence	Annually/Cheque	£70.00
TV Licensing – TV Licence CC	Annually/Cheque	£145.50

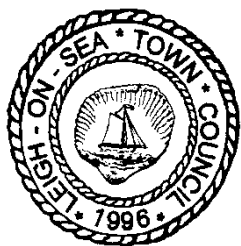
**Approval required for the use of variable direct debits as follows****Regular Direct Debits**

<b>Name</b>	<b>Reason</b>	<b>Average Annual Spend</b>
Cory Commercial	Waste/Bins CC & Skate Park	£2576.27
Southend BC	Business Rates	£7950.00
Anglian Water	Sewage fee Comm Centre	£844.79
BES Electricity	Electricity Comm Centre	£9032.00



BT	Line rental & call chgs	£2299.23
The Calls Warehouse	Call chgs LCC	£814.97
Essex & Suffolk Water	Water rates CC	£808.29
Heart Internet	Website domains for LCC & LTC	£315.00
SSE Gas	Gas CC Electricity Skate Park & Electricity Strand Wharf	£7257.78
Wessex Leasing	Hand Drier leasing	£630.32

NB We are in the process of sourcing a new lift contract. This will be presented to CFC.



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Chairman: Cllr Richard Herbert  
Vice Chairman: Cllr Carole Mulrone  
Town Clerk: Paul Beckerson

Report 2598/HS

## ACTING TOWN CLERK'S REPORT

### STRAND WHARF

Frustratingly completion of the project was not mid to late March!. The delay in the paving was a totally unexpected one compounded by the fact that one consignment of the paving was not of an acceptable standard. Naturally the delay has led to a time consuming process in dealing with a variety of other issues resulting from this and the negative criticism the project is attracting.

Work re-commenced Wednesday 11<sup>th</sup> May with a latest completion date 22<sup>nd</sup> June, just in time for the Leigh Folk Festival.

### STAFFING

The Office would very much like to thank Cllr Donald Fraser for all his support in assisting us with covering the Reception desk at this extremely busy time. Additionally we would like to thank the volunteers who are coming to the office to help with specific tasks.

We continue to go through a period of change and restructuring in all areas and this is likely to last until the end of the year. I am most grateful to the support of all the staff at this time in their endeavour to continue to work at the highest of standards and deal with the constant pressures of such a heavy work load.

### TRAINING

This important element of staff development continues with the Junior Administrator attending a Minute & Agenda workshop in May. There is also an element of internal training being undertaken to ensure that job cover is maintained for specific tasks undertaken. Our Facilities Apprentice has commenced his college training and we are being kept informed of assignments.

With the start of a new Council year commencing, I would very much welcome Council's request with regards to any specific training for Councillors that needs to be arranged bearing in mind budget considerations and the new 3 year Action Plan being implemented.

### LOCAL COUNCIL AWARD SCHEME

EALC reviewed our application for Foundation level and further work is required to ensure that we meet the standards expected prior to submission to the accreditation panel.

### ANNUAL TOWN MEETING

Thanks are given to the Committee Chairmen who submitted all reports in an extremely timely manner and thus assisted in making the Agenda process an easier one.

## **EVENTS AT LEIGH COMMUNITY CENTRE**

Our first Wedding Fayre is being held Saturday 21<sup>st</sup> May and we have had a great response to participate. Naturally we have been promoting the event to ensure good attendance. There will be a phantasmagorical half term of Roald Dahl fun at the Community Centre running from Tuesday 31<sup>st</sup> May – Thursday 2<sup>nd</sup> June and planning is underway for Summer holiday events.

Organisation for the '90 for 90' Celebration are progressing well with a good response and invitations have been sent out.

There will be a Community Centre quiz night kindly hosted by Cllr Fr. Clive but this will now be later in the year.

## **LEIGH MARITIME FESTIVAL**

The Event Management Plan was completed in March and submitted to SBC, with myself and Abbie requested to attend a Safety Advisory Group meeting of SBC in April. We have a good response from participants and need to 'push on' with the promotional side and seek volunteer support.

## **LEIGH LIGHTS**

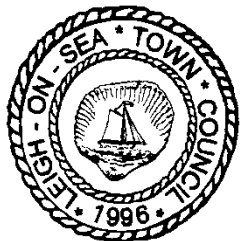
The Event Management Plan needs to be completed and submitted to SBC by the end of May.

## **YEAR END ACCOUNTS**

These have been prepared ready for the Internal Auditor to undertake the year-end review Friday 20<sup>th</sup> May. May I remind Councillors of the additional meeting date 7<sup>th</sup> June to formally approve the accounts for the year 2015/16. This meeting will commence at 7 p.m. prior to the CFC meeting.

## **ANNUAL HOLIDAY OF ACTING TOWN CLERK**

I shall be absent from the Office 22<sup>nd</sup> August – 2<sup>nd</sup> September inclusive.



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Town Clerk: Paul Beckerson

## MINUTES OF A MEETING OF THE LEIGH-ON-SEA TOWN COUNCIL HELD AT 7.30PM ON TUESDAY 15<sup>th</sup> MARCH 2016 AT LEIGH COMMUNITY CENTRE, 71-73 ELM ROAD, LEIGH-ON-SEA

Present: Cllrs: Richard Herbert (Chairman), Mark Bromfield, Patrick Fox, Donald Fraser, Fr. Clive Hillman, Carole Mulroney, Ron Owen, Caroline Parker, Helen Robertson, Vivien Rosier and Jane Ward

Also in attendance: Helen Symmons (Acting Town Clerk), Echo Reporter (until minute 118) and Paul Beckerson (Town Clerk).

Prior to the meeting prayers were said by Rev. Julia Monaghan (Wesley Methodist)

### ***The meeting opened at 7.29 pm***

#### 105. CHAIRMAN'S OPENING REMARKS

The Chairman welcomed all to the meeting, the last full Council meeting of this administration. The new conference system was introduced and Councillors were asked to use the system as a courtesy to others. Councillors were reminded of the Annual Town Meeting for electors on Friday 29<sup>th</sup> April commencing 7.30 p.m. and the Annual Council Meeting on Tuesday 17<sup>th</sup> May, where Committees would be elected. A list will be circulated in April for nominations for Committee Chairmen and Vice-Chairmen. Regarding the current Councillor vacancy, as no election had been called in Highlands Ward, the co-option of a Councillor will now be advertised. The Council's Spring Spectacular was being held this Saturday at Leigh Community Centre and it was hoped that many Councillors would attend to support or assist. The Planning Committee change in operation was now underway with Councillors to review applications in their ward. Finally it was reported how staff were working well with all the demands placed on them.

#### 106. APOLOGIES FOR ABSENCE

Cllrs: Jill Adair, Valerie Morgan and Declan Mulroney

#### 107. DECLARATION OF MEMBERS' INTERESTS

- Minute 104 a) Cllr Mulroney re-iterated her non-pecuniary interest in the licensing matter at the meeting 8<sup>th</sup> March 2016 and confirmed she had taken no part in the item.
- Minute 104 c) Cllr Fraser re-iterated his non-pecuniary interest in the '90 for 90' event.
- Minute 118 Cllr Mulroney declared a non-pecuniary interest, in connection with one of the nominees and took no part in consideration of this nomination.

#### 108. APPROVAL OF MINUTES OF THE MEETING OF 2<sup>ND</sup> FEBRUARY 2016

The minutes of the meeting 2<sup>nd</sup> February were agreed and signed by the Chairman as a true and accurate record.

#### 109. PUBLIC REPRESENTATIONS

There were none

#### 110. QUESTIONS FROM COUNCILLORS

There were none but Cllr Parker stated that the family of former Cllr John Wren appreciated Cllrs Herbert and Bromfield attending his funeral.

COMMITTEES
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111. COMMITTEES – **Agenda Item 7**

- a) Planning, Highways & Licensing Committee – The minutes of the meetings 26<sup>th</sup> January, 9<sup>th</sup> and 23<sup>rd</sup> February and 8<sup>th</sup> March 2016 were presented by Cllr Parker and **NOTED** along with the record attendance by members of the public at the meeting 23<sup>rd</sup> February.
- b) Community Facilities Committee – The minutes of the meeting 2<sup>nd</sup> February 2016 were presented by Cllr Herbert and **NOTED** with the following **RECOMMENDATION TO COUNCIL**:
- Minute 74 – Council **RESOLVED** to renew the café licence for 1 year with reports made at each CFC meeting and that authority be given to the Acting Town clerk and Chairman of Council to sign the renewal licence. It was **NOTED** that a meeting had been held.
- It was reported with regard to minute 64 that there was no update at this time but would be reported at the next CFC meeting.
- c) Environment & Leisure Committee – The minutes of the meeting 16<sup>th</sup> February 2016 were presented by Cllr Mulronev and **NOTED** with a request that the event '90 for 90' be publicised as much as possible.
- d) Policy & Resources Committee – The minutes of the meeting 1<sup>st</sup> March 2016 were presented by Cllr Ward and **NOTED** with the following point raised:
- Minute 91 – Cllr Fraser advised that several members of the public were concerned by the change of logo. It was noted that the next stage was to call a PDG with sufficient notice to consider costs of re-branding. The final decision would be made by voting at Council in due course.

The following **RECOMMENDATIONS TO COUNCIL** were made:

- Minute 86 – this item was deferred to **Agenda item 12**
- Minute 92 –
  - Council **RESOLVED** CFC minute 71 that a budget of £5,000 be assigned to professional fees at this stage from Capital Projects Reserve to provide a professional feasibility assessment and initial costings.
  - Council **RESOLVED** CFC minute 77 that all underspends at the end of the financial year over £500 will be carried forward as earmarked reserves against the budget it relates to.
  - Council **RESOLVED** E&L minute 89 that all underspends at the end of the financial year over £500 (excluding staff costs) will be carried forward as earmarked reserves against the budget it relates to.
- Minute 97 – Council **RESOLVED** that the following underspends at the end of the financial year will be carried forward as earmarked reserves against the budget it relates to:
  - Bursary Fund LCC (this will become part of the new Grant Aid Budget)
  - Elections
  - Volunteer Programme
  - Renewals Fund
  - Capital Fund

- Minute 98 – Council **NOTED** the income and **RESOLVED** the expenditure in report 2587/I&E
- Minute 103 – Council **RESOLVED** the recommendation with regard to the final item on Confidential Appendix 2.

DECISION ITEMS
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112. APPOINTMENT OF MEMBER TO P&R COMMITTEE AND CF COMMITTEE – **Agenda Item 8**

As only 1 meeting of each Committee remains in this administration, the matter was deferred to the Annual Council Meeting.

113. RENEWAL OF LICENCES – **Agenda Item 9**

The Council **RESOLVED** to give authority to the Acting Town Clerk to execute the renewal of the Café Licence and an Attic Licence following the relevant Committee's resolution of renewal or creation of said Licences.

114. ADOPTION OF REVISED RISK REGISTER – **Agenda Item 10**

Amendment 1 – B.1.2 'February 2015' be changed to 'February 2016'

Proposed Cllr Fraser

Seconded Cllr Mulroney

The Council **RESOLVED** the amendment

Amendment 2 – B.2.1 that the words 'of all bank accounts' be inserted after 'Monthly reconciliations'

Proposed Cllr Fraser

Seconded Cllr Mulroney

The Council **RESOLVED** the amendment

The Council **RESOLVED** the revised Risk Register including the additional amendments.

115. ADOPTION OF REVISED FINANCIAL REGULATIONS – **Agenda Item 11**

Amendment 1 – that definitions are incorporated at the start of the document to aid transparency. It was noted that not all 'members' can be involved in Council financial matters – only Councillors.

Proposed Cllr Mulroney

Seconded Cllr Fr. Hillman

The Council **RESOLVED** the amendment

13.1 is deferred to the Annual Council Meeting

Amendment 2 – 5.4 the word 'report' replace 'pay'

Proposed Cllr Mulroney

Seconded Cllr Fr. Hillman

The Council **RESOLVED** the amendment

17.2 is deferred to the Annual Council Meeting

Noted that the Index needs to be renumbered correctly

Amendment 3 – 9.5 that the words 'and at least weekly' be added at the end of the clause

Proposed Cllr Fraser

Seconded Cllr Owen

The Council **RESOLVED** the amendment

Amendment 4 – where the document states 'Town Clerk and RFO' this be changed to 'Town Clerk/RFO'

Proposed Cllr Robertson

Seconded Cllr Rosier

The Council **RESOLVED** the amendment

The Council **RESOLVED** the revised Financial Regulations with the additional amendments and deferrals

#### 116. GOVERNANCE STATEMENT – **Agenda Item 12**

Statement 1 - The Council approved the accounting statements prepared in accordance with the requirements of the Accounts and Audit Regulations and proper practices with the specific control measure outlined.

Amendment to the control measures – change Financial Regulations reviewed date to March 2016.

Proposed Cllr Fraser

Seconded Cllr Fr. Hillman

The Council **RESOLVED** the amendment

The Council **RESOLVED** Statement 1

Statement 2 – The Council has maintained an adequate system of internal control, including measures designed to present and detect fraud and corruption and reviewed its effectiveness with the specific control measures outlined below.

Amendment to the Statement – insert a ‘,’ after the word ‘corruption’

Proposed Cllr Fr. Hillman

Seconded Cllr Bromfield

The Council **RESOLVED** the amendment

Amendment to the control measures – amend ‘£1,000’ to ‘£500’

Proposed Cllr Mulroney

Seconded Cllr Bromfield

The Council **RESOLVED** the amendment

The Council **RESOLVED** Statement 2 with the amendment

Statement 3 – The Council took all reasonable steps to assure itself that there are no matters of actual or potential non-compliance with laws, regulations and proper practices that could have a significant financial effect on the ability of the Council to conduct its business or on its finances.

The Council **RESOLVED** Statement 3

Statement 4 – The Council provided proper opportunity during the year for the exercise of electors’ rights in accordance with requirements of the Accounts and Audit Regulations.

The Council **RESOLVED** Statement 4

Statement 5 – The Council has carried out an assessment of the risks facing the Council and have taken appropriate steps to manage these risks, including the introduction of internal controls and/or external insurance where required.

Amendment to the Statement – change ‘have’ to ‘has’.

Proposed Cllr Fraser

Seconded Cllr Mulroney

The Council **RESOLVED** the amendment

The Council **RESOLVED** Statement 5 with the amendment

Statement 6 – The Council maintained throughout the year an adequate and effective system of internal audit of the council accounting records and control systems.

The Council **RESOLVED** Statement 6

Statement 7 – The Council took appropriate action on all matters raised in reports from internal and external audit.

The Council **RESOLVED** Statement 7

Statement 8 – The Council have considered whether any litigation, liabilities or commitments, events, or transactions, occurring either during or after the year end, have a financial impact on the Council and where appropriate have included them in the accounting statements.

Amendment to the Statement – amend ‘The Council have’ to ‘The Council has’

Proposed Cllr Herbert

Seconded Cllr Mulroney

The Council **RESOLVED** the amendment

The Council **RESOLVED** Statement 8 with the amendment

FOR NOTING
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117. TOWN CLERK'S REPORT

The Council **NOTED** the report

118. TIMETABLE OF MEETINGS 2016/17

The Council **NOTED** the proposed timetable which was for consideration prior to the Annual Council Meeting 17<sup>th</sup> May 2016. It was noted the extra 2 Council meetings would commence at 7 p.m.

119. REVIEW OF MEMBERS' INTERESTS

The Council **NOTED** the request.

FINANCIAL
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120. STAFF SALARY PAYMENTS FOR 2016/17 – **Agenda Item 16**

The Council **RESOLVED** the month salary expenditure of £22,000 from 1<sup>st</sup> April 2016 – 31<sup>st</sup> March 2017.

121. COUNCIL MAIN BUDGET REPORT

The Council **NOTED** the report along with the estimated General Reserves.

122. EARMARKED RESERVE – OFFICE RENTAL – **Agenda Item 18**

The Council **RESOLVED** that the Office Rental Budget be carried forward as an Earmarked Reserve.

123. COPY OF FINAL COUNCIL BUDGET 2016/17

Councillors **NOTED** the copy of the Final Council Budget 2016/17

CONFIDENTIAL
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124. MOTION TO EXCLUDE PUBLIC – THE PUBLIC BODIES (Admission to Meetings) ACT 1960

The Council **RESOLVED** 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) – public award)

***The Echo reporter was invited to speak before leaving the meeting. Being advised it was the last meeting he would attend due to a change in employment, the Council thanked him for his attendance and reporting during the past year.***

***Start of Confidential Business***



125. GOOD FOR LEIGH AWARDS – **Agenda Item 21**

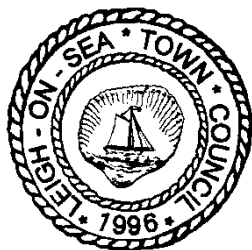
Additional nominations were submitted and voting took place.

***It was noted that most Councillors present knew many of the nominees by the very nature of the style of the awards and therefore had a non-pecuniary interest. Dispensation was granted in accordance with SO 15f and 15g unless the Councillor could be considered a social acquaintance of the nominee.***

The Council **RESOLVED** to present 7 Good for Leigh Awards at the Annual Town Meeting on Friday 29<sup>th</sup> April 2016

***End of Confidential Business***

***The meeting closed at 8.56pm***



# Leigh-on-Sea Town Council



71-73 Elm Road, Leigh-on-Sea, Essex SS9 1SP - Tel: 01702 716288  
[council@leighonseatowncouncil.gov.uk](mailto:council@leighonseatowncouncil.gov.uk) [www.leighonseatowncouncil.gov.uk](http://www.leighonseatowncouncil.gov.uk)

Chairman: Cllr Richard Herbert  
Vice Chairman: Cllr Carole Mulrone  
Town Clerk: Paul Beckerson

## Minutes of 20<sup>th</sup> Annual Town Electors Meeting 29<sup>th</sup> April 2016, 7.30 pm at Leigh Community Centre, Elm Road

**Present:** Councillors: Richard Herbert (Chairman), Carole Mulrone (Vice Chairman), Mark Bromfield, Patrick Fox, Donald Fraser, Fr. Clive Hillman, Valerie Morgan, Ron Owen, Caroline Parker, Helen Robertson, Vivien Rosier and Jane Ward.

Sir David Amess MP, Ron Woodley, Leader of Southend Borough Council and Borough Councillor Bernard Arscott. Press - Mark Insull (Leigh Times)

Plus 35 members of the public

### *The meeting opened at 7.32pm*

#### 1. **Chairman's Opening Remarks**

The Chairman welcomed everybody to the Annual Town Meeting and thanked the attending Borough Councillors and MP. Thanks were expressed to fellow Councillors, Chairmen of Committees, staff, the community and press for all the support over the year. The Chairman reiterated that the Town Council is non-political and looking forward to the year ahead.

#### 2. **Apologies**

Councillors: Jill Adair, Declan Mulrone, Rob Tinlin (SBC Town Clerk), Southend Police Inspector Bill Potter, Past Councillors: Terry Birdseye, Syrie Cox, Peter Dolby, Ashley Hitchcock (Chairman MDAS) and Simone Giles (Scott and Stapleton)

#### 3. **Minutes of the 19<sup>th</sup> Annual Town Meeting** were agreed with an amendment and signed

#### 4. **Annual Report of the Town Council**

The Chairman reported on the work of the Council over the past year (Appendix 2 to the Agenda), passing a letter to Sir David Amess regarding the Neighbourhood appeal debate.

#### 5. **Annual Reports from Committee Chairmen** (Appendix 3 to the Agenda)

Cllr Richard Herbert (Community Facilities)

Cllr Carole Mulrone (Environment & Leisure)

Cllr Mulrone added that Leigh Lights remain in its current format for this year and thanked the people of Leigh for their support.

Donald Fraser (Community Transport)

Cllr Caroline Parker (Planning, Highways & Licensing)

Cllr Jane Ward (Policy & Resources)

Cllr Ward extended thanks to staff member Vivien Choppin and fellow Cllr Rosier for their assistance with the LTC magazine and to the volunteers.

#### 6. **Annual Accounts of the Council year ending March 2015**

The meeting noted the accounts. (Appendix 4 to the Agenda)

#### 7. **Details of the balances and expenditure up to date year 2015/16**

The figures were noted and there were no questions. (Appendix 5 to the Agenda)

#### 8. **Observations on the Town Council Budget 2016/17**

The figures were noted (Appendix 6 to the Agenda).

Following the observation made by a member of public that the precept has increased again, the Chairman responded by highlighting the financial observations made in Appendix 6. Cllr Mulroney also clarified that changes made to Town Council events are generally in response to residents' and traders' views and that these events bring people together and enhance the Town.

A further observation was made by another member of the public that although the Community Centre is a big achievement, it is costing a lot and queried where the money was coming from for any proposed refurbishment. The Chairman responded that the net cost of the centre is reducing year on year and any refurbishment costs would be financed by a loan repaid from the Community Centre revenue and grant funding.

#### 9. **Good for Leigh Awards** - Presentations were made to:

##### **Leigh Library Volunteers**

We all know how precious our library is to the town – we all fought it. The Library Volunteers go 'quietly' about their business but play an important role in our community for young and old alike – they support our librarians and the community and are a credit to the volunteering system.

##### **David Elcock**

It is difficult to quantify all the tremendous support to various organisations the Town Council received from David. He helps with our events and activities, Leigh Art Trail and Leigh Folk Festival, as well as being a youth leader at Leigh Road Baptist Church and co-ordinating the Love Leigh Road Traders' Association. True community spirit.

(even though he didn't dress up as super hero!!!!)

##### **Amy Noakes**

These are difficult times for many people and communities. Individuals who go the extra mile to help those who need it should be appreciated by us all. Amy has pioneered the local food bank and we commend the great work she has done.

##### **Jennifer Simpson (not present)**

Many people will know Jennifer through her work in the local U3A and her presence in the Community Centre in organising the Cards for Good Causes at Christmas. Jennifer has a busy time of it and with her husband Ed, organises the archives for the Leigh Society and many other heritage projects, and helps steward the Heritage Centre. We all care about Leigh's heritage and Jennifer is at the forefront.

##### **Ondie & Miranda of Beat it**

Breast Cancer rehabilitation classes are held regularly at the Community Centre and provide essential support for those affected by this terrible disease. Ondie and Miranda work tirelessly to help those who are going through one of the most traumatic experiences of their lives and we recognise, with gratitude, their work.

##### **Scott & Stapleton (not present)**

Scott and Stapleton have been a great support to the Town Council in recent years in helping to promote our Leigh Maritime Festival and Leigh Lights. Their enthusiasm and willingness to assist are greatly appreciated.

##### **Leigh Folk Festival**

This annual extravaganza goes from strength to strength, has clearly put Leigh on the folk map of the UK and provides a wonderful event year on year for local people and visitors alike. We congratulate them for their enterprise and dedication which enhances the reputation of Leigh.

#### 10. **Observations from Guests**

**Sir David Amess MP** apologised for not being able to attend last year's meeting. He was delighted to see many new faces and paid tribute to all the Councillors that retired from office last May. The services of the volunteers was recognised and tribute was paid to Cllr Fraser in his 90<sup>th</sup> year. Sir David supports LTC completely and enjoys all our events. He reminded the meeting that Southend is the alternative City of Culture for 2017 and monthly events are planned which will be announced soon. Paul Beckerson, Town Clerk was wished a return to good health and was congratulated on his recent marriage. Finally, Cllr Herbert was thanked for his

Chairmanship over the past 2 years and good wishes passed to the Vice Chairman and Councillors for the coming year.

**Cllr Ron Woodley, Leader Southend Borough Council (SBC)** thanked the Town Council for their invitation to the meeting for the past 3 years. He stated his pleasure working with the Town Council and referred to the Borough funding for the Belton steps project. There is a good dialogue and communication between Leigh Town Council and the Borough and he thanked the Chairman and Councillors for the work they do.

**Cllr Bernard Arscott (SBC)** passed on apologies from Cllr John Lamb and thanked Leigh Town Council for their hard work and assistance in helping the Borough make decisions.

**11. Resolutions of which written notice has been received**

There were none.

**12. Questions and comments from residents and electors of Leigh-on-Sea**

Prior to receiving questions and comments, the Chairman paid tribute to Paul Beckerson, Town Clerk.

**12.1 Member of the Electorate**

Raised that the 2 hour parking had still not been extended to other areas and asked whether it had been considered.

From **Cllr Ron Woodley**

A member request (i.e. a Borough Councillor) can be made to Traffic & Parking at SBC whereupon it would be considered.

**12.2 Member of the Electorate**

Asked when the new lighting is to be switched on and reported a leaning lamp post outside the Broadway pub.

From **Cllr Carole Mulroney**

The leaning lamp post will be reported to SBC.

From **Cllr Ron Woodley**

Under the new system the new lighting can be adjusted. Exact times are unknown but enquiries will be made of the officer at SBC. Cllr Jane Ward reported that her road now has the new lighting.

**12.3 Member of the Electorate**

Was proud of the Council this year as it had done 'quite' well' although the new double yellow lines outside his home had become an issue as they were being ignored causing obstruction issues.

From **Cllr Ron Woodley**

Will take the matter on board and raise with the Civil Enforcement Officers.

**12.4 Non-member of the Electorate**

Expressed concern about the traffic on Two Tree Island especially on Sundays and the safety issues this causes..

From **Cllr Richard Herbert**

The Council are very aware of this problem and are hoping that the new design by Veolia at the refuse tip will improve the situation. It is a matter for serious consideration in connection with any project for the skate park area. Any matters in relation to the traffic do have to be referred to the police and Southend Borough Council and Cllr Ron Woodley stated he would ask Civil Enforcement to visit more regularly.

**12.5 Member of the Electorate**

Reported the dog mess poster has worked outside his property and thanked Leigh Town Council for the initiative.

Had an issue with the Council's transparency as he is unable to attend Allotment PDG meetings

From **Cllr Richard Herbert**

All decisions made by the Council happen at public meetings which the public and press may attend. PDG meetings are discussion groups for Councillors and co-opted members where no decisions are made. Cllr Carole Mulroney added that she had spoken with the elector on a few occasions regarding the Allotment PDG and if he wished to be co-opted then he needed to be appointed through an allotment society

Asked in relation to Strand Wharf whether the incorrect placement of a pillar and the change of wood for the benching were errors made by the Council

From **Cllr Richard Herbert**

Reported that it was frustrating that the delay in the delivery of the paving was holding up the project. The pillar in question was being re-sited and an alternative wood had been supplied as the Council were not happy with what had been supplied. As with any project, a contingency sum was available within the budget.

12.6 **Member of the Electorate**

Asked that the Folk Festival be kept informed regarding Strand Wharf.

From **Cllr Richard Herbert**

Confirmed the contractors undertaking the work had been advised of the planned event at the end of June.

Asked whether anything was known regarding the work at the Grand Hotel.

From **Cllr Bernard Arcsott**

Some work has started but he believes a new planning application might be forthcoming.

12.7 **Member of the Electorate**

Wished it known that Leigh Town Council do a wonderful job.

From **Cllr Richard Herbert**

The Elector was thanked for her kind words.

12.8 **Member of the Electorate**

Highlighted the speed of some of the cars in the area, especially in Hadleigh Road

From **Cllr Carole Mulroney**

Cllr Mulroney speaking as a Borough Councillor advised that a 20mph scheme on residential roads was being looked into and speed assessments were to be undertaken on Leigh Hill.

13. **Conclusion**

The Chairman thanked those attending advised the café would remain open where discussions could continue and ***closed the meeting at 9.00pm***

**DATED**

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**LICENCE TO OCCUPY ON SHORT TERM BASIS**

relating to the area of attic space in Leigh Community Centre

between

**LEIGH – ON –SEA TOWN COUNCIL**

and

**[PARTY 2]**

**Contents**

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THIS LICENCE is dated [DATE]

## PARTIES

- (1) Leigh-on-Sea Town Council of 71-73 Elm Road, Leigh on Sea, Essex, SS9 1SP (**Licensor**).
- (2) [Party 2 and his address] (**Licensee**).

## AGREED TERMS

### 1. Interpretation

The following definitions and rules of interpretation apply in this licence.

#### 1.1 Definitions:

**Centre:** all that area known as Leigh Community Centre at 71-73 Elm Road, Leigh on Sea, Essex, SS9 1SP or such reduced or extended area as the Licensor may from time to time designate as comprising the Centre.

**Common Parts:** such roads, paths, entrance halls, corridors, lifts, staircases, landing and other means of access in or upon the Centre the use of which is necessary for obtaining access to and egress from the Property as designated from time to time by the Licensor.

**Competent Authority:** any statutory undertaker or any statutory public local or other authority or regulatory body or any court of law or government department or any of them or any of their duly authorised officers.

**Designated Hours:** hours as the Licensor in its absolute discretion may determine on 7 days' notice to the Licensee.

**Licence Fee:** the amount of TWENTY FIVE POUNDS per week or such other amount as the Licensor in its absolute discretion may from time to time determine on giving 7 days' notice.

**Licence Fee Commencement Date:**

**Licence Period:** the period from the date hereof until the date on which this licence is determined in accordance with clause 4.

**Necessary Consents:** all planning permissions and all other consents, licences, permissions, certificates, authorisations and approvals whether of a public or private nature which shall be required by any Competent Authority for the Permitted Use.

**Permitted Use:** as an Artist's studio to achieve the outcomes to be decided at the sole discretion of the Licensor which shall also take into account its Artist in Residence Scheme

**Property:** the designated area in the attic of the Centre more particularly delineated on the plan annexed to this Licence which shall include all fixtures and fittings and plant and machinery thereon.

**Service Media:** all media for the supply or removal of heat, electricity, gas, water, sewage, air-conditioning, energy, telecommunications, data and all other services and utilities and all structures, machinery and equipment ancillary to those media.

- 1.2 Clause, Schedule and paragraph headings shall not affect the interpretation of this licence.

- 1.3 A **person** includes a natural person, corporate or unincorporated body (whether or not having separate legal personality).
- 1.4 The Schedule forms part of this licence and shall have effect as if set out in full in the body of this licence. Any reference to this licence includes the Schedule.
- 1.5 Unless the context otherwise requires, words in the singular shall include the plural and in the plural shall include the singular.
- 1.6 Unless the context otherwise requires, a reference to one gender shall include a reference to the other genders.
- 1.7 A reference to laws in general is a reference to all local, national and directly applicable supra-national laws as amended, extended or re-enacted from time to time and shall include all subordinate laws made from time to time under them and all orders, notices, codes of practice and guidance made under them.
- 1.8 Unless otherwise specified, a reference to a statute or statutory provision is a reference to it as amended, extended or re-enacted from time to time and shall include all subordinate legislation made from time to time under that statute or statutory provision and all orders, notices, codes of practice and guidance made under it.
- 1.9 A reference to **writing** or **written** excludes fax and e-mail.
- 1.10 Any obligation on a party not to do something includes an obligation not to allow that thing to be done and an obligation to use best endeavours to prevent that thing being done by another person.
- 1.11 References to clauses and Schedules are to the clauses and Schedules of this licence and references to paragraphs are to paragraphs of the relevant Schedule.
- 1.12 Any words following the terms **including, include, in particular, for example** or any similar expression shall be construed as illustrative and shall not limit the sense of the words, description, definition, phrase or term preceding those terms.
- 1.13 A **working day** is any day which is not a Saturday, a Sunday, a bank holiday or a public holiday in England.

## 2. **Licence to occupy**

- 2.1 Subject to clause 3 and clause 4, the Licensor permits the Licensee to occupy the Property for the Permitted Use for the Licence Period during the Designated Hours in common with the Licensor and all others authorised by the Licensor (so far as is not inconsistent with the rights given to the Licensee to use the Property for the Permitted Use) together with the rights mentioned in the Schedule.
- 2.2 The Licensee acknowledges that:



- (a) the Licensee shall occupy the Property as a licensee and that no relationship of landlord and tenant is created between the Licensor and the Licensee by this licence;
- (b) the Licensor retains control, possession and management of the Property and the Licensee has no right to exclude the Licensor from the Property;
- (c) the licence to occupy granted by this agreement is personal to the Licensee and is not assignable and the rights given in clause 2 may only be exercised by the Licensee and its employees.

### 3. **Licensee's obligations**

The Licensee agrees and undertakes:

- (a) to pay:
  - (i) to the Licensor the Licence Fee payable without any deduction in advance on the eighteenth of each month and proportionately for any period of less than a month the first such payment being for the period from and including the Licence Fee Commencement Date to the end of the month following such date to be made on Licence Fee Commencement Date; and
  - (ii) to the Licensor all costs in connection with the supply and removal of electricity, gas, water, sewage, telecommunications and data and other services and utilities to or from the Property;
- (b) to keep the Property clean, tidy and clear of rubbish;
- (c) not to use the Property other than for the Permitted Use;
- (d) not to make any alteration or addition whatsoever to the Property without the prior written consent of the Licensor;
- (e) not to display any advertisement, signboards, nameplate, inscription, flag, banner, placard, poster, signs or notices at the Property or elsewhere in the Centre without the prior written consent of the Licensor such consent not to be unreasonably withheld or delayed;
- (f) not to do or permit to be done on the Property anything which is illegal or which may be or become a nuisance (whether actionable or not), annoyance, inconvenience or disturbance to the Licensor or to tenants or occupiers of the Centre or any owner or occupier of neighbouring property;
- (g) not to cause or permit to be caused any damage to:
  - (i) the Property, Centre or any neighbouring property; or
  - (ii) any property of the owners or occupiers of the Property, Centre or any neighbouring property;
- (h) not to obstruct the Common Parts, make them dirty or untidy or leave any rubbish on them;
- (i) not to apply for any planning permission in respect of the Property;

- (j) not to do anything that will or might constitute a breach of any Necessary Consents affecting the Property or which will or might vitiate in whole or in part any insurance effected by the Licensor in respect of the Property and Centre from time to time;
- (k) to comply with all laws and with any recommendations of the Licensor and any relevant suppliers instructed by the Licensor relating to the supply and removal of electricity, gas, water, sewage, telecommunications and data and other services and utilities to or from the Property;
- (l) to observe any rules, regulations, policies, and notices the Licensor makes and notifies to the Licensee from time to time governing the Licensee's use of the Property and the Common Parts;
- (m) to immediately from the date of this licence work towards achieving the outcomes to be decided at the sole discretion of the Licensor in relation to its Artist in Residence Scheme;
- (n) to leave the Property in a clean and tidy condition and to remove the Licensee's furniture equipment and goods from the Property at the end of the Licence Period;
- (o) to indemnify the Licensor and keep the Licensor indemnified against all losses, claims, demands, actions, proceedings, damages, costs, expenses or other liability in any way arising from:
  - (i) this licence;
  - (ii) any breach of the Licensee's undertakings contained in clause 3; and/or
  - (iii) the exercise of any rights given in clause 2;
- (p) to pay to the Licensor interest on the Licence Fee or other payments at the rate of 8 per cent per annum above the base rate of Barclays Bank from time to time calculated on a daily basis from the due date until payment if the Licensee shall fail to pay the Licence Fee or any other payments due under this licence within fourteen days of the due date (whether formally demanded or not).

#### **4. Termination**

4.1 This licence shall end on the earliest of:

- (a) the expiry of any notice given by the Licensor to the Licensee at any time of breach of any of the Licensee's obligations contained in clause 3; and.
- (b) the expiry of not less than 7 days' notice given by the Licensor to the Licensee or by the Licensee to the Licensor.

4.2 Termination of this licence shall not affect the rights of either party in connection with any breach of any obligation under this licence which existed at or before the date of termination.

#### **5. Notices**

5.1 Any notice given under this licence shall be in writing and shall be delivered by hand or sent by pre-paid first-class post or other next working day delivery service to the relevant party as follows:

- (a) to the Licensor at: Leigh-on-Sea Town Council, 71-73 Elm Road, Leigh on Sea, Essex, SS9 1SP; and
- (b) to the Licensee at: [ADDRESS] and marked for the attention of [NAME OR POSITION],  
or as otherwise specified by the relevant party by notice in writing to each other party.

5.2 Any notice given in accordance with clause 5.1 will be deemed to have been received:

- (a) if delivered by hand, on signature of a delivery receipt or at the time the notice is left at the proper address; or
- (b) if sent by pre-paid first-class post or other next working day delivery service, at 9.00 am on the second working day after posting.

5.3 A notice given under this licence shall not be validly given if sent by e-mail.

5.4 This clause does not apply to the service of any proceedings or other documents in any legal action or, where applicable, any arbitration or other method of dispute resolution.

## **6. No warranties for use or condition**

6.1 The Licensor gives no warranty that the Property possesses the Necessary Consents for the Permitted Use.

6.2 The Licensor gives no warranty that the Property is physically fit for the purposes specified in clause 2.

6.3 The Licensee acknowledges that it does not rely on, and shall have no remedies in respect of, any representation or warranty (whether made innocently or negligently) that may have been made by or on behalf of the Licensor before the date of this licence as to any of the matters mentioned in clause 6.1 or clause 6.2.

6.4 Nothing in this clause shall limit or exclude any liability for fraud.

## **7. Limitation of Licensor's liability**

7.1 Subject to clause 7.2, the Licensor is not liable for:

- (a) the death of, or injury to the Licensee, its employees, customers or invitees to the Property; or
- (b) damage to any property of the Licensee or that of the Licensee's employees, customers or other invitees to the Property; or
- (c) any losses, claims, demands, actions, proceedings, damages, costs or expenses or other liability incurred by Licensee or the Licensee's employees, customers or other invitees to the Property in the exercise or purported exercise of the rights granted by clause 2.

7.2 Nothing in clause 7.1 shall limit or exclude the Licensor's liability for:

- (a) death or personal injury or damage to property caused by negligence on the part of the Licensor or its employees or agents; or
- (b) any matter in respect of which it would be unlawful for the Licensor to exclude or restrict liability.

**8. Third party rights**

A person who is not a party to this licence shall not have any rights under the Contracts (Rights of Third Parties) Act 1999 to enforce any term of this licence.

**9. Governing law**

This licence and any dispute or claim arising out of or in connection with it or its subject matter or formation (including non-contractual disputes or claims) shall be governed by and construed in accordance with the law of England and Wales.

**10. Jurisdiction**

Each party irrevocably agrees that the courts of England and Wales shall have exclusive jurisdiction to settle any dispute or claim arising out of or in connection with this licence or its subject matter or formation (including non-contractual disputes or claims).

This licence has been entered into on the date stated at the beginning of it.

**Schedule      Rights granted to Licensee**

1.      The right for the Licensee to use during the Designated Hours:
  - 1.1     Such parts of the Common Parts for the purpose of access to and egress from the Property as shall from time to time be designated by the Licensor for such purpose.
  - 1.2     The Service Media serving the Property.

Signed by .....  
for and on behalf of Leigh – on – Sea  
Town Council

Signed by [Party 2] .....



# 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 Richard Herbert  
Vice Chairman: Cllr Carole Mulroney  
Town Clerk: Paul Beckerson

Report 2585

## Budget Headings Defined as Classes of Expenditure under Financial Regulations 4.1 and 4.2

Financial Regulation 4.1 and 4.2 state as follows:

- 21.1. 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 £5000;
  - A duly delegated Committee of the Council for items over £1,000;
  - The Clerk, in conjunction with Chairman of Council or Chairman of the appropriate Committee, for any items exceeding £250 but below £1,000;
  - The Clerk for items below £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.

- 21.2. 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 Policy and Resources Committee or if so delegated a standing committee having considered fully the implications for public services, unspent and available amounts may be moved to other budget headings or to an earmarked reserve as appropriate ('virement').

Report 2385 in July 2014 defined the classes of expenditure for the then Leisure, Foreshore and Environment and approved as Minute 15 LFE 17<sup>th</sup> July 2014.

15. BUDGET Report 2385 – 10<sup>th</sup> July 2014 (Appendix 3 to the Agenda)  
The Committee discussed what were to be considered as a class of expenditure under Financial Regulation 3.2 (New Model 4.2). The Committee **RESOLVED** that the following would be main budget heads grouped as below:

**Community Transport**  
**Farmers Market**  
**Strand Wharf**  
**Leigh Lights**  
**Skate Park (N.B. now part of Community Facilities)**  
**Paddling Pool**

### General services including

Flower baskets, First Aid Provision, Grants to outside organisations, Good for Leigh, Electric Point LHC, Town Guide, Community initiatives and recreational facilities

### General Events including

Leigh Maritime Festival, May Day, Carols on Strand Wharf, Easter Event, WW1/LCC Centenary, Events/Inflatables, Events Equipment

At the time this process was not undertaken for the other Committees and this report seeks to correct that position.

**Community Facilities Committee** (Proposed Items designated as a class of expenditure under FR 4.1 and 4.2)

**Skate Park Budget (All)**

**Highways Budget (All)**

**Leigh Community Centre Budget**

Insurance

Business Rates

Utilities

Infrastructure Costs and Fixtures and Fittings

Cleaning, Waste and Health & Safety

Advertising and Website

Security and Alarms

Maintenance including (Internal and External)

**Other Costs including**

Miscellaneous, Licences, IT, Janitorial Costs, Contingencies

**Policy and Resources Committee** (Proposed Items designated as a class of expenditure under FR 4.1 and 4.2)

**Elections**

**Community Engagement**

**Volunteer Programme**

**Renewals Fund**

**Capital Fund**

**Other R&R Costs**

Bursary Fund, Localism Act, Furniture and Equipment, Legal Costs and Civic

**Office and Premises (All)**

**Council**

**Salaries (All)**





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Town Clerk: Paul Beckerson

## CO-OPTION PROCEDURES AT A COUNCIL MEETING

Created May 2016  
For review 2018

### Introduction

If no request for an election is received by Southend Borough Council by the date on the Notice of Vacancy, the Town Council will be advised that it may co-opt to the vacancy. Co-option is the process by which the Town Council selects a new Councillor and it is done as an agenda item within a Council meeting. Co-opted members are subject to the same eligibility process as elected Councillors.

The Town Council manages the process of co-option by itself and strives to demonstrate that it is fair and equitable by following the procedure set out below.

### Procedure

1. Leigh-on-Sea Town Council invites/advertises interested candidates to write to the Clerk by a specified date, including a CV if so desired. The correspondence once received is then circulated to all Councillors **confidentially** with the Agenda ahead of the meeting at which a Town Councillor is to be co-opted.
2. At the meeting, candidates are invited to speak about themselves (~~without other candidates present~~) for a maximum of 5 minutes and Councillors have the opportunity to ask questions of them (~~again without other candidates present~~).
3. ~~A motion will then be made to exclude public or press for members to consider the candidates and discuss their findings. The public are invited back into the meeting before the voting takes place.~~
4. The Chairman will request the Councillors present to nominate any of the candidates. Candidates will require a proposer and seconder to progress to the voting stage. If there is only one vacancy, a Councillor may only nominate or second one candidate. One candidate needs to receive an absolute majority of votes.
5. The Chairman will then place the names of those nominated into alphabetical order and proceed to vote. Councillors will have one vote per vacancy to be filled.
6. Voting will be in accordance with Standing Orders and will continue until one candidate has received an absolute majority of those Councillors present. At this stage, the successful candidate will be declared co-opted, asked to sign a Declaration of Acceptance of Office and to join the meeting.
7. Should no single candidate receive a majority on the first vote, the candidate with the lowest number of votes is eliminated. Voting will then take place for the remaining candidates until one person receives an absolute majority.

8. The successful candidate is a Councillor in their own right and is no different to any other member; co-option is a legitimate form of election as part of the election process.



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## Income and Expenditure 23<sup>rd</sup> Feb 2016 – 22<sup>nd</sup> April 2016 Report 2597/I&E Expenditure incurred under the General Power of Competence

Cheque	Expenditure	Payee	Purpose
		<b>Expenditure - Cheques</b>	
101656	£49.80	Acumen Wages Service	Payroll processing February
101657	£143.34	Essex Supplies (UK) Ltd	Cleaning materials
101658	£27.00	Urban Design & Print Ltd	Banner for Book Sale at Comm Centre
101659	69.28	Recognition Express Essex	Name badges for Volunteers
101660	35.86	Emma Stratton	Training – Mileage Expenses
101661	£52.68	Viking Direct	Stationery
101662	£121.22	DOTS	Photocopying costs
101663	£90.00	Miskos Ltd	Server monitoring
101664	£141.00	Fulton Paper Ltd	A4 paper
101665	£60.00	Rural Community Council of Essex	Membership 2016/2017
101666	£24.65	WPS Insurance Brokers & Risk Services Ltd	Additional premium to insure lighting & street furniture at Strand Wharf
101667	£328.63	E-on	Leigh Lights electricity charge
101668	£453.30	Southend Theatres Ltd	Comm Transport theatre tickets
101669	£60.00	P Monk	Strolling player at Leigh Lights
101670	£67.50	Miskos Ltd	Server access issues
101671	£1627.97	Essex Sound & Light Ltd	Conference system
101672	£300.00	Neopost Ltd	Postage
101673	£0	Valley Provincial Group Ltd	Chq returned unpaid due to signature
101674	£2596.80	Phuse Media Ltd	Website development Comm Centre £1696.80 LTC £900.00
101675	£48.00	Abbeystar	Spring Spectacular banner
101676	£0.00	Mayfield Cleaning Ltd	Chq stopped in error

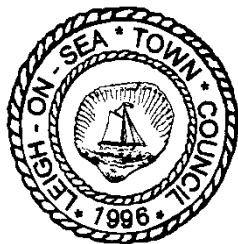
101677	£96.00	Leigh Times Series Ltd	Advert re Farmers Market
101678	£264.89	Safelincs Ltd	Fire Extinguisher servicing
101679	£2700.00	R C Baker Designs	New curtains Room 7
101680	£45.00	Miskos Ltd	Laptop/server issue
101681	£100.00	Cash	Top up petty cash
101682	£270.00	Southend Borough Council	Traffic management Maritime Festival
101683	£1080.00	Southend Borough Council	Hedge Cutting Manchester Drive
101684	£120.00	L Moore	Reptile/Pet Show at Spring Spectacular
101685	£45.00	Miskos Ltd	Network drive issue
101686	£47.22	Acumen Wages Service	Payroll processing costs
101687	£38.08	ELA Group	Lift repairs
101688	£180.00	Leigh Times Series Ltd	Adverts re Annual Town Meeting and for a new councillor
101689	£46.20	Mayfield Cleaning Ltd	Replacement chq re bus shelter cleaning
101690	£283.86	DOTS	Photocopying costs
101691	£10.94	Sheena Walker	Volunteer expenses
101692	£90.00	IT Helpdesk	Server monitoring
101693	£169.01	Essex Supplies (UK) Ltd	Cleaning materials Comm Centre
101694	£38.74	Joy Watson	Replacement for chq 101592 issued Dec 15 - lost
101695	£90.00	St John Ambulance	First Aid cover Spring Spectacular
101696	£23.12	Allen Bros Electrical (Factors) Ltd	Attic electrics
101697	£600.00	Southend BC	Clearance of rubbish allotments
101698	£33.00	N Walker	Refund room hire re cancelled event
101699	£30.00	The Salvation Army	Community Transport Mini bus hire
101700	£90.00	Taxi Drivers Charity Fund for Children	Community Transport Mini bus hire
101701	£55.00	Mr Brian Houssart	Community Transport Taxi hire
101702	£390.00	Lighthouse Media Group	Register Office EBrochure
101703	£250.00	Miskos Ltd	Hard drive replacement
101704	£42.00	Abbeystar	Annual Town Meeting banner
101705	£160.81	Neopost Ltd	Annual contract
101706	£481.20	Secom plc	Annual Intruder Alarm contract
101707	£500.00	Vicarage Marquees	Deposit re marquee for Maritime Festival

101708	£48.75	JR Moore	Matilda workshop
101709	£17.00	NALC	LCR Subscription
101710	£0.00	Cancelled cheque	
101711	£145.50	TV Licensing	Annual TV Licence CC
101712	£1717.49	EALC	EALC & NALC annual affiliation
101713	£48.00	Acumen Wages Service	End of year reporting
101714	£288.00	Greenworks Solutions Ltd	Sanitary bag holders
101715	£33.75	Deckchairs UK	Deposit re Maritime Festival
101716	£46.20	Mayfield Cleaning Ltd	Bus shelter cleaning
101717	£0.00	Cancelled chq	Columns & cables Leigh Lights
101718	£103.58	SSE	Skate Park electricity
101719	£18.12	SSE	Strand Wharf electricity
101720	£53.90	Mrs F Luton	Refund cancelled booking
101721	£95.00	Mark Keeble	Entertainment Maritime Festival
101722	£10.00	Wyvern Community Transport	Minibus hire Comm Transport
Bk Trs	£12161.95	Valley Provincial Group LLP	Refurbishment Strand Wharf – street furniture
Bk Trs	£6475.80	EO Burton	Air dried oak for Strand Wharf
Bk Trs	£125.00	Marshall Close Allotments	ASA agreement
Bk Trs	£400.00	LOSALGA	ASA agreement
Bk Trs	£750.00	MDAS	ASA agreement
		<b>Expenditure – Imprest Items</b>	
	£102.00	Fast Key Services Ltd	Allotment keys
	£23.79	Screwfix Direct	T section pipes for allotment water troughs
	£56.96	Finefilters Ltd	Filters for water boiler
	£9.26	CN Ice Ltd	3 x table skirts
	£30.67	Speedy Stamps Ltd	Payment stamp
	£116.80	St John Ambulance Supplies	Defibrillator pads for First Aid Post
	£290.83	Jewson Ltd	Soundproofing for the lower hall CC
	£60.00	Money Claim Online	Court fees unpaid invoice claim

		<b>Expenditure – Direct Debits</b>	
	£768.66	BES Electricity	Electricity Comm Centre
	£66.82	The Calls Warehouse	Call charges 477248
	£149.75	Cory Environmental	Bin collection Comm Centre
	£480.00	GO CARDLESS (Verde Coffee)	Final payment for Coffee Machine paid by LTC
	£163.80	British Telecom	Internet services CC
	£378.53	BNP Paribas Lease Group	Photocopier lease costs
	£675.70	BES Commercial Electricity Ltd	Electricity Comm Centre
	£68.22	The Calls Warehouse	Call chgs 477248 CC
	£59.75	Global Payments Ltd	Card processing fees
	£139.94	Cory Environmental	Bin collection Comm Centre
	£54.90	GO CARDLESS (Verde Coffee)	Coffee order costs recovered by LTC
	£795.00	Southend BC	Business rates Comm Centre
	£138.53	Wessex Products (Leasing) Ltd	Hand driers Comm Centre
	£218.03	British Telecom	Line rental 716288

**Income as at 31 Mar 2016**

Policy & Resources Committee	£200.52
Community Facilities Committee	£15050.93
Environment & Leisure Committee	£1289.00
Planning, Highways & Licensing Committee	0
<b>Total</b>	<b>£16540.45</b>



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Vice Chairman: Cllr Carole Mulroney  
Town Clerk: Paul Beckerson

Report 2531/PB

Auditing Solutions Ltd

Reference your appointment please find scope of work for Internal Audit 2016/17  
Review of Accounts and Accounting Arrangements

Please check that the accounting records are being maintained accurately and currently and that no anomalous entries appear in cashbooks or financial ledgers. Including:-

- That an appropriate nominal ledger coding structure is in place,
- That regular, monthly bank reconciliations are undertaken on all accounts.

## Review of Corporate Governance

Ensure that the Council has robust Corporate Governance documentation in place; that Council and Committee meetings are conducted in accordance with the adopted Standing Orders and that no actions of a potentially unlawful nature have been or are being considered for implementation.

Further check the Council's reviews of Standing Orders and Financial Regulations during the year, and that appropriate internal control measures are in place together with an updated Financial Risk Assessment.

## Review of Purchasing and Payment Procedures

Perform test checks to confirm that each payment is:

- Supported by a trade invoice or other appropriate form of supporting documentation;
- Supported by an official order, where appropriate;
- Supported by proper quotations and / or a formal tender process, where applicable under the terms of the Council's Financial Regulations;
- Posted accurately to the Edge software nominal ledger expenditure headings;
- Authorised as seen by members during the course of the cheque approval process and subsequently summarised for adoption by Full Council; and
- The VAT is calculated and recorded to the VAT control account for subsequent recovery and has been actioned correctly.

## Assessment and Management of Risk

Review the adequacy of the Council's risk assessment register for all principal areas of the Council's activities and confirm that a formal "strategy" was adopted by the Full Council;

Examine the current year's insurance schedules.

## Budgetary Control and Reserves

Ensure that the Council has appropriate procedures in place to determine its future financial requirements leading to the adoption of an approved budget and formal determination of the amount to be precepted on the local Unitary Authority, that effective arrangements are in place to monitor budgetary performance throughout the financial year and that the Council has identified and retains appropriate reserve funds to meet future spending plans.

## Review of Income

Perform test checks to confirm that income due to the Council is identified, invoiced (where applicable) and recovered at the appropriate rate and within a reasonable time scale: and ensuring that it is banked promptly in accordance with the Council's Financial Regulations.

Ensure that the schedules of Council's fees and charges are reviewed and adopted annually;

### **Petty Cash Account**

Review the petty cash account and confirm that the required check by the Chair or the Vice Chair of P&RC is performed at least three times per year.

Check that the payment transactions are entered into the Edge Paid Expenditure reports in the same manner as other cheque payments with full details of the payee and goods with VAT separately recorded for periodic recovery.

### **Salaries and Wages**

Confirm that extant legislation is being appropriately observed as regards adherence to the Employee Rights Act 1998 and the requirements of HM Revenue and Customs (HMRC) legislation as regards the deduction and payment over of income tax and NI contributions, together with meeting the requirements of the local government pension scheme, as further amended with effect from 1<sup>st</sup> April 2014, as regards employee contribution bandings, the inclusion of overtime as pensionable pay and actual salary rates forming the basis for banding determination instead of WTEs. In particular:-

- Ensure that the Council reviews and approves pay scales for staff annually;
- Agree the amounts paid to employees by reference to the approved pay scale on the NJC annual schedule of rates payable, where applicable, or to the individuals' letters of annual amendment where not paid on those scales, examining a sample of all those salary payments made in one month;
- Ensure that Tax and National Insurance deductions for all employees have been made applying the appropriate PAYE code and NI Table;
- Check that the correct superannuation percentage deductions are being applied where applicable;
- Check and agree the net payments to staff from copy payslips to the cashbooks;
- Check and agree the payment over of deductions to HMRC and Essex County Council from copy payroll reports to cashbooks and have, as part of the supplier payments testing noted earlier, summarised the month by month total payments with explanations obtained for any variances arising therein; and

### **Asset Registers**

Ensure that an appropriate register of buildings, land, plant and equipment owned by the Council is maintained.

Ensure that, in accord with the revised Practitioners' guidance in this area, the asset values have not been subject to either depreciation or "insurance policy inflation" and verify the overall value therein to the disclosure at Box 9, Section 1 of the Annual Return.

### **Investments and Loans**

Ensure that the Council is "investing" surplus funds, be they held temporarily or on a longer term basis in appropriate banking and investment institutions, that an appropriate investment policy is in place, that the Council is obtaining the best rate of return on any such investments made, that interest earned is brought to account correctly and appropriately in the accounting records and that any loan repayments due to or payable by the Council are transacted in accordance with appropriate loan agreements.

### **Statement of Accounts and Annual Return**

Verify the accuracy of detail in the Annual Statement of Accounts, as produced initially by the Edge accounting software, but also supplemented by more formal supporting Income & Expenditure and Balance Sheet statements prepared by the Clerk and Finance Officer, to the underlying records and other documentation.