

St Austell Town Council



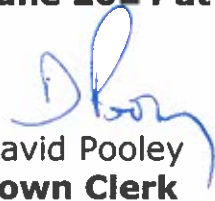
Finance and General Purposes Committee

To: All Members of the Finance and General Purposes Committee

(Councillors: Brown, Bull, Clemo, French, Gray, Lanxon, Pearce, Rowse and Young).

Dear Councillor

You are summoned to attend a **Meeting of the Finance and General Purposes Committee** to be held in **The Stable Block, Pondhu House, Penwinnick Road, St Austell, Cornwall, PL25 5DP** on **Monday 24th June 2024 at 6pm.**


David Pooley
Town Clerk

18th June 2024

Tel: 01726 829859
E.mail: david.pooley@staustell-tc.gov.uk
Website: www.staustell-tc.gov.uk

AGENDA

1. **Election of Chair**
2. **Election of Vice-Chair**
3. **Apologies for absence**

This meeting has been advertised as a public meeting and as such could be filmed or recorded by broadcasters, the media or members of the public.

Please be aware that whilst every effort is taken to ensure that members of the public are not filmed, we cannot guarantee this, especially if you are speaking or taking an active role.

4. Declarations of Interest

(Purpose: To receive declarations of disclosable pecuniary and other non-registerable interests in respect of items on this agenda).

5. Dispensations

(Purpose: To receive requests for dispensations under the Code of Conduct).

6. Minutes of meeting held on the 2nd April 2024

**Pages
1 - 4**

(Purpose: To agree that the minutes of the above meeting be signed as a correct record). (Attached).

7. Matters to Note

A verbal update from the Town Clerk on the actions taken since the last meeting. Note: No decision may be made under this agenda item.

8. Public participation (15 minutes maximum)

The Chairman will invite members of the public to address the meeting in relation to the business to be carried out at the meeting.

15 minutes will be allocated for public participation (this can be extended at the Chairman's discretion). Each person addressing the Council will be allocated a maximum of two minutes.

9. Budget Monitoring Report

**Pages
5 - 12**

(Purpose: To review the Town Council's budget monitoring report for the period 1st April 2024 – 31st May 2024). (Report attached).

10. Communications Protocol

**Pages
13 - 16**

(Purpose: To consider an updated Communications Protocol). (Attached).

11. Clerks' Robes

**Pages
17 - 18**

(Purpose: To consider replacing the Clerks' Robes)

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12. Financial Regulations

**Pages
19 - 36**

(Purpose: To consider draft financial regulations based on a new guidance from NALC). (Draft attached).

13. Standing Orders

**Pages
37 - 86**

(Purpose: To consider updated standing orders). (Draft attached).

14. St Austell Library

(Purpose: To provide Members with an update on the operational activities of St Austell Library).(Verbal update).

15. Dates of Next Meetings

(Purpose: To note the date of next meeting – 16th September 2024).

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MINUTES of a MEETING of the FINANCE AND GENERAL PURPOSES COMMITTEE held on TUESDAY 2nd APRIL 2024 in The Stable Block, Pondhu House, Penwinnick Road, St Austell, Cornwall, PL25 5DP at 6pm.

Present: Councillors Clemo, French (Chair), Gray, Lanxon, Pearce and Young

In attendance: David Pooley (Town Clerk) and Sara Gwilliams (Deputy Town Clerk).

F/23/44) Apologies for absence

Apologies for absence were received from Councillors Bull, Brown and Rowse.

F/23/45) Declarations of Interest

None.

F/23/46) Dispensations

None.

F/23/47) Minutes of meeting held on 19th February 2024

It was **RESOLVED** that the minutes of the meeting held on the 19th February 2024 be approved and signed as a correct record.

F/23/48) Matters to Note

The Clerk advised that the Community Infrastructure Funding (CIL) in the sum of £6,955 has been applied to the Bethel Park project and signed off by Cornwall Council as an acceptable use of the funding. He added that the year-end spending position should allow the purchase of additional CCTV cameras but due to contractor constraints, this could not be achieved before the year-end. The money will be set aside into a reserve and utilised when the contractor is available, hopefully early in the new financial year.

F/23/49) Public participation

There were no members of the public present.

Councillor Lanxon arrived during the next item

F/23/50) Budget Monitoring Report

The Clerk updated Members on the income and expenditure to the end of February and highlighted the following:

Income

- Interest income. Increased interest rates have resulted in an increase in income for the year;
- Other grants and contributions. This income reflects grants for Bethel Park, Holmbush Road bus shelter and the roof top garden.

Expenditure

- Cleaning and domestic supplies. A change in administrative coding reflects an overspend, but this is offset by a reduced spend in contract payments where the payments were anticipated to be coded at the start of the financial year;
- Election Expenses – slightly higher than anticipated but within budget
- Electricity - overspend due to an increase in costs and an historic charge for The House
- Insurance – a saving on the budget due to a recent tender exercise
- Miscellaneous expenses – Bethel bus shelter (covered by a grant), unforeseen mine shaft works at Bethel Park and consultants fees for the rooftop garden project (covered by a grant);
- Miscellaneous grants – increased funding for security personnel and Christmas lights;
- Priory Car Park, Business Rates – Successful appeal on the business rates for Priory Car Park (£30,000 saved).
- Repairs and Maintenance – an increase in costs relating to the demolition and making good of the old toilet block and building of a bat house at Poltair Park.

Arising from questions, the Clerk advised that the re-lining of Priory Car Park will be carried out when the better weather arrives and that the EV charging revenue goes to Cornwall Council.

F/23/51) Asset Register

The Clerk advised that for audit purposes, it is a requirement that the Town Council's Asset Register is updated and approved as at the 31st March each year. Councillor Young advised that the location of the Deputy Mayor's Concert Badge was incorrect.

It was **RESOLVED** to approve the Town Council's updated Asset Register dated 31st March 2024 subject to the above correction.

F/23/52) Internal Audit

The Clerk advised that the Town Council has robust governance arrangements and explained the separation of duties within the office when processing the Council's income and expenditure. He added that the Town Council's Accounting system is linked to the Town Council's Bank Accounts and monthly bank reconciliations are carried out.

The Clerk advised that two audit checks are carried out each year by the Chair and Vice-Chair of the Finance and General Purposes Committee which includes a spot check of transactions. The Town Council's Internal Auditor (appointed by the Town Council) carries out two audit checks per annum which includes the year end Accounts.

The last audit check is carried out by an External Auditor (appointed centrally) who verifies and approves the year end accounts and the governance arrangements such as risk management.

The Clerk advised that the Chair and Vice-Chair noted during their last spot checks that the car park income could not be reconciled for a short period of time when the new payment machines were installed.

He re-assured members that the income received during this time was not out of line with what would be expected. The Clerk also advised that the 20p toilet machines at Priory Car Park are aging and do not always accurately count the income received.

Arising from questions the Clerk advised that the Chair and Vice-Chair checks are carried out on a pre-arranged basis and that nearly all payments are made by BACS. The Clerk added that the Town Council's IT systems are monitored by a consultant and are the subject of a robust firewall and 2 back-up systems on the cloud. It is hoped that the Cyber essentials certification can be obtained in due course.

In answer to a further question, the Clerk advised that he is a Chartered Accountant (CIPFA) and CiLCA qualified, the Deputy Clerk has an HR qualification and is CiLCA qualified, the Operations Manager has a diploma in Health and Safety and the Administrative/Finance Assistant is CiLCA qualified and is studying for her Association of Accounting Technicians (AAT) qualification.

It was **RESOLVED** to note the Chair and Vice-Chair Internal Audit checks.

F/23/53) Priory Car Park

The Clerk advised that the car park income is likely to be in line with budget at the year end and that the cash income received has reduced by about 25% since the contactless payment method has been installed. If this trend continues, the Town Council might be able to reduce the G4S cash collections which are currently twice a week. The "Phone and Pay" app and QR Code "Pay to Park" methods of payment have also seen a reduction in takings due to people preferring to use the contactless feature on the car park machines. The "Phone and Pay" app has a two year contract which might be the subject of a recommendation in due course not to renew if the income through this app continues to decline. Season tickets are now administered through the "Pay to Park" Exemption system which is more environmentally friendly and efficient.

It was **RESOLVED** to note the update.

F/23/54) Town Vitality Fund

The Clerk advised that, subject to written confirmation from the Chair of the St Austell Town Centre Revitalisation Partnership, the following funding has almost been secured from Cornwall Council:

Town Accelerator Fund = £35,000

£10,000 = Feasibility work for key worker/student accommodation

£25,000 = Feasibility work for traffic flows and signage improvements

Strategic Fund = £80,000

£15,000 = subject to permissions from the owner, development of plans for the High Cross Street site

£65,000 = capital funding for the church ground improvements and piazza

Town Delivery Fund = £25,000

A formal bid has been submitted to Cornwall Council for funding for the Poundland banners replacement. Awaiting outcome.

Arising from questions, the Clerk advised that the landowner at High Cross Street site has engaged with Cornwall Council and the highways feasibility work will include the potential to allow busses through Fore Street. The Clerk advised that following discussions with Cornwall Council, a reduced funding proposal had to be submitted which resulted in the old Fire Station and Duke Street projects being deleted from the project list. It is hoped that alternative funding will be found for these projects.

Members noted the update.

F/23/55) St Austell Library

The Deputy Town Clerk advised that the library has recently hosted events for i-Sight Cornwall, Barnardo's and a soroptimists book give away. A recent craft fayre was also well attended. Cornwall Council has teamed up with the NHS and blood pressure monitors can now be loaned from some libraries, including St Austell. The staff do not get involved with any blood pressure readings or medical assistance. The Childrens Literacy Festival is planned for three days covering 28th to 30th June and a grant application has been submitted from Mr Disney-Pollard for consideration at the next Community Committee. SALSA is hoping to employ a gardener for a few hours each month to keep the library garden maintained and a picture competition is being organised for the newly painted computer suite. The library continues to perform well and is consistently in the top two performing libraries in Cornwall. The library has a number of volunteers assisting with the smooth running of the library and will host a number of work experience students during the summer.

Members noted the update.

F/23/56) Dates of next meeting

It was noted that the next meeting of the Finance and General Purposes Committee is due to take place on 24th June 2024.

The meeting closed at 7.20pm.

ST AUSTELL TOWN COUNCIL

FINANCE AND GENERAL PURPOSES COMMITTEE

24th JUNE 2024

BUDGET MONITORING REPORT

1. PURPOSE OF REPORT

To provide Members with an update on income and expenditure to the 31st May 2024 and a copy of the Council's latest bank reconciliation statements.

2. LEGAL AND RISK MANAGEMENT ISSUES

It is a legal requirement for the Town Council to set a budget annually and it is good practice to monitor that budget at regular intervals. The Town Clerk monitors budgets monthly and provides regular budget monitoring reports to the Finance and General Purposes Committee. It is part of the remit of the Finance and General Purposes Committee to monitor and manage budgets on behalf of the Town Council.

3. RESOURCE ISSUES

None outside of existing budgets.

4. EQUALITIES ISSUES

None.

5. ENVIRONMENTAL ISSUES

None.

6. RECOMMENDATIONS

It is recommended that Members note the attached budget monitoring reports and bank reconciliation statement.

The budget variance report for May 2024 and the financial year to the 31st May 2024 is attached for information. After allowing for the

Town Centre Revitalisation projects which are to be largely funded from grant monies the income and expenditure are within acceptable limits.

Significant variances are explained below:

- **Interest income** – increased interest rates offset by delayed payment date
- **Other grants and contributions** – grants for the Rooftop Garden and CIL neighbourhood levy
- **Contract payments** – savings due to invoice delays.
- **Electricity** – increased cost of fuel following ending of long-term agreement for street lights plus annual recharge for CCTV.
- **Grounds Maintenance Supplies** – seasonal purchase of plants etc.
- **IT/Communications** – annual line rental for CCTV and software licences.
- **Miscellaneous expenses** –rooftop garden project and credit card transaction charges
- **Miscellaneous grants** –funding for security personnel
- **Play equipment** – no major refurbishments or replacements as yet.
- **Salaries/Wages** – Pay award pending.

DAVID POOLEY - TOWN CLERK

Budget Variance

St Austell Town Council

For the month ended 31 May 2024

	MAY 2024	MAY 2024		VARIANCE	VARIANCE %	APR-MAY 2024	APR-MAY 2024		VARIANCE	VARIANCE %
		OVERALL BUDGET					OVERALL BUDGET			
Trading Income										
Car Park Income	20,632.95	19,833.00	799.95	↑	4.03%	38,741.50	39,666.00	(924.50)	↓	-2.33%
Interest Income	163.13	1,833.00	(1,669.87)	↓	-91.10%	3,456.74	3,666.00	(209.26)	↓	-5.71%
Library Income	201.96	525.00	(323.04)	↓	-61.53%	569.43	1,050.00	(480.57)	↓	-45.77%
Other Grants and Contributions	55,944.00	75.00	55,869.00	↑	74,492.00%	59,920.49	150.00	59,770.49	↑	39,846.99%
Other Income	1,017.12	180.00	837.12	↑	465.07%	1,122.12	360.00	762.12	↑	211.70%
Precept Payments	-	-	-	-	-	588,960.00	588,960.00	-	-	-
Public Convenience Charges	-	229.00	(229.00)	↓	-100.00%	147.65	458.00	(310.35)	↓	-67.76%
Rent Received	-	871.00	(871.00)	↓	-100.00%	350.00	1,742.00	(1,392.00)	↓	-79.91%
Total Trading Income	77,959.16	23,546.00	54,413.16		231.09%	693,267.93	636,052.00	57,215.93		9.00%
Gross Profit	77,959.16	23,546.00	54,413.16		231.09%	693,267.93	636,052.00	57,215.93		9.00%

Operating Expenses

Books and Publications	-	-	-	-	-	-	50.00	(50.00)	↓	-100.00%
Cleaning & Domestic Supplies	1,588.94	1,583.00	5.94	↑	0.38%	3,501.66	3,166.00	335.66	↑	10.60%
Contract Hire and Operating Leases	-	46.00	(46.00)	↓	-100.00%	-	92.00	(92.00)	↓	-100.00%
Contract Payments	12,056.38	13,425.00	(1,368.62)	↓	-10.19%	23,101.04	26,850.00	(3,748.96)	↓	-13.96%
Electricity	1,634.01	1,250.00	384.01	↑	30.72%	3,377.94	2,500.00	877.94	↑	35.12%

Budget Variance

	MAY 2024	MAY 2024 OVERALL BUDGET	VARIANCE	VARIANCE %	APR-MAY 2024	APR-MAY 2024 OVERALL BUDGET	VARIANCE	VARIANCE %
Fuel	1,054.37	981.00	73.37 ↑	7.48% ↑	2,035.26	1,962.00	73.26 ↑	3.73% ↑
Gas	1,158.13	500.00	658.13 ↑	131.63% ↑	866.09	1,000.00	(133.91) ↓	-13.39% ↓
Grounds Maintenance Supplies	5,963.84	1,975.00	3,988.84 ↑	201.97% ↑	6,434.45	3,950.00	2,484.45 ↑	62.90% ↑
Insurances	-	-	-	-	11,103.46	11,340.00	(236.54) ↓	-2.09% ↓
IT / Communications	1,061.00	2,139.00	(1,078.00) ↓	-50.40% ↓	9,307.30	4,278.00	5,029.30 ↑	117.56% ↑
Mayors Allowances	-	62.00	(62.00) ↓	-100.00% ↓	-	124.00	(124.00) ↓	-100.00% ↓
Members Allowance	12.30	12.00	0.30 ↑	2.50% ↑	12.30	24.00	(11.70) ↓	-48.75% ↓
Miscellaneous Expenses	976.37	3,596.00	(2,619.63) ↓	-72.85% ↓	22,031.90	7,192.00	14,839.90 ↑	206.34% ↑
Miscellaneous Grants	-	5,629.00	(5,629.00) ↓	-100.00% ↓	25,576.50	11,258.00	14,318.50 ↑	127.19% ↑
Office Supplies	137.20	242.00	(104.80) ↓	-43.31% ↓	359.53	484.00	(124.47) ↓	-25.72% ↓
Other Transport/plant expenses	79.57	1,958.00	(1,878.43) ↓	-95.94% ↓	1,646.37	3,916.00	(2,269.63) ↓	-57.96% ↓
Play Equipment	100.00	4,167.00	(4,067.00) ↓	-97.60% ↓	100.00	8,334.00	(8,234.00) ↓	-98.80% ↓
Printing and Stationery	46.42	283.00	(236.58) ↓	-83.60% ↓	92.13	566.00	(473.87) ↓	-83.72% ↓
Protective Clothing	144.98	229.00	(84.02) ↓	-36.69% ↓	792.35	458.00	334.35 ↑	73.00% ↑
Publicity	-	167.00	(167.00) ↓	-100.00% ↓	-	334.00	(334.00) ↓	-100.00% ↓
Rates	5,388.00	6,301.00	(913.00) ↓	-14.49% ↓	10,783.60	12,602.00	(1,818.40) ↓	-14.43% ↓
Recruitment	-	92.00	(92.00) ↓	-100.00% ↓	-	184.00	(184.00) ↓	-100.00% ↓
Rent / Room Hire	-	520.00	(520.00) ↓	-100.00% ↓	-	1,040.00	(1,040.00) ↓	-100.00% ↓
Repairs / Maintenance Premises	3,074.56	3,330.00	(255.44) ↓	-7.67% ↓	3,155.11	6,660.00	(3,504.89) ↓	-52.63% ↓
Repairs/ Maintenance-Vehicles/Plant	1,135.41	633.00	502.41 ↑	79.37% ↑	1,160.41	1,266.00	(105.59) ↓	-8.34% ↓

	MAY 2024	MAY 2024 OVERALL BUDGET	VARIANCE	VARIANCE %	APR-MAY 2024	APR-MAY 2024 OVERALL BUDGET	VARIANCE	VARIANCE %
Road Fund / Taxes	-	100.00	(100.00)	↓ -100.00%	-	200.00	(200.00)	↓ -100.00%
Salaries / Wages	58,629.56	63,439.00	(4,809.44)	↓ -7.58%	115,389.90	126,878.00	(11,488.10)	↓ -9.05%
Small Grants Scheme	-	667.00	(667.00)	↓ -100.00%	150.00	1,334.00	(1,184.00)	↓ -88.76%
Subscriptions	-	704.00	(704.00)	↓ -100.00%	4,030.32	1,408.00	2,622.32	↑ 186.24%
Training	195.00	367.00	(172.00)	↓ -46.87%	395.00	734.00	(339.00)	↓ -46.19%
Transport Insurance	-	258.00	(258.00)	↓ -100.00%	-	516.00	(516.00)	↓ -100.00%
Travel and Subsistence	246.85	44.00	202.85	↑ 461.02%	282.44	88.00	194.44	↑ 220.95%
Water	258.28	211.00	47.28	↑ 22.41%	258.28	422.00	(163.72)	↓ -38.80%
Total Operating Expenses	94,941.17	114,910.00	(19,968.83)	↓ -17.38%	245,943.34	241,210.00	4,733.34	↑ 1.96%
Net Profit	(16,962.01)	(91,364.00)	74,381.99	↑ 81.41%	447,324.59	394,842.00	52,482.59	↑ 13.29%

ST AUSTELL TOWN COUNCIL

BANK RECONCILIATION AS AT:

31.5.24

	£	£
Business Current Account		340,696.12
Mayor's Charity Account		0.00
Business Direct Reserve Account		21,160.19
Petty Cash		233.30
Library Float		100.00
Total in Bank		362,189.61

Total Unpresented Cheques	0.00
	362,189.61

Outstanding receipts	0.00
	0.00
	362,189.61

<u>Accounting System Bank Balance:</u>	
Opening Bank Balance	135,145.67
Expenditure to date	575177.07
Income to date	802221.01
	362,189.61

Accounting System Payment Recorded but yet paid	0.00
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Accounting System Bank Balance	362,189.61	0.00
		balanced

Note:

Attach Accounting Statement and remember to adjust for the Outstanding Accounting System Entries after balancing.

Reconciliation Completed: Date: 3.6.24

Reviewed: Date: 3.6.24



ST AUSTELL TOWN COUNCIL

COMMUNICATIONS PROTOCOL

A	Town Council Correspondence
(i)	The point of contact for the Town Council is the Clerk, and it is to the Clerk that all correspondence for the Town Council should be addressed.
(ii)	The Clerk should deal with all correspondence required following a meeting.
(iii)	No individual Councillor or Officer should be the sole custodian of any correspondence or information in the name of the Town Council, a committee, sub-committee or working party. Councillors and Officers shall have the right to obtain confidential information/documentation if they can demonstrate a 'need to know'.
(iv)	All official correspondence should be sent by the Clerk in the name of the council using council letter headed paper or official e-mail.
(v)	Where correspondence including e-mails from the Clerk to a Councillor, a Councillor to the Clerk or between Councillors is copied to another person, the addressee must be made aware that a copy is being forwarded to that other person.
B.	Agenda Items for Council, Committees, Sub-Committees and Working Parties
(i)	Agendas should be clear and concise. They should contain sufficient information to enable Councillors to make an informed decision and for the public to understand what matters are being considered and what decisions are being taken at a meeting.
(ii)	Items for information should be kept to a minimum on an agenda.
(iii)	Where the Clerk or a Councillor wishes all fellow Councillors to receive matters for "information only", this information will be circulated via the Clerk.
C.	Communications with the Press and Public

(i)	The Clerk will clear all non-technical press reports, or comments to the media, with the Mayor or the Chair of the relevant committee.
(ii)	The Mayor in agreement with the Clerk may issue press releases on behalf of the Council.
(iii)	Press reports from the Council, its committee or working parties should be from the Clerk, an officer, the Mayor or via the reporter's own attendance at a meeting.
(iv)	Press releases issued on behalf of the Town Council should be sent to all Members for their information at the same time that the press release is issued to the media.
(v)	Unless a Councillor has been authorised by the council to speak to the media on a particular issue, Councillors who are asked for comment by the press should make it clear that it is a personal view and ask that it be clearly reported as their personal view.
(vi)	Unless a Councillor is absolutely certain that he/she is reporting the view of the council, they must make it clear to members of the public that they are expressing a personal view.
(vii)	If Councillors receive a complaint about the Council, a Councillor or its officers from a member of the public, this should be dealt with under the Council's adopted complaints procedure, or via a council agenda item.
(viii)	The Clerk should maintain the Town Council's website in an accessible, timely manner and ensure that all statutory requirements for the publication of information are met.
(ix)	The Clerk should strive to arrange for a press release to be issued at least monthly, by whatever forum is felt appropriate to promote the activities of the Town Council.
(x)	During purdah, the Town Council will endeavour not to deal with controversial issues or report views, proposals or recommendations in a way that identifies them with individual members or groups of members. This is to make sure that no individual or political party gains an unfair advantage by appearing in corporate publicity.
D	Social Media

(i)	The Clerk should maintain and monitor an up to date and informative Facebook page on behalf of the Council, taking care to ensure no political bias.
(ii)	Individual Councillors may be asked from time to time to promote the work of the Town Council by way of a press article or short video clip. The Clerk will review and approve the press article or video before publication to prevent any unintentional mis-information being posted.
E	Annual Report
	The Town Council will produce an Annual Report to provide an overview of the Town Council's activities and achievements over the year which will be published on the Town Council's website and hard copies made available at the Town Council's offices and Library.
F.	Councillor Correspondence to external parties
(i)	The Clerk should send the majority of correspondence to external bodies. Should a Councillor send any correspondence to an external body, they should make it clear that they are either writing in a personal capacity or because of their role in that external body and, if appropriate, should ensure that they have the authorisation of the Town Council to do so.
(ii)	A copy of outgoing correspondence relating to the council, council business or a Councillor's role within it where relevant, should be sent to the Clerk, and it be noted on the correspondence, e.g. "copy to Clerk" so that the recipient is aware that the Clerk has been advised.
(iii)	Members are free to engage with residents on local issues or make general comments on council business and reply accordingly.
(iv)	If Members participate in social networking sites (whether in a personal capacity or in their role as a Town Councillor) they should make it clear in their communications, where appropriate, whether they are speaking on behalf of the Council or in a personal capacity.
G.	Communications with Town Council Staff
(i)	Councillors must not give instructions to any member of staff, unless authorised to do so (for example, three or more

	Councillors sitting as a committee or sub-committee with appropriate delegated powers from the council).
(ii)	No individual Councillor, regardless of whether or not they are the Chair of the council, the Chair of a committee or a working group may give instructions to the Clerk or to another employee which are inconsistent or conflict with council decisions or arrangements for delegated power.
(iii)	Telephone calls to the office should be appropriate to the work of the Town Council.
(iv)	<p>E-mails:</p> <ul style="list-style-type: none"> • Councillors and officers should use the Council email address provided for all emails relating to Council business and be aware that such communications may be viewed by third parties under Data Protection and/or Freedom of Information legislation; • Town Council staff should only communicate by email to Councillors using formal Council email addresses; • Instant replies should not be expected from the Clerk or other staff (reasons for urgency should be stated); • Information to Councillors should normally be directed via the Clerk; • E-mails from Councillors to external parties where relevant should be copied to the Clerk; • Councillors should acknowledge their e-mails when requested to do so.
(v)	<p>Meetings with the Clerk or other officers:</p> <ul style="list-style-type: none"> • Wherever possible an appointment should be made; • Meetings should be relevant to the work of that particular officer; • Councillors should be clear that all matters are legitimate council business.

**ST AUSTELL TOWN COUNCIL
FINANCE AND GENERAL PURPOSES COMMITTEE**

24th JUNE 2024

REPLACEMENT ROBE

1. PURPOSE OF REPORT

To consider if the Clerk's robes should be replaced.

2. LEGAL AND RISK MANAGEMENT ISSUES

There is no requirement to have a set of robes or a wig for the Town Clerk.

3. RESOURCE ISSUES

A replacement robe would cost in the region of £2,000-2,100.

4. EQUALITIES ISSUES

None.

5. ENVIRONMENTAL ISSUES

None.

6. RECOMMENDATIONS

It is recommended that Members decide whether they wish to replace the Clerk's robes.

The Clerk's robe is believed to be 30-40 years old. It is now in a very poor condition and may not be economically repairable. The cost of replacement with a similar robe would be approximately £2,000-£2,100. An assessment of the cost and feasibility of repair will be made shortly. Members views are invited.

DAVID POOLEY - TOWN CLERK



ST AUSTELL TOWN COUNCIL

FINANCIAL REGULATIONS

ST AUSTELL TOWN COUNCIL - FINANCIAL REGULATIONS

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These Financial Regulations were adopted by the council at its meeting held on [enter date].

1. General

- 1.1. These Financial Regulations govern the financial management of the council and may only be amended or varied by resolution of the council. They are one of the council's governing documents and shall be observed in conjunction with the council's Standing Orders.
- 1.2. Councillors are expected to follow these regulations and not to entice employees to breach them. Failure to follow these regulations brings the office of councillor into disrepute.
- 1.3. Wilful breach of these regulations by an employee may result in disciplinary proceedings.
- 1.4. In these Financial Regulations:
 - 'Accounts and Audit Regulations' means the regulations issued under Sections 32, 43(2) and 46 of the Local Audit and Accountability Act 2014, or any superseding legislation, and then in force, unless otherwise specified.
 - "Approve" refers to an online action, allowing an electronic transaction to take place.
 - "Authorise" refers to a decision by the council, or a committee or an officer, to allow something to happen.
 - 'Proper practices' means those set out in *The Practitioners' Guide*
 - *Practitioners' Guide* refers to the guide issued by the Joint Panel on Accountability and Governance (JPAG) and published by NALC in England or Governance and Accountability for Local Councils in Wales – A Practitioners Guide jointly published by One Voice Wales and the Society of Local Council Clerks in Wales.
 - 'Must' and **bold text** refer to a statutory obligation the council cannot change.
 - 'Shall' refers to a non-statutory instruction by the council to its members and staff.
- 1.5. The Responsible Financial Officer (RFO) holds a statutory office, appointed by the council. The Clerk has been appointed as RFO and these regulations apply accordingly. The RFO;
 - acts under the policy direction of the council;
 - administers the council's financial affairs in accordance with all Acts, Regulations and proper practices;
 - determines on behalf of the council its accounting records and control systems;
 - ensures the accounting control systems are observed;
 - ensures the accounting records are kept up to date;
 - seeks economy, efficiency and effectiveness in the use of council resources; and
 - produces financial management information as required by the council.
- 1.6. **The council must not delegate any decision regarding:**

- **setting the final budget or the precept (council tax requirement);**
- **the outcome of a review of the effectiveness of its internal controls**
- **approving accounting statements;**
- **approving an annual governance statement;**
- **borrowing;**
- **declaring eligibility for the General Power of Competence; and**
- **addressing recommendations from the internal or external auditors**

1.7. In addition, the council shall:

- **determine and regularly review the bank mandate for all council bank accounts;**
- **authorise any grant or single commitment in excess of £10,000.**

2. Risk management and internal control

2.1. **The council must ensure that it has a sound system of internal control, which delivers effective financial, operational and risk management.**

2.2. The Clerk shall prepare, for approval by the Finance and General Purposes Committee a risk management policy covering all activities of the council. This policy and consequential risk management arrangements shall be reviewed by the council at least annually.

2.3. When considering any new activity, the Clerk shall prepare a draft risk assessment including risk management proposals for consideration by the council.

2.4. **At least once a year, the council must review the effectiveness of its system of internal control, before approving the Annual Governance Statement.**

2.5. **The accounting control systems determined by the RFO must include measures to:**

- **ensure that risk is appropriately managed;**
- **ensure the prompt, accurate recording of financial transactions;**
- **prevent and detect inaccuracy or fraud; and**
- **allow the reconstitution of any lost records;**
- **identify the duties of officers dealing with transactions and**
- **ensure division of responsibilities.**

2.6. At least once in each quarter, and at each financial year end, a member other than the Chair {or a cheque signatory} shall be appointed to verify bank reconciliations (for all accounts) produced by the RFO. The member shall sign and date the reconciliations and the original bank statements (or similar document) as evidence of this. This activity, including any exceptions, shall be reported to and noted by the Finance and General Purposes Committee.

- 2.7. Regular back-up copies shall be made of the records on any council computer and stored either online or in a separate location from the computer. The council shall put measures in place to ensure that the ability to access any council computer is not lost if an employee leaves or is incapacitated for any reason.

3. Accounts and audit

- 3.1. All accounting procedures and financial records of the council shall be determined by the RFO in accordance with the Accounts and Audit Regulations.
- 3.2. **The accounting records determined by the RFO must be sufficient to explain the council's transactions and to disclose its financial position with reasonable accuracy at any time. In particular, they must contain:**
- **day-to-day entries of all sums of money received and expended by the council and the matters to which they relate;**
 - **a record of the assets and liabilities of the council;**
- 3.3. The accounting records shall be designed to facilitate the efficient preparation of the accounting statements in the Annual {Governance and Accountability} Return.
- 3.4. The RFO shall complete and certify the annual Accounting Statements of the council contained in the Annual {Governance and Accountability} Return in accordance with proper practices, as soon as practicable after the end of the financial year. Having certified the Accounting Statements, the RFO shall submit them (with any related documents) to the council, within the timescales required by the Accounts and Audit Regulations.
- 3.5. **The council must ensure that there is an adequate and effective system of internal audit of its accounting records and internal control system in accordance with proper practices.**
- 3.6. **Any officer or member of the council must make available such documents and records as the internal or external auditor consider 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.
- 3.7. The internal auditor shall be appointed by the Finance and General Purposes Committee and shall carry out their work to evaluate the effectiveness of the council's risk management, control and governance processes in accordance with proper practices specified in the Practitioners' Guide.
- 3.8. The council shall ensure that the internal auditor:
- is competent and independent of the financial operations of the council;
 - reports to council in writing, or in person, on a regular basis with a minimum of one written report during each financial year;
 - can demonstrate competence, objectivity and independence, free from any actual or perceived conflicts of interest, including those arising from family relationships; and

- has no involvement in the management or control of the council

3.9. Internal or external auditors may not under any circumstances:

- perform any operational duties for the council;
- initiate or approve accounting transactions;
- provide financial, legal or other advice including in relation to any future 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.

3.10. For the avoidance of doubt, in relation to internal audit the terms 'independent' and 'independence' shall have the same meaning as described in The Practitioners Guide.

3.11. 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 documents required by the Local Audit and Accountability Act 2014, or any superseding legislation, and the Accounts and Audit Regulations.

3.12. The RFO shall, without undue delay, bring to the attention of all councillors any correspondence or report from internal or external auditors.

4. Budget and precept

4.1. **Before setting a precept, the council must calculate its council tax requirement for each financial year by preparing and approving a budget, in accordance with The Local Government Finance Act 1992 or succeeding legislation.**

4.2. Budgets for salaries and wages, including employer contributions shall be reviewed by the Staffing Committee at least annually in October for the following financial year and the final version shall be evidenced by a hard copy schedule signed by the Clerk and the Chair of the Council. The RFO will inform committees of any salary implications before they consider their draft their budgets.

4.3. No later than December each year, the RFO shall prepare a draft budget with detailed estimates of all income and expenditure for the following financial year (along with a forecast for the following three financial years, taking account of the lifespan of assets and cost implications of repair or replacement.

4.4. Unspent budgets for completed projects shall not be carried forward to a subsequent year. Unspent funds for partially completed projects may only be carried forward (by placing them in an earmarked reserve) with the formal approval of the full council.

4.5. Each committee shall review its draft budget and submit any proposed amendments to the Finance and General Purposes Committee not later than the end of November each year.

- 4.6. The draft budget with any committee proposals and three-year forecast, including any recommendations for the use or accumulation of reserves, shall be considered by the Finance and General Purposes Committee and a recommendation made to the council.
- 4.7. Having considered the proposed budget and three-year forecast, the council shall determine its council tax requirement by setting a budget. The council shall set a precept for this amount no later than the end of January for the ensuing financial year.
- 4.8. **Any member with council tax unpaid for more than two months is prohibited from voting on the budget or precept by Section 106 of the Local Government Finance Act 1992 and must disclose at the start of the meeting that Section 106 applies to them.**
- 4.9. The RFO shall **issue the precept to the billing authority no later than the end of February** and supply each member with a copy of the agreed annual budget.
- 4.10. The agreed budget provides a basis for monitoring progress during the year by comparing actual spending and income against what was planned.
- 4.11. Any addition to, or withdrawal from, any earmarked reserve shall be agreed by the council.

5. Procurement

- 5.1. **Members and officers are responsible for obtaining value for money at all times.** Any officer procuring goods, services or works should ensure, as far as practicable, that the best available terms are obtained, usually by obtaining prices from several suppliers.
- 5.2. The RFO should verify the lawful nature of any proposed purchase before it is made and in the case of new or infrequent purchases, should ensure that the legal power being used is reported to the meeting at which the order is authorised and also recorded in the minutes.
- 5.3. Every contract shall comply with the council's Standing Orders and these Financial Regulations and no exceptions shall be made, except in an emergency.
- 5.4. **For a contract for the supply of goods, services or works where the estimated value will exceed the thresholds set by Parliament, the full requirements of The Public Contracts Regulations 2015 or any superseding legislation ("the Legislation"), must be followed in respect of the tendering, award and notification of that contract.**
- 5.5. Where the estimated value is below the Government threshold, the council shall (with the exception of items listed in paragraph 5.12) obtain prices as follows:
- 5.6. For contracts estimated to exceed £60,000 including VAT, the Clerk shall seek formal tenders from at least three suppliers agreed by the Finance and General Purposes Committee OR advertise an open invitation for tenders in compliance with any relevant provisions of the Legislation. Tenders shall be invited in accordance with Appendix 1.

- 5.7. For contracts estimated to be over £30,000 including VAT, the council must comply with any requirements of the Legislation¹ regarding the advertising of contract opportunities and the publication of notices about the award of contracts.**
- 5.8. For contracts greater than £3,000 excluding VAT the Clerk shall seek at least 3 fixed-price quotes;
- 5.9. Where the value is between £500 and £3,000 excluding VAT, the Clerk shall try to obtain 3 estimates which might include evidence of online prices, or recent prices from regular suppliers.
- 5.10. For smaller purchases, the Clerk shall seek to achieve value for money.
- 5.11. Contracts must not be split into smaller lots to avoid compliance with these rules.**
- 5.12. The requirement to obtain competitive prices in these regulations need not apply to contracts that relate to items (i) to (iv) below:
- i. specialist services, such as legal professionals acting in disputes;
 - ii. repairs to, or parts for, existing machinery or equipment;
 - iii. works, goods or services that constitute an extension of an existing contract;
 - iv. goods or services that are only available from one supplier or are sold at a fixed price.
- 5.13. When applications are made to waive this financial regulation to enable a price to be negotiated without competition, the reason should be set out in a recommendation to the council or relevant committee. Avoidance of competition is not a valid reason.
- 5.14. The council shall not be obliged to accept the lowest or any tender, quote or estimate.
- 5.15. Individual purchases within an agreed budget for that type of expenditure may be authorised by:
- the Clerk, under delegated authority, for any items below £5,000 excluding VAT.
 - a duly delegated committee of the council for all items of expenditure within their delegated budgets for items under £10,000 excluding VAT.
 - in respect of grants, a duly authorised committee within any limits set by council and in accordance with any policy statement agreed by the council.
 - the council for all items over £10,000.

Such authorisation must be supported by a minute (in the case of council or committee decisions) or other auditable evidence trail.

¹ The Regulations require councils to use the Contracts Finder website if they advertise contract opportunities and also to publicise the award of contracts over £30,000 including VAT, regardless of whether they were advertised.

- 5.16. No individual member, or informal group of members, may issue an official order unless instructed to do so in advance by a resolution of the council or make any contract on behalf of the council.
- 5.17. No expenditure may be authorised that will exceed the budget for that type of expenditure other than by resolution of the council or a duly delegated committee acting within its Terms of Reference except in an emergency.
- 5.18. In cases of serious risk to the delivery of council services or to public safety on council premises, the clerk may authorise expenditure of up to £10,000 excluding VAT on repair, replacement or other work that in their judgement is necessary, whether or not there is any budget for such expenditure. The Clerk shall report such action to the Chair as soon as possible and to the council as soon as practicable thereafter.
- 5.19. No expenditure shall be authorised, no contract entered into or tender accepted in relation to any major project, unless the council is satisfied that the necessary funds are available and that where a loan is required, Government borrowing approval has been obtained first.
- 5.20. An official order or letter shall be issued for all work, goods and services above £500 excluding VAT unless a formal contract is to be prepared or an official order would be inappropriate. Copies of orders shall be retained, along with evidence of receipt of goods.
- 5.21. Any ordering system can be misused and access to them shall be controlled by the RFO.

6. Banking and payments

- 6.1. The council's banking arrangements, including the bank mandate, shall be made by the RFO and authorised by the Finance and General Purposes Committee. The council has resolved to bank with Nat West. The arrangements shall be reviewed annually for security and efficiency.
- 6.2. The council must have safe and efficient arrangements for making payments, to safeguard against the possibility of fraud or error. Wherever possible, more than one person should be involved in any payment, for example by dual online authorisation or dual cheque signing. Even where a purchase has been authorised, the payment must also be authorised and only authorised payments shall be approved or signed to allow the funds to leave the council's bank.
- 6.3. All invoices for payment should be examined for arithmetical accuracy, analysed to the appropriate expenditure heading and verified to confirm that the work, goods or services were received, checked and represent expenditure previously authorised by the council before being certified by the Clerk or authorised officer.
- 6.4. Personal payments (including salaries, wages, expenses and any payment made in relation to the termination of employment) may be summarised in reports to avoid disclosing any personal information.

- 6.5. All payments shall be made by online banking, credit card or cheque, in accordance with a resolution of the council or duly delegated committee or a delegated decision by an officer, unless the council resolves to use a different payment method.
- 6.6. The Clerk and RFO shall have delegated authority to authorise payments in the following circumstances:
- i. any payments of up to £5,000 excluding VAT, within an agreed budget.
 - ii. payments of up to £10,000 excluding VAT in cases of serious risk to the delivery of council services or to public safety on council premises.
 - iii. any payment necessary to avoid a charge under the Late Payment of Commercial Debts (Interest) Act 1998 or to comply with contractual terms, where the due date for payment is before the next scheduled meeting of the council, where the Clerk certifies 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 council.
 - iv. Fund transfers within the councils banking arrangements up to the sum of [£10,000], provided that a list of such payments shall be submitted to the next appropriate meeting of council [or finance committee].
- 6.7. The RFO shall present a schedule of payments requiring authorisation, forming part of the agenda for the meeting to the council. The council shall review the schedule for compliance and, having satisfied itself, shall authorise payment by resolution. A detailed list of all payments shall be disclosed within or as an attachment to the minutes of that meeting.

7. Electronic payments

- 7.1. Where internet banking arrangements are made with any bank, the RFO shall be appointed as the Service Administrator. The bank mandate agreed by the council shall identify a number of councillors who will be authorised to approve transactions on those accounts and a minimum of two people will be involved in any online approval process. The Clerk may be an authorised signatory, but no signatory should be involved in approving any payment to themselves.
- 7.2. All authorised signatories shall have access to view the council's bank accounts online.
- 7.3. No employee or councillor shall disclose any PIN or password, relevant to the council or its banking, to anyone not authorised in writing by the council or a duly delegated committee.
- 7.4. An authorised officer shall set up all items due for payment online. A list of payments for approval, together with copies of the relevant invoices, shall be provided to two authorised signatories and/or two councillors.
- 7.5. Two councillors shall check the payment details against the invoices before approving each payment using an approved system.

- 7.6. Evidence shall be retained showing which members approved the payment(s) and a printout of the transaction(s) confirming that the payment has been made shall be appended to the invoice(s) for audit purposes.
- 7.7. A full list of all payments shall be provided to the next council meeting.
- 7.8. With the approval of the Finance and General Purposes Committee in each case, regular payments (such as gas, electricity, telephone, broadband, water, National Non-Domestic Rates, refuse collection, pension contributions and HMRC payments) may be made by variable direct debit, provided that the instructions are signed/approved online by two authorised members. The approval of the use of each variable direct debit shall be reviewed by the Finance and General Purposes Committee at least every two years.
- 7.9. Payment may be made by BACS or CHAPS by resolution of the Finance and General Purposes Committee provided that each payment is approved by two authorised officers or councillors, evidence is retained and any payments are reported to the council at the next meeting. The approval of the use of BACS or CHAPS shall be renewed by resolution of the council at least every two years.
- 7.10. If thought appropriate by the council, regular payments of fixed sums may be made by banker's standing order, provided that the instructions are signed {or approved online} by two members, evidence of this is retained and any payments are reported to council when made. The approval of the use of a banker's standing order shall be reviewed by the Finance and General Purposes Committee at least every two years.
- 7.11. Account details for suppliers may only be changed upon written notification by the supplier verified by the Clerk. This is a potential area for fraud and the individuals involved should ensure that any change is genuine. Data held should be checked with suppliers every five years.
- 7.12. Members and officers shall ensure that any computer used for the council's financial business has adequate security, with anti-virus, anti-spyware and firewall software installed and regularly updated.
- 7.13. Remembered password facilities should not be used on any computer system used for council banking.

8. Cheque payments

- 8.1. Cheques or orders for payment in accordance with a resolution or delegated decision shall be signed by two members.
- 8.2. A signatory having a family or business relationship with the beneficiary of a payment shall not, under normal circumstances, be a signatory to that payment.
- 8.3. To indicate agreement of the details on the cheque with the counterfoil and the invoice or similar documentation, the signatories shall also initial the cheque counterfoil and invoice.

9. Payment cards

- 9.1. Any Debit Card issued for use will be specifically restricted to the Clerk and will also be restricted to a single transaction maximum value of £1,000 unless authorised by council or finance committee in writing before any order is placed.
- 9.2. A pre-paid debit card may be issued to employees with varying limits. These limits will be set by the RFO. Transactions and purchases made will be reported to the council and authority for topping-up shall be at the discretion of the RFO.
- 9.3. Any corporate credit card or trade card account opened by the council will be specifically restricted to use by the Clerk and other authorised officers and any balance shall be paid in full each month.
- 9.4. Personal credit or debit cards of members or staff shall not be used under any circumstances.

10. Petty Cash

- 10.1. The RFO shall maintain a petty cash imprest account of £250 and may provide petty cash to officers for the purpose of defraying operational and other expenses.
 - a) Vouchers for payments made from petty cash shall be kept, along with receipts to substantiate every payment.
 - b) Cash 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 any schedule of payments presented for approval.

11. Payment of salaries and allowances

- 11.1. **As an employer, the council must make arrangements to comply with the statutory requirements of PAYE legislation.**
- 11.2. **Councillors allowances (where paid) are also liable to deduction of tax under PAYE rules and must be taxed correctly before payment.**
- 11.3. Salary rates shall be agreed by the council, or a duly delegated committee. No changes shall be made to any employee's gross pay, emoluments, or terms and conditions of employment without the prior consent of the council {or relevant committee}.
- 11.4. Payment of salaries shall be made, after deduction of tax, national insurance, pension contributions and any similar statutory or discretionary deductions, on the dates stipulated in employment contracts.
- 11.5. Deductions from salary shall be paid to the relevant bodies within the required timescales, provided that each payment is reported, as set out in these regulations above.
- 11.6. Each payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a payroll control account or other separate confidential record, with the total of such payments each calendar month reported in the computerised accounting system. Payroll reports will be reviewed by the RFO and nominated members of The Finance and General Purposes Committee to ensure that the correct payments have been made.

11.7. Any termination payments shall be supported by a report to the council, setting out a clear business case. Termination payments shall only be authorised by the full council.

11.8. Before employing interim staff, the council must consider a full business case.

12. Loans and investments

12.1. Any application for Government approval to borrow money and subsequent arrangements for a loan must be authorised by the full council and recorded in the minutes. All borrowing shall be in the name of the council, after obtaining any necessary approval.

12.2. Any financial arrangement which does not require formal borrowing approval from the Secretary of State (such as Hire Purchase, Leasing of tangible assets or loans to be repaid within the financial year) must be authorised by the full council, following a written report on the value for money of the proposed transaction.

12.3. The council shall consider the requirement for an Investment Strategy and Policy in accordance with Statutory Guidance on Local Government Investments, which must be written in accordance with relevant regulations, proper practices and guidance. Any Strategy and Policy shall be reviewed by the council at least annually.

12.4. All investment of money under the control of the council shall be in the name of the council.

12.5. All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.

12.6. Payments in respect of short term or long-term investments, including transfers between bank accounts held in the same bank, shall be made in accordance with these regulations.

13. Income

13.1. The collection of all sums due to the council shall be the responsibility of and under the supervision of the RFO.

13.2. The council will review all fees and charges for work done, services provided, or goods sold at least annually as part of the budget-setting process, following a report of the Clerk. The RFO shall be responsible for the collection of all amounts due to the council.

13.3. Any sums found to be irrecoverable and any bad debts shall be reported to the council by the RFO and shall be written off in the year. The council's approval shall be shown in the accounting records.

13.4. All sums received on behalf of the council shall be deposited intact with the council's bankers, with such frequency as the RFO considers necessary. The origin of each receipt shall clearly be recorded on the paying-in slip or other record.

13.5. Personal cheques shall not be cashed out of money held on behalf of the council.

13.6. The RFO shall ensure that VAT is correctly recorded in the council's accounting software and that any VAT Return required is submitted from the software by the due date.

13.7. Where significant sums of cash are regularly received by the council, the RFO shall 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 record such as ticket issues, and that appropriate care is taken for the security and safety of individuals banking such cash.

13.8. Any income that 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.

14. Payments under contracts for building or other construction works

14.1. Where contracts provide for payment by instalments the RFO shall maintain a record of all such payments, which shall be made within the time specified in the contract based on signed certificates from the architect or other consultant engaged to supervise the works.

14.2. Any variation of, addition to or omission from a contract must be authorised by the Clerk to the contractor in writing, with the council being informed where the final cost is likely to exceed the contract sum by 5% or more, or likely to exceed the budget available.

15. Stores and equipment

15.1. The officer in charge of each section shall be responsible for the care and custody of stores and equipment in that section.

15.2. 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.

15.3. Stocks shall be kept at the minimum levels consistent with operational requirements.

15.4. The RFO shall be responsible for periodic checks of stocks and stores, at least annually.

16. Assets, properties and estates

16.1. The Clerk shall make arrangements for the safe custody of all title deeds and Land Registry Certificates of properties held by the council.

16.2. The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date, with a record of all properties held by the council, their 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.

16.3. 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.

16.4. No interest in land 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. In each case a written report 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 where required by law).

No tangible moveable property 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, except where the estimated value of any one item does not exceed £5,000. In each case a written report shall be provided to council with a full business case.

17. Insurance

- 17.1. The RFO shall keep a record of all insurances effected by the council and the property and risks covered, reviewing these annually before the renewal date in conjunction with the council's review of risk management.
- 17.2. The Clerk shall give prompt notification to the RFO and/or insurers of all new risks, properties or vehicles which require to be insured and of any alterations affecting existing insurances.
- 17.3. The RFO shall be notified of any loss, liability, damage or event likely to lead to a claim, and shall report these to the Finance and General Purposes Committee at the next available meeting. The RFO shall negotiate all claims on the council's insurers.
- 17.4. All appropriate 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.

18. Charities

- 18.1. Where the council is sole managing trustee of a charitable body the Clerk and RFO shall ensure that separate accounts are kept of the funds held on charitable trusts and separate financial reports made in such form as shall be appropriate, in accordance with Charity Law and legislation, or as determined by the Charity Commission. The Clerk and RFO shall arrange for any audit or independent examination as may be required by Charity Law or any Governing Document.

19. Suspension and revision of Financial Regulations

- 19.1. The council shall review these Financial Regulations bi-annually and following any change of clerk or RFO. The Clerk shall monitor changes in legislation or proper practices and advise the council of any need to amend these Financial Regulations.

19.2. The council may, by resolution 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 presented to all members. Suspension does not disapply any legislation or permit the council to act unlawfully.

19.3. The council may temporarily amend these Financial Regulations by a duly notified resolution, to cope with periods of absence, local government reorganisation, national restrictions or other exceptional circumstances.

DRAFT

Appendix 1 - Tender process

- 1) Any invitation to tender shall state the general nature of the intended contract and the Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases.
- 2) The invitation shall in addition state that tenders must be addressed to the Clerk in the ordinary course of post, unless an electronic tendering process has been agreed by the council.
- 3) Where a postal process is used, 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. All sealed tenders shall be opened at the same time on the prescribed date by the Clerk in the presence of at least one member of council.
- 4) Where an electronic tendering process is used, the council shall use a specific email address that will be monitored to ensure that nobody accesses any tender before the expiry of the deadline for submission.
- 5) Any invitation to tender issued under this regulation shall be subject to Standing Order 17 and shall refer to the terms of the Bribery Act 2010.
- 6) Where 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, 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.



ST AUSTELL TOWN COUNCIL

STANDING ORDERS

Approved: Monday 24th June 2024

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For ease, the masculine gender is used throughout this document. The feminine gender is equally applicable. Paragraphs in bold type face indicate statutory requirements.

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 until it has been moved and seconded
- c A motion on the agenda that is not moved by its proposer may be treated by the Chairman of the meeting as withdrawn.
- d If a motion (including an amendment) had been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- e An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- f If an amendment to the original motion is carried, the amended motion becomes the substantive motion upon which further amendment(s) may be moved.
- g An amendment shall not be considered unless notice of it is given at the meeting after the original or substantive motion has been recorded and before voting on that motion. If requested by the Chairman of the meeting, the amendment should be 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 had 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.
- 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 shall have a right of reply at the end of debate on it, prior to the vote, not exceeding 3 minutes
- n Where a series of amendments to an original motion are carried, the mover of the original motion shall have the right of reply either at the end of debate of each amendment or at the very end of the 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 identify the standing order which he considers has been breached or specify the other irregularity in the proceedings of the meeting which 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 3 minutes without the consent of the Chairman of the meeting.

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

-  a **Meetings shall not take place in premises which at the time of the meeting are 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 the meeting shall be by a resolution which shall give reasons for the public's exclusion.**
- e Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.
- f The period of time designated for public participation at a meeting in accordance with standing order 3(e) above 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 not speak for more than 2 minutes.
- 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 may remain 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 **Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is permitted provided these undertaking these activities do not act in a disruptive manner. The Chairman of the meeting shall have the right to exclude anyone acting in a disruptive manner from the meeting.**
-  m **The press and public 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 5(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. 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. In exceptional circumstances, where the majority of members present at a meeting consider it appropriate, a vote may be undertaken by a secret ballot.

- s The minutes of the 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.



- 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 (vi) 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 2 ½ 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 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 permit a committee to appoint its own chairman at the first meeting of the committee;
 - vi. 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. The Council has determined that the quorum of a committee or sub-committee should be one third of the membership or three whichever is the greater;
 - vii. shall determine whether the public may participate at a

- meeting of a committee;
- viii. shall determine if the public and the press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;
 - ix. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend and
 - x. may dissolve a committee.
- e. Individual advisors or non-councillors may only be appointed to committees or sub committees by the full Council and should be appointed for a clearly defined purpose and period of time. The appointment of advisors should be reviewed at least annually.
- f. Advisors will not have voting rights except within advisory committees or subcommittees if the approved terms of reference permit non-councillors to vote.
- g. Advisors or non-councillors when attending meetings of the Council will be expected to uphold the standards of the Council including compliance with the Code of Conduct, standing orders, financial regulations and any protocols or policies relating to behaviour or conduct. The Council may terminate the appointment of an advisor if it has any concern with regard to conduct or at any time.

5. 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. If no other time is fixed, the annual meeting of the council shall take place at 6pm.

- c. 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.**
- d. The first business conducted at the annual meeting of the council shall be the election of the Chairman and Vice-Chairman (if any) of the Council.**
- e. 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.**
- f. 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.**
- g. 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.**
- h. 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.**
- i. 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:**

- i. In an election year, delivery by the Chairman of the Council and councillors of their acceptance of office forms unless the council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chairman of the Council of his acceptance of office form unless the council resolves for this to be done at a later date;**
- ii.** Confirmation of the accuracy of the minutes of the last meeting of the council;
- iii.** Receipt of the minutes of the last meeting of a committee;
- iv.** Consideration of the recommendations made by a committee;
- v.** Review of delegation arrangements to committees, sub-committees, staff and other local authorities;
- vi.** Review of the terms of reference for committees;
- vii.** Appointment of members to existing committees;
- viii.** Appointment of any new committees in accordance with standing order 4 above;
- ix.** Review and adoption of appropriate standing orders and financial regulations;
- x.** Review of arrangements, including any charters and agency agreements, with other local authorities and review of contributions made to expenditure incurred by other local authorities;
- xi.** Review of representation on or work with external bodies and arrangements for reporting back;
- xii.** In an election year, to make arrangements with a view to the council becoming eligible to exercise the general power of competence in the future;
- xiii.** Review of inventory of land and assets including buildings and office equipment;
- xiv.** Confirmation of arrangements for insurance cover in

- respect of all insured risks;
- xv.** Review of the council's and/or staff subscriptions to other bodies;
 - xvi.** Review of the council's complaints procedure;
 - xvii.** Review of the council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998;
 - xviii.** Review of the council's policy for dealing with the press/media; and
 - xix.** Determining the time and place of ordinary meetings of the full council up to and including the next annual meeting of full council.

j Members' Formal Questions

A Member may at a full meeting of the Council ask the Chairman, the Chairman of any Committee or the Clerk any question concerning the business of the Council, provided notice of the question has been given to the person to whom it is addressed at least 3 clear working days before the meeting begins.

The Chairman may allow other members to discuss the subject or ask supplementary questions on the same subject at his or her discretion.

A person to whom a question has been put may decline to answer or agree to provide a response in writing after the meeting.

6. 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 7 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 days (and hold the same within the following 14 days) of having been requested to do so by one third of the membership or 3 councillors (whichever is the greater), those councillors may convene an extraordinary meeting of a committee (or a sub-committee).

7. 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 7 councillors to be given to the Proper Officer in accordance with standing order 9 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 7(a) above has been disposed of, no similar motion may be moved within a further six months.
- c. Notwithstanding standing order 7(a) above, the planning committee or council may re-consider a decision with regard to the council's response to a consultation on a planning matter if requested to do so by Cornwall Council in accordance with Cornwall Council's planning protocol for

such matters within 6 months.

d. Where necessary, in order to meet the deadlines imposed by Cornwall Council's planning protocol, the Clerk may, in consultation with the Chairman and Vice-chairman of the planning and regeneration committee:

- i. Ask that the planning application be referred to the appropriate planning committee of Cornwall Council; or
- ii. Reiterate the planning and regeneration committee's original response but permit delegated decision making; or
- iii. Review and amend the planning and regeneration committee response in the light of additional information received.

In each case, the decision should be reported for information to the next meeting of the planning and regeneration committee.

8. 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.

9. 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 The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9(b) above, correct obvious grammatical or typographical errors in the wording of the motion.
- d If the Proper Officer considers the wording of a motion received in accordance with standing order 9(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 7 clear days before the meeting.
- e 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.
- f Subject to standing order 9(e) above, the decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- g Motions received shall be recorded in a book for that purpose and numbered in the order that they are received.

- h Motions rejected shall be recorded in a book for that purpose with an explanation by the Proper Officer for their rejection.

10. 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 refer a motion to a particular committee or sub-committee;
- v. To appoint a person to preside at a meeting;
- vi. To change the order of business on an agenda;
- vii. To proceed to the next business on the agenda;
- viii. To require a written report;
- ix. To appoint a committee or sub-committee, its members and appropriate terms of reference; To extend the time limits for speaking;
- x. To exclude the press and public from a meeting in respect of confidential or sensitive information which is prejudicial to the public interest;
- xi. To not hear further from a councillor or a member of the public;
- xii. To exclude a councillor or member of the public for disorderly conduct;
- xiii. To temporarily suspend the meeting;
- xiv. To suspend a particular standing order (unless it reflects mandatory statutory requirements);

- xv. To adjourn the meeting; or
- xvi. To close a meeting.

11. 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 shall not disclose information given in confidence or in a confidential report (green papers) or which they believe, or ought to be aware, is of a confidential nature.
- c Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.
- d The following types of business are likely to be considered confidential for special reasons:
 - 1. Engagement, terms of service, conduct and dismissal of employees;
 - 2. Terms of tenders, and proposals and counter proposals in negotiations for contracts;
 - 3. Preparation of cases in legal proceedings; and
 - 4. The early stages of dispute

12. Draft minutes

- a If the draft minutes of a preceding meeting have been served on

councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.

- b There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 10(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 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.

13. Code of Conduct, Complaints and Dispensations

General

- a The Council has adopted the Cornwall Code of Conduct for City, Community, Parish and Town Councils which will apply to all councillors and members of the public co-opted to serve on

Committees and sub Committees of the Council in respect of the entire meeting.

All interests arising from the Code of Conduct adopted by the Council will be recorded in the minutes giving the existence and nature of the interest.

- b Members must have particular regard to their obligation to record and leave the room for certain matters in which they have an interest as defined by the Code of Conduct or by relevant legislation.
- c The Council shall maintain for public inspection, a Register of Members' interests that is compliant with the Code of Conduct and with relevant legislation.

Members and the Code of Conduct

- d All councillors and members of the public co-opted to serve on Council committees and sub committees shall observe the Code of Conduct adopted by the Council.
- e All councillors and members of the public co-opted to serve on Council committees and sub committees shall maintain a Register of Disclosable Pecuniary Interests, and must update their register by notifying the Monitoring Officer and the Clerk of any changes within 28 days.
- f All councillors shall undertake training in the code of conduct within 6 months of the delivery of their declaration of acceptance of office.
- g Unless granted a dispensation, a councillor or non-councillor with voting rights who has registered a Disclosable Pecuniary Interest in relation to any item of business being transacted at a meeting, shall leave the room whenever the item is being discussed, including any part of the meeting where the public are entitled to speak.
- h Unless granted a dispensation, a councillor or non-councillor with voting rights who has registered a non-registerable interest in relation to any item of business being transacted at a meeting, shall leave the room whenever the item is being discussed, including any part of the meeting where the public are entitled to speak.

- i Where a non-registerable interest arises from membership of an outside body as defined in 3.5a of the Council's code of conduct, a councillor may remain in the room to address the meeting, provide a short statement and answer questions for no more than three (3) minutes before leaving the room at the request of the Chairman.
- j Councillors must record in a register of interests maintained by the Proper Officer any gifts or hospitality that are offered or received in connection with their official duties as a member and the source of the gift or hospitality
 - i) worth £25 or over
 - OR,
 - ii) that could be seen by the public as likely to influence their judgement in these matters.
- k A Member of the Council may, for the purposes of his duty as a member but not otherwise, inspect any document which has been considered by a Committee or by the Council. The Proper Officer or Solicitor to the Council may decline to allow inspection of any document which is protected by other legislation or in the event of legal proceedings would be protected by privilege arising from the relationship of solicitor and client. All Minutes kept for any Committee shall be open for the inspection of any member of the Council during office hours.

Allegations of breaches of the Code of Conduct

- l Notification of any complaint shall remain confidential to the Proper Officer of the Council until such time as the matter has been concluded, when the outcome of the complaint shall be reported to a meeting of full council.
- m Where the notification relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Mayor of that fact, who, upon receipt of such notification, shall nominate a person to assume the duties of the Proper Officer set out in this standing order, who shall continue to act in respect of that matter as such until the complaint is resolved.

- n Where a notification relates to a complaint made by an employee (not being the Proper Officer) the Proper Officer shall ensure that the employee in question does not deal with any aspect of the complaint.
- o 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;
- p References to a notification shall be taken to refer to a communication of any kind which relates to a breach or an alleged breach of the code of conduct by a councillor.
- q **Upon notification by the Monitoring Officer of the Unitary Council that a councillor or non-councillor with voting rights has breached the council's code of conduct, the council shall consider any recommendations of the Monitoring Officer and what, if any, action to take against him in accordance with the recommendations. The Council has no ability to impose its own sanctions against a member found in breach of the Code of Conduct. Such action excludes disqualification or suspension from office but may include removal from one or more committees of the Council or restricted access to council premises except to attend meetings.**

Dispensations

- r The Council has adopted a policy for the issuing of dispensations which is in accordance with the Council's Code of Conduct. It is attached to these Standing Orders as an appendix.
- s This policy shall apply to all meetings of the Council, its committees and sub-committees.
- t No dispensation will be awarded for any meeting where there are no minutes of the proceedings.

14. Proper Officer

- a The Proper Officer shall be either (i) the clerk (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 shall:

- i. **At least three clear days before a meeting of the council, a committee and a sub-committee serve on councillors, by delivery or post at their residences, a signed summons confirming the time, place and the agenda; or**

At least three clear days before a meeting of the council, a committee and a sub-committee serve on Councillors a summons, by e-mail, confirming the time, place and the agenda provided any such email contains the electronic signature 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.

- ii. **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.

- iii. Subject to standing order 9 above, include on the agenda

all motions in the order received unless a councillor has given written notice at least seven days before the meeting confirming his withdrawal of it;

iv. **Convene a meeting of the full council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;**

v. Facilitate inspection of the minute book by local government electors;

vi. **receive and retain copies of byelaws made by other local authorities;**

vii. retain acceptance of office forms from councillors;

viii. retain a copy of every councillor's register of interests;

ix. 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;

x. receive and send general correspondence and notices on behalf of the council except where there is a resolution to the contrary;

xi. manage the organisation, storage of, access to and destruction of information held by the council in paper and electronic form;

xii. arrange for legal deeds to be executed;

See also standing order 21 below.

xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the council in accordance with the council's financial regulations;

xiv. record every planning application notified to the council and the council's response to the local planning authority for such purpose;

xiv.(a) refer a planning application or such similar

consultation received by the council to the Chair or in his absence the Vice-Chair of the Planning and Regeneration Committee within two working days of receipt to facilitate an extraordinary meeting if the nature of the matter requires consideration by Committee before the next ordinary meeting of the Planning and Regeneration Committee; or

xiv.(b) refer a planning consultation or similar matter to the Chair and Vice-Chair of the Planning and Regeneration Committee (together with the local Cornwall Council Divisional Member where appropriate) where delegated procedures as outlined in Appendix 1 are necessary to meet deadlines imposed;

- xv. manage access to information about the council via the publication scheme; and
- xvi. retain custody of the seal of the council (if any) which shall not be used without a resolution to that effect.

See also standing order 21 below.

15. 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.

16. Accounts and accounting statements

- a. "Proper practices" in standing orders refer to the most recent version of Joint Panel on Accountability and Governance – a Practitioners' Guide.
- 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 meeting of the Finance and General Purposes Committee a statement summarising:

- i. the council's receipts and payments;
- ii. the council's aggregate receipts and payments for the year to date;
- iii. the balances held at the end of the accounting period being reported

and which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.

d. As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:

- i. each councillor with a statement summarising the council's receipts and payments for the 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.

17. 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 17(c) below) including the setting of values for different procedures where a contract has an estimated value of less than £60,000.
- 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 £60,000 shall be procured on the basis of a formal tender as summarised in standing order 17(d) below.**
- 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/or 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 or electronically if agreed;
 - v. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
 - vi. tenders are to be reported to and considered by the appropriate meeting of the council or a committee or sub-committee with delegated responsibility.
- e Neither the council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- f **Where the value of a contract is likely to exceed £214,904 (or other threshold specified by the Office of Government Commerce from time to time) the council must consider whether the Public Contracts Regulations 2015 (as amended) and the Utilities Contracts Regulations 2016 (as amended) apply to the contract and, if either of those Regulations apply, the council must comply with UK procurement regulations.**

In any case, the award of all contracts with a value of £25,000 or more should be advertised in accordance with the Public Contract Regulations 2015.

18. Handling staff matters

- a A matter personal to a member of staff that is being considered by a meeting of council or the Staffing Committee is subject to standing order 11 above.
- b Subject to the council's policy regarding absences from work, the council's most senior member of staff shall notify the chairman of the Staffing Committee or, if he is not available, the vice-chairman of the Staffing Committee of absence occasioned by illness or other reason and that person shall report such absence to the Staffing Committee at its next meeting.
- c The chairman of the Staffing Committee or in his absence, the vice-chairman shall upon a resolution conduct a review of the performance and annual appraisal of the work of the Town Clerk. The reviews and appraisal shall be reported in writing and is subject to approval by resolution by the Staffing Committee.
- d Subject to the council's policy regarding the handling of grievance matters, the council's most senior employee (or other employees) shall contact the chairman of the Staffing Committee or in his absence, the vice-chairman of the Staffing Committee in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Staffing Committee.
- e Subject to the council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by the Town Clerk relates to the chairman or vice-chairman of the Staffing Committee, this shall be communicated to another member of the Staffing Committee, which shall be reported back and progressed by resolution of the Staffing 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 18(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 18(f) and (g) above shall be provided only to the Town Clerk and Deputy Town Clerk and/or the Chairman of the Staffing Committee.

19. 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.

20. 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.

21. Execution and sealing of legal deeds

See also standing orders 14(b) (xii) and (xvii) above.

- a A legal deed shall not be executed on behalf of the council unless authorised by a resolution.
- b **Subject to standing order 21 (a) above, any two councillors may sign, on behalf of the council, any deed required by law and Proper Officer shall witness their signatures.**

22. Communicating with Unitary councillors

- a An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the Division councillors of the Unitary Council representing the area of the Council.
- b Unless the Council determines otherwise, a copy of each letter sent to the Unitary Council shall be sent to the Division Councillors representing the area of the Council.

23. Restrictions on councillor activities

- a Unless authorised by a resolution, no councillor shall in the name, or on behalf of the Council, a Committee or Sub-Committee:
 - i. inspect any land and/or premises/property which the council has a right or duty to inspect; or
 - ii. issue orders, instructions or directions.
- b All formal inspections shall be undertaken, and all instructions be given, by suitably qualified officers or contractors.

24. 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 7 councillors to be given to the Proper Officer in accordance with standing order 9 above.
- c The Proper Officer shall provide a copy of the council's standing orders to a councillor as soon as possible after he has delivered his acceptance of office form.
- d The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final.

APPENDIX 1 – TERMS AND REFERENCES FOR COMMITTEES

(Approved May 2024)

Planning and Regeneration Committee

Purpose:

To deal with planning, regeneration, economic development, highways and licensing matters on behalf of the Council.

Responsibilities:

- To respond, on behalf of the Town Council, to consultations on planning matters and other consultations relating to matters within the remit of the Committee;
- To consider issues, consultation documents and policy initiatives relating to the regeneration and economic development of the St Austell area and to respond, on the Council's behalf, as appropriate;
- To direct all activity designed to regenerate the town and promote economic development in the St Austell area;
- To monitor the work of and liaise as necessary with the St Austell Town Centre Revitalisation Partnership;
- To consider issues, consultation documents and policy initiatives relating to highways and transportation;
- To prepare an annual budget estimate for the areas within its remit for submission to full Council;
- Spending limit: Up to £10,000 on any one item, subject to expenditure being within an agreed budget head and policy and a suitable procurement process put in place. (Expenditure outside these limits to be recommended to full Council for approval).

Relevant Delegations:

- Responses to planning consultations and other consultations within the remit of the Committee.
- To direct activity designed to regenerate the town and promote economic development in the St Austell area.
- Approval of planning and other relevant training within budget.
- The Clerk in consultation with the Chair and Vice Chair (and the local

Cornwall Council Divisional Member where appropriate) may agree a response to consultations in cases when a response is required urgently.

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Finance and General Purposes Committee

To oversee the governance arrangements of the Council including its financial and administrative arrangements and the management of the Council's property, information technology and communications. To manage public conveniences, car parks and the library service.

Responsibilities:

- To ensure that the Council has proper governance arrangements, complies with legal duties and maintains high standards in the conduct of its business;
- To oversee the financial management of the Council and support the Responsible Financial Officer of the Council;
- To regularly monitor income and expenditure against budgets on behalf of the Council;
- To direct the Council's communications activity, including public information, consultation and engagement and media relations;
- To oversee the Council's public conveniences, car parks and library services;
- To maintain adequate and robust internal and external audit arrangements and to receive and ensure that audit reports are properly considered and acted on;
- To oversee the Council's property portfolio and maintain and review appropriate asset registers and insurance arrangements;
- To oversee and approve the Council's information technology requirements including telecommunications;
- To manage and oversee the Council's risk management and health and safety arrangements;
- To review policies and procedures at agreed intervals;
- To prepare an annual budget estimate for the areas within its remit for submission to full Council;
- Spending limit: Up to £10,000 on any one item, subject to expenditure being within an agreed budget head and policy and a suitable procurement process put in place. (Expenditure outside these limits to be recommended to full Council for approval).

Relevant delegations:

- Appointment of Internal Auditor.
- Risk Management
- Health and Safety
- Insurance arrangements.
- Allotment administration (subject to £2000 limit per annum)
- Banking and Treasury Management arrangements.
- To approve responses to consultation papers on governance matters.
- The Town Clerk be authorised to transfer monies between Bank Accounts and to undertake investment activities in accordance with approved Treasury Management Strategies.
- See separate paper detailing specific financial delegations.

Community Committee

Purpose:

To direct all activity designed to improve the community and cultural life of the St Austell area including the environment.

Responsibilities:

- To direct all activity designed to benefit the town and its community, except those aspects reserved to other Committees;
- To operate the Council's Small Grants Scheme, and recommend revisions to the Scheme for approval by full Council;
- To manage the allotments, sports grounds, open spaces, verges and bus shelters which are owned, leased or managed by the Town Council;
- The management of contracts for CCTV, footpath maintenance and weed treatment works within budget;
- To approve responses to consultation papers relating to matters within the remit of the Committee;
- To manage the Council's input to issues relating to youth services and The House;
- To maintain the Council's environmental initiatives;
- To prepare an annual budget estimate for the areas within its remit for submission to full Council;
- To direct all activity in relation to the prevention of anti social behaviour
- Spending Limit: Up to £10,000 on any one item, subject to expenditure being within agreed budget head and policy and a suitable procurement process put in place. (expenditure outside these limits to be recommended to full Council for approval)

Relevant delegations:

- Grants under the Council's small grants scheme.
- Grants up to £10,000 provided they are within an approved budget

- Small environmental projects costing less than £10,000 within budget.
- The management of contracts for CCTV, parks and open spaces, footpath maintenance and weed treatment works within budget.
- To approve responses to consultation papers relating to matters within the remit of the Committee.

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Climate and Environment Committee

Purpose:

To direct activity designed to reduce the Council's carbon footprint. To investigate and report such measures that will impact efforts to meet the challenges of a climate emergency and make recommendations to full Council.

Responsibilities:

- To develop a climate emergency plan;
- To oversee environmental initiatives within the remit of the Committee;
- Approval of climate and environmental training within budget;
- To advise other committees, when relevant, about proposed changes that they have responsibility for that may impact negatively on carbon emissions;
- To consider issues, consultation documents and policy initiatives relating to the climate emergency and to respond on the Council's behalf, as appropriate;
- Work with Cornwall Council and other agencies where mutual benefits exist;
- To support and work with neighbouring parish councils where appropriate;
- Investigate appropriate sources of external funding;
- To liaise with Government agencies, Cornwall Council, strategic partners and members of the community to educate, inform and advise on carbon reduction;
- To prepare an annual budget estimate for the areas within its remit for submission to full Council;
- Spending Limit: Up to £10,000 on any one item, subject to expenditure being within agreed budget head and policy and a suitable procurement process being put in place.

(Expenditure outside these limits to be recommended to full Council for approval).

Relevant delegations:

- Carbon accounting and monitoring;
- To approve responses to consultation papers relating to matters within the remit of the Committee.

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Staffing Committee

Purpose:

To deal with all staffing matters on behalf of the Council including:

- Making recommendations to the Council on changes to the staffing establishment;
- Appointments within the staffing establishment approved by the Council, except as delegated to the Town Clerk;
- Performance review and training;
- Disciplinary, capability and grievance procedures in accordance with the procedures approved by the Council;
- Terms and conditions, pay and pensions issues in accordance with national and local policies and practices approved by the Council

Relevant delegations:

- As above, where such matters are within approved budgets.
- Town Clerk to deal with staffing matters within the scope of the approved Scheme of Delegations.
- The performance review of the Town Clerk to be undertaken by the Mayor and one other member of the Staffing Committee.

Exclusions:

- The full Council to approve the Council's staffing establishment and the procedures to be adopted for the recruitment and selection of the Town Clerk.

Dispensations Procedure

(Approved 16th December 2019)

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Dispensations Procedure

1. Introduction

1.1 St Austell Town Council is responsible for determining requests for a dispensation by a Councillor under Section 33 of the Localism Act 2011. The Town Council is a 'relevant Authority' under Section 27 (6) (d) of the Act.

1.2 This Procedure explains the: -

- i) purpose and effect of dispensations;
- ii) procedure for requesting dispensations;
- iii) criteria which are applied in determining dispensation requests; and
- iv) terms of dispensations.

2. Purpose and Effect of Dispensations

2.1 In certain circumstances Councillors may be granted a dispensation which enables them to take part in Council business where this would otherwise be prohibited because they have a Disclosable Pecuniary Interest or Non-registerable Interest. Provided Councillors act within the terms of their dispensation, there is deemed to be no breach of the Code of Conduct or the law.

2.2 Section 31 (4) of the Localism Act 2011 states that dispensations may allow the Councillor: -

- i) to participate, or participate further, in any discussion of the matter at the meeting(s); and/or
- ii) to participate in any vote, or further vote, taken on the matter at the meeting(s).

2.3 If a dispensation is granted, the Councillor may remain in the room when the business is being considered.

Please note: If a Councillor participates in a meeting where they have a Disclosable Pecuniary Interest and they do not have a dispensation, they may be committing a criminal offence under Section 34 of the Localism Act 2011.

3. Procedure for Requesting Dispensations

- 3.1 Any Councillor who wishes to apply for a dispensation must complete a Dispensation Request Form (Appendix A) and submit it to the Town Clerk as soon as possible before the meeting at which the dispensation is required. Applications may also be made at a Committee or Full Council meeting.
- 3.2 There will be a standing item on the Full Council and Committee agendas to consider dispensation requests.
- 3.3 A request for dispensation will be made on an individual basis.
- 3.4 The Full Council or Committee may grant a dispensation to a Councillor who has a Disclosable Pecuniary Interest or Non-registerable Interest to participate in any discussion of a matter at a meeting and/or to participate in any vote on the matter if they consider that:
- i) so many members of the decision-making body have a Disclosable Pecuniary Interest that it would impede the transaction of the business (i.e. the meeting would be inquorate);
 - ii) the Council considers that the dispensation is in the interests of persons living in the parish; or
 - iii) it is otherwise appropriate to grant a dispensation.
- 3.5 The Minute of the decision must include statutory reference and length of time.
- 3.6 The Councillor will receive confirmation of the Council's or Committee's decision in writing.

4. Criteria for Determination of Requests

- 4.1 In reaching a decision on a request for a dispensation the Council will take into account:

- i) the nature of the Councillor's interest
- ii) the need to maintain public confidence in the conduct of the Council's business
- iii) the possible outcome of a proposed vote
- iv) the need for efficient and effective conduct of the Council's business
- v) any other relevant circumstances

5. Terms of Dispensations

5.1 Dispensations may be granted:

- i) for one meeting; or
- ii) an agreed period not exceeding four years

5.2 The Monitoring Officer shall be notified of dispensations awarded and a copy of the form filed with the Councillor's Register of Interests.

6. Disclosure of Dispensations

6.1 A Councillor that has been granted a dispensation must declare the existence and nature of the dispensation before the commencement of any business to which it relates.

7. Requests for a Dispensation at Meetings which become Inquorate

7.1 In the event of the number of Members declaring an interest in an item during a Council/Committee meeting would result in the meeting becoming inquorate, the Town Clerk (or their representative) has delegated authority to grant a dispensation to as many Councillors as necessary to enable the business to be transacted.

7.2 The Town Clerk (or their representative) shall award a dispensation to the Councillor who, in their opinion, has the least interest and their decision shall be final. This process shall continue until the meeting is quorate.

8. Review

8.1 This Procedure will be reviewed regularly and amended as necessary to reflect best practice.

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DISPENSATION REQUEST FORM

Please give full details of the following in support of your application for a dispensation. If you need any help completing this form please contact the parish clerk.

Your name	
The business for which you require a dispensation (refer to agenda item number if appropriate)	
Details of your interest in that business	
Date of meeting or time period (up to 4 years) for which dispensation is sought	
Dispensation requested to participate, or participate further, in any discussion of that business by that body	Yes / No
Dispensation requested to participate in any vote, or further vote, taken on that business by that body	Yes / No
REASON(S) FOR DISPENSATION	
33 a) without the dispensation the number of persons unable to participate in the transaction of business would be so great as to impede the transaction of the business	
33b) without the dispensation the representation of different political groups would be affected so as to alter the likely outcome of any vote	
33c) the dispensation is in the interests of persons living in the authority's area	

33e) that it is otherwise appropriate to grant a dispensation	
Reason :	

Signed: _____ Dated: _____

DECISION :	
Dispensation Given : YES / NO	LENGTH OF DISPENSATION :
Date:	Minute Number:

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