

St Austell Town Council



Finance and General Purposes Committee

To: All Members of the Finance and General Purposes Committee

Dear Councillor

You are summoned to attend the **Remote Finance and General Purposes Committee Meeting** of **St Austell Town Council** to be held on **Monday 29th June 2020** at **6pm**.

Any member of the public wishing to attend this meeting, should obtain a password from the Clerk by no later than **12pm on Monday 29th June 2020**.

For security reasons, no person will be admitted to the meeting without prior notification to the Clerk that they wish to attend.

*****This remote meeting will be held using Zoom*****

David Pooley
Town Clerk

23rd June 2020

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

AGENDA

- 1. Apologies for absence**
- 2. Declarations of Interest**

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

3. Dispensations

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

4. Minutes of meeting held on the 24th February 2020

**Pages
1 to 6**

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

5. 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.

6. 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.

7. Budget Update

**Pages
7 to 12**

(Purpose: To provide an update on the Council's finances in the light of the Covid19 pandemic). (Report attached).

8. Budget Monitoring Report

**Pages
13 to 20**

(Purpose: To review the Town Council's budget monitoring report for the period 1st April 2020 to 31st May 2020). (Report attached).

9. Re-Deployable CCTV Camera

**Pages
21 to 24**

(Purpose: To provide an update on a trial and possible purchase of a re-deployable CCTV camera). (Report attached).

10. St Austell Library – Phased re-opening

**Pages
25 to 28**

(Purpose: To provide an update on the preparations for the phased re-opening of St Austell Library). (Report attached).

11. Code of Conduct

**Pages
29 to 54**

(Purpose: To respond to a consultation paper relating to the Local Government Code of Conduct). (Correspondence attached).

12. Audit Report

(Purpose: To note the Internal Auditor report). (Report attached).

13. Dates of Next Meetings

(Purpose: To confirm the date of the Town Council's next Finance and General Purposes Committee: 21st September 2020).

MINUTES of a MEETING of the FINANCE AND GENERAL PURPOSES COMMITTEE held on MONDAY 24th FEBRUARY 2020 in the Stable Block, Pondhu House, Penwinnick Road, St Austell, PL25 5DP at 6pm.

Present: Councillors: Brown, Cohen, Colwill, French, Jones (Chair), King, Lanxon, Oxenham, Palmer and Rees

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

F/19/51) Apologies for absence

Apologies for absence were received from Councillors: Bishop, Styles and Walker.

Councillor Lanxon advised that she needed to leave the meeting at 7.10pm and Councillors French and Oxenham advised that they needed to leave the meeting at 7.30pm.

F/19/52) Declarations of Interest

There were no declarations of interest.

F/19/53) Dispensations

There were no requests for dispensations.

F/19/54) Minutes of meeting held on 11th November 2019

It was **RESOLVED** that the minutes of the meeting held on the 11th November 2019 be approved and signed as a correct record.

F/19/55) Matters to Note

The Clerk advised that he had nothing to add.

F/19/56) Public participation

There were no members of the public present.

Councillor Cohen arrived during the next item

F/19/57) Ellis Whittam – Annual Audit

The Clerk advised that the Town Council's independent Health and Safety advisors had recently reviewed the Town Council's health and safety records/procedures and had identified the following actions:

Recommendation: Consider installing blue lights to discourage the injection of drugs in the toilets.

The Clerk advised that Addaction and Safer Cornwall do not recommend the installation of blue lights as it could disadvantage somebody who genuinely needed to inject themselves in the toilets for medical reasons.

Recommendation: Chainsaw procedures - update of method statement regarding the role of second person.

Agreed - Operations Manager to action.

Recommendation: Clarity on mowing arrangements at Penmere Road

Agreed – Operations Manager to action.

Recommendation: Label maximum time use on all vibrating tools

Agreed – Operations Manager to action.

Recommendation: Recording COSHH reviews on risk assessments

Agreed – Operations Manager to action.

Recommendation: Fixed wiring test to be completed for Priory Car Park

Agreed – Operations Manager to action.

Recommendation: Ensure that Cornwall Council sign off the condition of asbestos in the library

This has been outstanding since December and has been escalated to Senior Officers within Cornwall Council. Clerk to chase up.

It was **RESOLVED** to note the report and thank the Operations Manager for his excellent health and safety work.

F/19/58) Member/Officer Relations Protocol

Members reviewed the document and felt that “and/or the mayor” should be added to paragraph 5.5.

It was **RESOLVED** that the Member/Officer Relations Protocol be approved subject to paragraph 5.5 being amended to read as follows:

If a Councillor is dissatisfied with the conduct, behaviour or performance of the Clerk or another employee, the matter should be raised with the Clerk **and/or the Mayor** in the first instance. If the matter cannot be resolved informally, it may be necessary to invoke the Council’s disciplinary procedure.

F/19/59) Communications Protocol

The Clerk advised that he had added two paragraphs (viii) and (ix) relating to the Town Council’s website and facebook to the protocol.

During discussion Members agreed that paragraphs D (ii), E (iv) and E (v) should be amended.

It was **RESOLVED** that the Communications Protocol be approved subject to

Paragraph D (ii) being amended to read as follows:

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 eg "copy to Clerk" so that the recipient is aware that the Clerk has been advised.

Paragraph E (iv) being amended to read as follows:

E-mails:

- Instant replies should not be expected from the Clerk (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.

Paragraph E (v) being amended to read as follows:

Meetings with the Clerk or other officers:

- 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.**

F/19/60) Complaints Procedures

The Town Clerk advised that over the last 10 years very few complaints have been received by the Town Council and that the "Abusive, Persistent or Vexatious, Complaints and Complainants" Policy had never been invoked.

It was **RESOLVED** that the complaints procedures be re-approved.

F/19/61) Treasury Management

The Clerk advised that he had reviewed the Treasury Management Strategy and suggested that the Council's no borrowing and low risk investment approach, as outlined in the Strategy should remain.

It was **RESOLVED** that the Treasury Management Strategy be approved.

F/19/62) Risk Management

Members noted the updated Strategy and Risk Register and suggested that further risks relating to climate change and a pandemic be added.

It was **RECOMMENDED** that the Risk Management Strategy and Risk Register be approved subject to the Clerk adding risks relating to climate change and a pandemic.

F/19/63) Members' Internal Audit Report

The Clerk thanked Councillor Jones for carrying out the Members' Internal Audit Report and drew Members attention to the three actions identified:

1. All Stable Block staff to change their computer passwords;
2. The need to progress "cyber essentials";
3. Allotment re-possessed due to non-payment of rent. £45 outstanding invoice to be written off.

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

F/19/64) Budget Monitoring Report

The Clerk advised that the budgets are generally on track and that he had no concerns. He highlighted the grant income which was over budget, an underspend on salaries/wages, and a slight overspend on grounds maintenance supplies/play equipment and contract payments. He added that at least one of the vehicles purchased would be paid for out of reserves at the year end.

It was **RESOLVED** to note the budget monitoring report for the period 1st April to 31st January 2020

F/19/65) Poltair Park Café

The Clerk advised that the kitchen had been fitted, the CCTV was due to be installed within the next few days and quotes were being obtained for a hearing loop. Once these items are in place, building control sign off will be sought and the transfer of the café from Cornwall Council to the Town Council completed. He added that the tender documentation had been put on to "contract finder" with a deadline of 14th April 2020 and that quality as well as price would be a consideration when determining the tenders. He advised that it would be helpful to have a small panel of Members to open and evaluate the tenders, one of which should be Councillor Bull as the Cornwall Councillor for the area. If the tender process runs smoothly and an operator is found, the café should be open by mid-May.

It was **RESOLVED** that the Clerk in consultation with Councillors Bull, Palmer and Lanxon be authorised to open, evaluate and accept the most economically advantageous tender for the catering provision at Poltair Café.

F/19/66) Community Governance Review

The Clerk advised that Councillors Styles and King had met with representatives of Treverbyn Parish Council and that a mutual agreement of where the boundaries should be had not been reached. He reminded Members that Cornwall Council are holding a Community Governance Review drop in session at 6pm and public meeting at 7pm on Wednesday 26th February in the Council Chamber, St Austell Information Centre and asked that Members attend to support the Town Council's proposals.

F/19/67) St Austell Library

Members noted the Senior Library Manager's February 2020 newsletter. The Deputy Town Clerk added that the wifi had been upgraded in the building and that SALSA are busy putting a programme of events together for the Tour of Britain. She advised that the central book display in the library during February related to climate change and that drop in sessions to speak to the Police/Anti-Social Behaviour Case-worker had commenced. She added that the officers are reviewing the Library Specification with Cornwall Council and that it is hoped to strengthen Cornwall

Council's commitment to maintain the building within the document as some building maintenance works have been outstanding since December.

F/19/68) Dates of next meeting

It was noted that the next meeting of the Finance and General Purposes Committee is due to take place on Monday 6th April 2020.

The meeting closed at 7.19pm.

ST AUSTELL TOWN COUNCIL
FINANCE AND GENERAL PURPOSES COMMITTEE
29th JUNE 2020
BUDGET UPDATE

1. PURPOSE OF REPORT

To provide Members with an update on the Council's financial position as promised at the Council meeting on the 4th May 2020 in light of the coronavirus pandemic.

2. LEGAL AND RISK MANAGEMENT ISSUES

The Council is required to set a budget in November or December each year for the following financial year. It is good practice to monitor income and expenditure against budget at regular intervals and to consider whether any mitigation or changes to budgets are required. There is a great deal of uncertainty surrounding the coronavirus pandemic and its economic effect which demands a cautious approach to spending at this stage. There can be no guarantee that there will not be a second wave of coronavirus. This would be very damaging.

3. RESOURCE ISSUES

It has been reported that the Council will lose £25,000 to £30,000 per month while income generating assets such as the car park are closed. As at the 19th June 2020, income is £66,000 below the figure anticipated at this time of the year. The Government's furlough scheme has generated approximately £35,000 to the end of May. A total budget shortfall of £102,000 is currently being predicted.

4. EQUALITIES ISSUES

None directly but the closure of some of the Council's facilities will disadvantage some groups more than others.

5. ENVIRONMENTAL ISSUES

Coronavirus lockdown measures have reduced traffic and traffic pollution significantly and the Council's carbon footprint will have reduced as a consequence.

6. RECOMMENDATIONS

It is recommended that Members:

1. Note the content of this report;
 2. Bear in mind the financial situation when considering spending decisions throughout the remainder of this year.
-

Background

Members received a report incorporating budget projections for various scenarios for the 2020/21 financial year at the Town Council meeting on the 4th May 2020. It was agreed at that meeting that the Clerk should review the position over the next two months and provide an updated financial report to the next Finance and General Purposes Committee and the following full Council meeting.

Budget projections to the year end are attached to this report and will be explained in more detail at the meeting. The key unknown is how the car park will perform for the remainder of this year and into next year.

Income from car parks, the library and public conveniences is £66,000 below the anticipated income at this time of the year under normal circumstances and will continue at a lower level for some time to come.

Savings have been identified and will be achieved in the following areas:

- Waste management
- Community/ Project Officer and projects
- Carnival grant
- Projects/play equipment

Grounds maintenance, library and administrative staff have been furloughed for varying periods and Government support of in the order of £56,000 should be recoverable from the Coronavirus Job Retention Scheme. This support will not be ongoing and may yet be subject to Central Government review.

Additional costs are being incurred for cleaning and domestic supplies, protective clothing, protective screens, vehicles and

contract payments because of the coronavirus and the need to protect staff and customers.

The latest projection suggests that a net budget shortfall of £102,000 will be experienced in the current financial year. The Council has a General Reserve of £268,000 which the Auditor has described as at the lower end of generally accepted parameters. When the accounts for 2019/20 were finalised a reserve of £90,011 was set aside to help mitigate the effects of the coronavirus pandemic. The budget shortfall will wipe out this reserve and further reduce the General Fund balance to a level which is even lower.

Enquiries have been made to Cornwall Council to see if there is likely to be any hardship funding for Town and Parish Councils. Early indications are that assistance is unlikely.

Members should plan for reduced car park income in 2021/22 as well as it is not clear how quickly the town centre and the economy will bounce back. As this year progresses the amount of income that can be expected will become clearer. The prognosis for council tax levels is not good.

Members are asked to note this report and bear it in mind when considering spending decisions in the next few months.

DAVID POOLEY
TOWN CLERK

ST AUSTELL TOWN COUNCIL
BUDGET PROJECTIONS 2020/21 (as at 22nd June 2020)

	Budget 2020/21 £	Qtr 1 Estimate £	Qtr 2 Estimate £	Qtr 3 Estimate £	Qtr 4 Estimate £	Total Estimate £	Variance £
Income							
Car Park Income	295000	5000	38000	42000	45000	130000	-165000
Council Tax Grant	31066	15533	15533			31066	0
Interest Income	3000	950	750	700	500	2900	-100
Library Income	11000	0	500	2000	2000	4500	-6500
Other Grants and Contributions	0	52483	5000			57483	57483
Other Income	600	1312				1312	712
Precept Payments	762958	381479	381479			762958	0
Public Convenience Charges	4300	0	300	400	400	1100	-3200
Rent Received	10536	2882	2500	2500	2500	10382	-154
Total Income	1118460	459639	444062	47600	50400	1001701	-116759
Less Operating Expenses							
Employee Expenses							
Recruitment	1750				1200	1200	550
Salaries / Wages	528625	119946	120000	132000	130000	501946	26679
Training	8400	500	1500	1500	1500	5000	3400
Total Employee Expenses	538775	120446	121500	133500	132700	508146	30629
Premises Expenses							
Cleaning & Domestic Supplies	7300	2000	2000	2000	1850	7850	-550
Electricity	8100	2025	2025	2025	2025	8100	0
Gas	3000	750	750	750	750	3000	0
Grounds Maintenance Supplies	21950	5500	5500	5450	5500	21950	0
Play Equipment	50000	33750	2500	5000	8750	50000	0
Rates	84330	22130	19750	19750	19750	81380	2950
Rent / Room Hire	5280	1295	1295	1295	1295	5180	100
Repairs / Maintenance Premises	41200	5000	12000	12200	12000	41200	0
Water	2350	580	580	580	610	2350	0
Total Premises Expenses	223510	73030	46400	49050	52530	221010	2500
Supplies and Services							
Books and Publications	200	0	0	50	150	200	0
Contract Payments	147615	39000	39000	39000	39000	156000	-8385
Insurances	6000	5512		250		5762	238
IT / Communications	17800	5750	4050	4000	4000	17800	0
Mayors Allowances	750			250	500	750	0
Members Allowance	250				250	250	0
Miscellaneous Expenses	38070	12000	12000	10000	10000	44000	-5930
Miscellaneous Grants	35000	5000	10000	10000	10000	35000	0
Office Supplies	4250	1000	1000	1000	1250	4250	0
Printing and Stationery	3725	1250	1000	750	750	3750	-25
Protective Clothing	1500	750	600	500	500	2350	-850
Publicity	1400	250	600		600	1450	-50
Small Grants Scheme	8000	815	2500	2500	2185	8000	0
Subscriptions	6900	3465	3000	435		6900	0
Total Supplies and Services	271460	74792	73750	68735	69185	286462	-15002
Transport Related Expenses							
Contract Hire and Operating Leases	13045	3622	4821	4821	4821	18085	-5040
Fuel	6750	1300	1800	1800	1850	6750	0
Other Transport/plant expenses	2350	500	750	750	350	2350	0
Repairs/ Maintenance-Vehicles/Plant	6700	1000	1000	2000	2000	6000	700
Road Fund / Taxes	1060			1060		1060	0
Transport Insurance	2500			2500		2500	0
Travel and Subsistence	1185				500	500	685
Total Transport Related Expenses	33590	6422	8371	12931	9521	37245	-3655

<u>Total Operating Expenses</u>	1067335	274690	250021	264216	263936	1052863	14472
<u>Net Profit</u>	51125	184949	194041	-216616	-213536	-51162	-102287

ST AUSTELL TOWN COUNCIL
FINANCE AND GENERAL PURPOSES COMMITTEE
29th JUNE 2020
BUDGET MONITORING REPORT

1. PURPOSE OF REPORT

To provide Members with an update on expenditure and income to the 31st May 2020 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 on a monthly basis 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.

DAVID POOLEY - TOWN CLERK

Profit & Loss

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St Austell Town Council 1 May 2020 to 31 May 2020

	Actual	Budget	Var GBP	Var %	YTD Actual	YTD Budget	Var GBP	Var %
Income								
Car Park Income	18	25,000	(24,982)▼	-99.9%▼	356	45,000	(44,644)▼	-99.2%▼
Council Tax Grant	-	-	-	0.0%	15,533	15,533	-	0.0%▲
Interest Income	350	250	100▲	39.9%▲	644	500	144▲	28.8%▲
Library Income	-	916	(916)▼	-100.0%▼	-	1,840	(1,840)▼	-100.0%▼
Other Grants and Contributions	13,127	-	13,127▲	0.0%	34,134	-	34,134▲	0.0%
Other Income	1,313	50	1,263▲	2525.0%▲	1,313	100	1,213▲	1212.5%▲
Precept Payments	-	-	-	0.0%	381,479	381,479	-	0.0%
Public Convenience Charges	-	360	(360)▼	-100.0%▼	-	700	(700)▼	-100.0%▼
Rent Received	382	878	(496)▼	-56.5%▼	382	1,756	(1,374)▼	-78.2%▼
Total Income	15,189	27,454	(12,265)	-44.7%	433,841	446,908	(13,067)	-2.9%
Gross Profit	15,189	27,454	(12,265)	-45.0%	433,841	446,908	(13,067)	-3.0%
Less Operating Expenses								
Employee Expenses								
Recruitment	-	150	(150)▼	-100.0%▼	-	250	(250)▼	-100.0%▼
Salaries / Wages	38,607	44,052	(5,445)▼	-12.4%▼	78,014	88,104	(10,090)▼	-11.5%▼
Training	-	700	(700)▼	-100.0%▼	-	1,400	(1,400)▼	-100.0%▼
Total Employee Expenses	38,607	44,902	(6,295)	-14.0%	78,014	89,754	(11,740)	-13.1%
Premises Expenses								

Profit & Loss

	Actual	Budget	Var GBP	Var %	YTD Actual	YTD Budget	Var GBP	Var %
Cleaning & Domestic Supplies	242	608	(366)▼	-60.2%▼	516	1,216	(700)▼	-57.6%▼
Electricity	1,887	675	1,212▲	179.6%▲	892	1,350	(458)▼	-33.9%▼
Gas	585	250	335▲	134.1%▲	295	500	(205)▼	-41.0%▼
Grounds Maintenance Supplies	731	1,829	(1,098)▼	-60.1%▼	4,094	3,658	436▲	11.9%▲
Play Equipment	-	4,166	(4,166)▼	-100.0%▼	825	8,332	(7,507)▼	-90.1%▼
Rates	6,410	7,027	(617)▼	-8.8%▼	15,727	14,054	1,673▲	11.9%▲
Rent / Room Hire	-	440	(440)▼	-100.0%▼	1,295	880	415▲	47.2%▲
Repairs / Maintenance Premises	670	3,433	(2,763)▼	-80.5%▼	1,684	6,866	(5,182)▼	-75.5%▼
Water	-	195	(195)▼	-100.0%▼	9	390	(381)▼	-97.6%▼
Total Premises Expenses	10,525	18,623	(8,098)	-43.5%	25,337	37,246	(11,909)	-32.0%
Supplies and Services								
Contract Payments	7,623	12,301	(4,678)▼	-38.0%▼	20,088	24,602	(4,514)▼	-18.3%▼
Insurances	-	-	-	0.0%	5,512	6,000	(488)▼	-8.1%▼
IT / Communications	946	1,483	(537)▼	-36.2%▼	4,237	2,966	1,271▲	42.8%▲
Mayors Allowances	-	62	(62)▼	-100.0%▼	-	124	(124)▼	-100.0%▼
Membersallowance	-	20	(20)▼	-100.0%▼	-	40	(40)▼	-100.0%▼
Miscellaneous Expenses	1,827	3,172	(1,345)▼	-42.4%▼	2,015	6,344	(4,329)▼	-68.2%▼
Miscellaneous Grants	65	2,916	(2,851)▼	-97.8%▼	(403)	5,832	(6,235)▼	-106.9%▼
Office Supplies	193	354	(161)▼	-45.3%▼	193	708	(515)▼	-72.7%▼
Printing and Stationery	523	310	213▲	68.8%▲	978	620	358▲	57.8%▲
Protective Clothing	95	125	(30)▼	-23.6%▼	316	250	66▲	26.3%▲
Publicity	-	116	(116)▼	-100.0%▼	-	232	(232)▼	-100.0%▼
Small Grants Scheme	-	666	(666)▼	-100.0%▼	-	1,332	(1,332)▼	-100.0%▼
Subscriptions	-	575	(575)▼	-100.0%▼	3,466	1,150	2,316▲	201.4%▲
Total Supplies and Services	11,273	22,100	(10,827)	-49.0%	36,401	50,200	(13,799)	-27.5%

Profit & Loss

	Actual	Budget	Var GBP	Var %	YTD Actual	YTD Budget	Var GBP	Var %
Transport Related Expenses								
Contract Hire and Operating Leases	1,745	1,087	658▲	60.5%▲	2,246	2,174	72▲	3.3%▲
Fuel	193	562	(369)▼	-65.6%▼	426	1,124	(698)▼	-62.1%▼
Other Transport/plant expenses	-	195	(195)▼	-100.0%▼	150	390	(240)▼	-61.5%▼
Repairs/ Maintenance-Vehicles/Plant	-	558	(558)▼	-100.0%▼	415	1,116	(701)▼	-62.8%▼
Road Fund / Taxes	-	88	(88)▼	-100.0%▼	-	176	(176)▼	-100.0%▼
Transport Insurance	154	208	(54)▼	-26.1%▼	154	416	(262)▼	-63.1%▼
Travel and Subsistence	-	98	(98)▼	-100.0%▼	(54)	196	(250)▼	-127.6%▼
Total Transport Related Expenses	2,091	2,796	(705)	-25.2%	3,336	5,592	(2,256)	-40.3%
Total Operating Expenses	62,496	88,421	(25,925)	-29.3%	143,088	182,792	(39,704)	-21.7%
Net Profit	(47,307)	(60,967)	13,660	22.0%	290,753	264,116	26,637	10.0%

ST AUSTELL TOWN COUNCIL

BANK RECONCILIATION AS AT:

31.5.20

	£	£
Business Current Account		343,284.82
Mayor's Charity Account		467.52
Business Direct Reserve Account		0.00
Petty Cash		44.37
Library Float		100.00
Total in Bank		<u>343,896.71</u>

3548	£250.00
3564	£445.00
3574	£78.00

Total Unpresented Cheques	<u>773.00</u>
	343,123.71

Outstanding receipts

	<u>343,123.71</u>
<u>Accounting System Bank Balance:</u>	
Opening Bank Balance	48,395.06
Expenditure to date	141317.16
Income to date	436045.81
	<u>343,123.71</u>

Accounting System Payment Recorded but yet paid

0.00

Accounting System Bank Balance	<u>343,123.71</u>
---------------------------------------	-------------------

0.00
balanced

Note:

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

Reconciliation Completed:

S. Gallians

Date: 3.6.20

Reviewed:

D. Poy

Date:

3/6/20

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

29th JUNE 2020

RE-DEPLOYABLE CCTV CAMERA

1. PURPOSE OF REPORT

To provide Members with an update on a trial and possible purchase of a re-deployable CCTV camera.

2. LEGAL AND RISK MANAGEMENT ISSUES

The Council currently works in partnership with Newquay Town Council and shares a monitoring suite, equipment and staff based in Newquay Police Station. The staff are employed by Newquay Town Council. Shopwatch radio systems in each town are linked to the monitoring suite as is the Police airwaves radio system. White River Place has its own CCTV system and works closely with the Newquay suite.

CCTV systems are tightly controlled by legislation and must comply with Data Protection and Surveillance legislation and an associated code of practice. Section 31 of the Local Government and Rating Act 1997 provides the power to fund CCTV systems.

3. RESOURCE ISSUES

During the 2020/21 budget setting process, the Town Council approved a budget in the sum of £5,000 for a re-deployable camera.

There is a shortfall of approximately £4,000 between the cost of the camera and the Town Council's budget and funding requests have been submitted to the St Austell Cornwall Councillors, Ocean and the Office of the Police and Crime Commissioner (OPCC) to make up the shortfall.

4. EQUALITIES ISSUES

The installation, monitoring and access to CCTV footage is highly regulated to ensure the privacy of the general public.

5. ENVIRONMENTAL ISSUES

There will be an unquantifiable environmental impact associated with the production and installation of the CCTV camera, but it is your officers' view that the anticipated benefits of the additional camera outweigh any detrimental environmental impact.

6. RECOMMENDATIONS

It is recommended that Members:

1. Note the report;
2. Authorise the Town Clerk to secure the purchase of re-deployable camera if the trial is successful;
3. Identify additional funding of up to £3,000 to secure the purchase of a re-deployable camera in the event that the shortfall of funding cannot be secured from other sources.

Background

St Austell Town Council own, maintain and monitor 21 cameras in St Austell town centre. They are run in partnership with Newquay Town Council and are operated out of Newquay Police Station. It is a highly effective service, operating almost 24/7 during the summer months and has the full support of the Police. In 2019, the remaining analogue cameras in St Austell were upgraded to digital which has made a tremendous difference to the quality of the recordings and images both during the day and at night.

Anti-social behaviour in St Austell has traditionally been a town centre issue, but over recent years other parts of the town have suffered from ASB which is becoming increasingly hard to evidence due to the lack of CCTV. The provision of a re-deployable CCTV camera that can be moved around the town, on the advice of the Police, would significantly assist with the detection and prevention of crime – particularly county lines drug dealing which is blighting many towns in Cornwall at the present time, including St Austell.

Members will recall that tackling anti-social behaviour was identified as a priority during informal discussions and the 2020/21 budget setting round in December 2019.

Re-deployable camera

Following an unsuccessful trial of a mobile CCTV camera in 2019 where the communications to the CCTV suite did not work, a camera has now been sourced that is re-deployable and will provide a live stream to the Newquay CCTV suite. The cost of moving the camera to other parts of the town would be in the order of £250.

Trial

The Town Council's contractor has offered to assist with the trial of a re-deployable camera with an option to purchase at the end of the trial if it is successful. A suitable location has been identified for a trial in the Bethel area and at the time of writing the camera is due to be erected during the week commencing 22nd June 2020. The Police, Anti-Social Behaviour Case Officer and Cornwall Councillor for the Bethel area have been involved in the discussions to date and are all keen to pursue this initiative.

Funding

The Town Council has an approved budget of £5,000 to put towards a deployable camera and your officers are in the process of seeking contributions from the St Austell Cornwall Councillors, Ocean and OPCC to help make up the shortfall of approximately £9,000.

In the event that the funding shortfall cannot be secured from other sources, your officers are confident that known savings from other budget heads could be used to fund the shortfall if Members choose to do so.

DAVID POOLEY
TOWN CLERK

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

29th JUNE 2020

ST AUSTELL LIBRARY – RE-OPENING

1. PURPOSE OF REPORT

To provide Members with an update on the re-opening of St Austell Library on Monday 6th July 2020.

2. LEGAL AND RISK MANAGEMENT ISSUES

Cornwall Council is legally obliged to provide a library service in Cornwall and the management of St Austell library was devolved to the Town Council in September 2017. All libraries have been closed under Government orders since 26th March 2020 and have been permitted to re-open on July 4th 2020.

Risk Assessments have been undertaken to ensure the safety of staff and customers visiting St Austell Library when it re-opens its reduced service on Monday 6th July 2020.

3. RESOURCE ISSUES

St Austell Library costs in the region of £191,000 per annum to operate. It is hoped that with furlough income and financial assistance from Cornwall Council to cover expenditure incurred for Covid19 related items, the library will break even this financial year.

4. EQUALITIES ISSUES

There will be no face to face enquiries or public access to computers which will affect some members of the public, particularly the more vulnerable. Cornwall Council are aware of this and are writing up protocols to try to mitigate some of the issues that may arise particularly in the light of the Information Service remaining closed for the time being.

5. ENVIRONMENTAL ISSUES

Coronavirus lockdown measures have reduced traffic and traffic pollution significantly and the Council's carbon footprint will have reduced as a consequence.

6. RECOMMENDATIONS

It is recommended that:

1. Members note the content of this report.
-

Background

Under Government orders, St Austell Library along with all other libraries across the country, closed on 26th March 2020 and all staff were furloughed.

Government guidelines now permit libraries to re-open with effect from Saturday 4th July 2020 and your officers have been working with Cornwall Council and other Town and Parish Councils to partially re-open as many libraries as possible in Cornwall with effect from Monday 6th July 2020.

Due to the highly contagious nature of Covid19, the Library Service has agreed that all libraries should re-open on a very limited basis and most have agreed that a "click and collect" service is the best way to achieve a service which is the least risk to staff and members of the public.

Operation of a click and collect service at St Austell Library

Four members of staff will be in the library during the week commencing 29th June 2020 for in-house training and to accept book deliveries from Cornwall Council. The library will officially open to the public on Monday 6th July 2020 as a click and collect service. This will operate out of the entrance foyer, Monday to Friday for one month and then will be reviewed thereafter. It is envisaged that the foyer will be open three times a day for collections with flexibility given to those who cannot make the standard times

Customers will be asked to make their reservations online and then given a date and time to collect their books from the library foyer. A box will be provided in the foyer for returned items.

Due to the virus being able to live on paper for up to 72 hours, the returned books will be put into quarantine for 3 days before being handled and put back into circulation.

There will be very little, or no staff contact with customers as the books will be left in the foyer for pick up and drop off with no access to the main building.

Cornwall Council will issue a generic press release about the re-opening of libraries, but the finer details of opening times and operational procedures will be communicated by the individual libraries as they will undoubtedly differ from site to site.

St Austell Library will waive fees for the first month of operation to encourage people to bring their library books back in a timely manner and then reinstate the charging regime with effect from 1st August 2020.

Staffing

At the time of writing, all staff are expected to return to work on Monday 6th July but due to the reduced workload in operating a scaled back service, all staff will be working reduced hours in line with the Government's flexible furlough scheme. All staff have been consulted and have agreed the new arrangements.

Future Operation

It is envisaged that the library will operate on a very reduced basis for the foreseeable future but will be reviewed on a monthly basis to introduce more library services as and when it is safe to do so.

DAVID POOLEY
TOWN CLERK

Local Government Association Model Member Code of Conduct

Introduction

The Local Government Association (LGA) is providing this Model Member Code of Conduct as part of its work on supporting the sector to continue to aspire to high standards of leadership and performance.

The role of councillor in all tiers of local government is a vital part of our country's system of democracy. In voting for a local councillor, the public is imbuing that person and position with their trust. As such, it is important that as councillors we can be held accountable and all adopt the behaviours and responsibilities associated with the role. The conduct of an individual councillor affects the reputation of all councillors. We want the role of councillor to be one that people aspire to and want to participate with. We want to continue to attract individuals from a range of backgrounds and circumstances who understand the responsibility they take on and are motivated to make a positive difference to their local communities.

All councils are required to have a local Member Code of Conduct. This Model Member Code of Conduct has been developed in consultation with the sector and is offered as a template for councils to adopt in whole and/or with local amendments. The LGA will undertake an annual review of the Code to ensure it continues to be fit-for-purpose, particularly with respect to advances in technology, social media and any relevant changes in legislation. The LGA can also offer support, training and mediation to councils and councillors on the application of the Code, whilst the National Association of Local Councils (NALC) and the county associations of local councils can offer advice and support to town and parish councils.

As a councillor we all represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent everyone (in our ward/town/parish), taking decisions fairly, openly, transparently and with civility. Councillors should also be treated with civility by members of the public, other councillors and council employees. Members have both individual and collective responsibility to maintain these standards, support expected behaviour and challenge behaviour which falls below expectations. This Code, therefore, has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.



Councillor Izzi Seccombe OBE
Leader, LGA Conservative Group



Councillor Nick Forbes CBE
Leader, LGA Labour Group



Councillor Howard Sykes MBE
Leader, LGA Liberal Democrats Group



Councillor Marianne Overton MBE
Leader, LGA independent Group

Purpose

The purpose of this Code of Conduct is to assist councillors in modelling the behaviour that is expected of them, to provide a personal check and balance, and to set out the type of conduct against which appropriate action may be taken. It is also to protect yourself, the public, fellow councillors, council officers and the reputation of local government. It sets out the conduct expected of all members and a minimum set of obligations relating to conduct. The overarching aim is to create and maintain public confidence in the role of member and local government.

Application of the Code

The Code of Conduct applies to you when you are acting [or claiming or giving the impression that you are acting]¹ in [public or in]² your capacity as a member or representative of your council, although you are expected to uphold high standards of conduct and show leadership at all times. The Code applies to all forms of member communication and interaction, including written, verbal, non-verbal, electronic and via social media, [including where you could be deemed to be representing your council or if there are potential implications for the council's reputation.] Model conduct and expectations is for guidance only, whereas the specific obligations set out instances where action will be taken.

The seven principles of public life

Everyone in public office at all levels – ministers, civil servants, members, council officers – all who serve the public or deliver public services should uphold the seven principles of public life. This Code has been developed in line with these seven principles of public life, which are set out in appendix A.

Model member conduct

In accordance with the public trust placed in me, on all occasions I will:

- act with integrity and honesty
- act lawfully
- treat all persons with civility; and
- lead by example and act in a way that secures public confidence in the office of councillor

In undertaking my role, I will:

- impartially exercise my responsibilities in the interests of the local community
- not improperly seek to confer an advantage, or disadvantage, on any person
- avoid conflicts of interest
- exercise reasonable care and diligence; and
- ensure that public resources are used prudently and in the public interest

Specific obligations of general conduct

This section sets out the minimum requirements of member conduct. Guidance is included to help explain the reasons for the obligations and how they should be followed. These obligations must be observed in all situations where you act [or claim or give the impression that you are acting] as a councillor [or in public], including representing your council on official business and when using social media.

As a councillor I commit to:

Civility

- 1. Treating other councillors and members of the public with civility.**
- 2. Treating council employees, employees and representatives of partner organisations and those volunteering for the councils with civility and respecting the role that they play.**

Civility means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a civil manner. You should not subject individuals, groups of people or organisations to unreasonable or excessive personal attack.

In your contact with the public you should treat them courteously. Rude and offensive behaviour lowers the public's expectations and confidence in its elected representatives.

In return you have a right to expect courtesy from the public. If members of the public are being abusive, threatening or intimidatory you are entitled to close down any conversation in person or online, refer them to the council, any social media provider or if necessary, the police. This also applies to members, where action could then be taken under the Member Code of Conduct.

Bullying and harassment

- 3. Not bullying or harassing any person.**

Bullying may be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. The bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and not always be obvious or noticed by others.

The Equality Act 2010 defines harassment as 'unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual'. The relevant protected characteristics are age, disability, gender reassignment, race, religion or belief, sex, and sexual orientation.

Impartiality of officers of the council

- 4. Not compromising, or attempting to compromise, the impartiality of anyone who works for, or on behalf of, the council.**

Officers work for the council as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. Although you can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

Confidentiality and access to information

- 5. Not disclosing information given to me in confidence or disclosing information acquired by me which I believe is of a confidential nature, unless I have received the consent of a person authorised to give it or I am required by law to do so.**
- 6. Not preventing anyone getting information that they are entitled to by law.**

Local authorities must work openly and transparently, and their proceedings and

printed materials are open to the public except in certain circumstances. You should work on this basis but there will be times when it is required by law that discussions, documents and other information relating to or held by the council are treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

Disrepute

7. Not bringing my role or council into disrepute.

Behaviour that is considered dishonest and/or deceitful can bring your council into disrepute. As a member you have been entrusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on other councillors and/or your council.

Your position

8. Not using, or attempting to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a member of the council provides you with certain opportunities, responsibilities and privileges. However, you should not take advantage of these opportunities to further private interests.

Use of council resources and facilities

9. Not misusing council resources.

You may be provided with resources and facilities by the council to assist you in carrying out your duties as a councillor. Examples include office support, stationery and equipment such as phones, and computers and transport. These are given

to you to help you carry out your role as a councillor more effectively and not to benefit you personally.

Interests

10. Registering and declaring my interests.

You need to register your interests so that the public, council employees and fellow members know which of your interests might give rise to a conflict of interest. The register is a document that can be consulted when (or before) an issue arises, and so allows others to know what interests you have, and whether they might give rise to a possible conflict of interest. The register also protects you. You are responsible for deciding whether or not you should declare an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise.

It is also important that the public know about any interest that might have to be declared by you or other members, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained. Discuss the registering and declaration of interests with your Monitoring Officer/Town or Parish Clerk and more detail is set out in appendix B.

Gifts and hospitality

11. Not accepting significant gifts or hospitality from persons seeking to acquire, develop or do business with the council or from persons who may apply to the council for any permission, licence or other significant advantage.

12. Registering with the monitoring officer any gift or hospitality with an estimated value of at least £25 within 28 days of its receipt.

You should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you

because you are a member. However, you do not need to register gifts and hospitality which are not related to your role as a member, such as Christmas gifts from your friends and family, or gifts which you do not accept. However, you may wish to notify your monitoring officer of any significant gifts you are offered but refuse which you think may have been offered to influence you.

Note – items in square brackets [x] refer to recommendations made by the Committee on Standards in Public Life and may be part of a future Government consultation. This includes possible future sanctions and appeals processes.

Breaches of the Code of Conduct

Most councillors conduct themselves appropriately and in accordance with these standards. Members have both individual and collective responsibility to maintain these standards, support expected behaviour and challenge behaviour which falls below expectations.

Section 27 of the Localism Act 2011 requires relevant authorities to promote and maintain high standards of conduct by members and co-opted members of the authority. Each local authority must publish a code of conduct, and it must cover the registration of pecuniary interests, the role of an 'independent person' to advise on and investigate alleged breaches, and sanctions to be imposed on any councillors who breach the Code.

The 2011 Act also requires local authorities to have mechanisms in place to investigate allegations that a member has not complied with the Code of Conduct, and arrangements under which decisions on allegation may be made.

Failure to comply with the requirements to register or declare disclosable pecuniary interests is a criminal offence. Taking part in a meeting or voting, when prevented from doing so by a conflict caused by disclosable pecuniary interests, is also a criminal offence.

Political parties may have its own internal standards and resolution procedures in addition to the Member Code of Conduct that members should be aware of.

Example

LGA guidance and recommendations

Internal resolution procedure

Councils should have in place an internal resolution procedure to address conduct that is in breach of the Member Code of Conduct. The internal resolution process should make it clear how allegations of breaches of the Code of Conduct are to be handled, including the role of an Independent Person, the appeals process and can also include a local standards committee. The internal resolution procedure should be proportionate, allow for members to appeal allegations and decisions, and allow for an escalating scale of intervention. The procedure should be voted on by the council as a whole.

In the case of a non-criminal breach of the Code, the following escalating approach can be undertaken.

If the breach is confirmed and of a serious nature, action can be automatically escalated.

1. an informal discussion with the monitoring officer or appropriate senior officer
2. an informal opportunity to speak with the affected party/ies
3. a written apology
4. mediation
5. peer support
6. requirement to attend relevant training
7. where of a serious nature, a bar on chairing advisory or special committees for up to two months
8. where of a serious nature, a bar on attending committees for up to two months.

Where serious misconduct affects an employee, a member may be barred from contact with that individual; or if it relates to a specific responsibility of the council, barred from participating in decisions or information relating to that responsibility.

Endnotes

1. CSPL recommend that “Section 27(2) of the Localism Act 2011 should be amended to state that a local authority’s code of conduct applies to a member when they claim to act, or give the impression they are acting, in their capacity as a member or as a representative of the local authority”.
2. CSPL recommend that “councillors should be presumed to be acting in an official capacity in their public conduct, including statements on publicly accessible social media. Section 27(2) of the Localism Act 2011 should be amended to permit local authorities to presume so when deciding upon code of conduct breaches.”
3. Subject to footnotes 1 and 2 above
4. See CSPL website for further details www.gov.uk/government/news/the-principles-of-public-life-25-years
5. ACAS’s definition of bullying

Appendices

Code Appendix A

The principles are :

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Code Appendix B

Registering interests

1. Within 28 days of this Code of Conduct being adopted by the council or your election or appointment to office (where that is later) you must register with the Monitoring Officer the interests which fall within the categories set out in Table 1 (Disclosable Pecuniary Interests) and Table 2 (Other Registerable Interests).
2. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest in Table 1 or 2, or of any change to a registered interest, notify the Monitoring Officer.

Declaring interests

3. Where a matter arises at a meeting which directly relates to an interest in Table 1, you must declare the interest, not participate in any discussion or vote on the matter and must not remain in the room unless granted a dispensation. If it is a 'sensitive interest', you do not have to declare the nature of the interest.
4. Where a matter arises at a meeting which directly relates to an interest in Table 2, you must declare the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to declare the nature of the interest.

5. Where a matter arises at a meeting which directly relates to your financial interest or well-being (and is not a Disclosable Pecuniary Interest) or a financial interest or well-being of a relative or close associate, you must declare the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to declare the nature of the interest.
6. Where a matter arises at a meeting which affects –
- a. your own financial interest or well-being;
 - b. a financial interest or well-being of a friend, relative, close associate; or
 - c. a body covered by table 1 below

you must disclose the interest.

7. Where the matter affects the financial interest or well-being to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest you must declare the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to declare the nature of the interest.

Table 1: Disclosable Pecuniary Interests

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992 .
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land and Property	Any beneficial interest in land which is within the area of the council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer.
Corporate tenancies	Any tenancy where (to the councillor's knowledge)— (a) the landlord is the council; and (b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
Securities	Any beneficial interest in securities* of a body where— (a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and (b) either— (i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

*'director' includes a member of the committee of management of an industrial and provident society.

*'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registerable Interests

Any Body of which you are a member or in a position of general control or management and to which you are appointed or nominated by the council;	
Any Body—	(a) exercising functions of a public nature;
	(b) directed to charitable purposes; or
	(c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)
of which you are a member or in a position of general control or management.	



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please contact us on 020 7664 3000.
We consider requests on an individual basis.

REF 11.197

THIS FORM IS FOR INFORMATION ONLY - DO NOT COMPLETE
PLEASE USE THE ONLINE SURVEY FORM TO SUBMIT YOUR RESPONSE

LGA Consultation on Draft Model Member Code of Conduct

Thank you for taking the time to complete this consultation. This Model Member Code of Conduct [[Model Member Code of Conduct.pdf](#)] aims to be concise, written in plain English and be understandable to members, officers and the public. The Model Member Code is designed to aid members in all tiers of local government model the behaviours and high standards that anyone would expect from a person holding public office. Equally, it articulates behaviour which falls below the standards that would be expected of council members. It is designed to help set a framework for public and councillor interaction, emphasising the importance of civility and that councillors should be protected from bullying, intimidation and abuse.

The LGA has reviewed the existing Model Member Code of Conduct and updated it here incorporating the recommendations from the Committee on Standards in Public Life's recommendations on Local Government Ethical Standards and the representation from its membership. Part of the Committee's recommendations were the introduction of sanctions for breaches of the code, alongside an appeals process. This aspect is out of scope of this consultation, as it requires legislative changes by Government, but the LGA has sought to reflect some of the possible changes by using square brackets where legal changes would be necessary. The LGA is continuing to take soundings from the sector on the issue of sanctions in anticipation of a Government response to the Committee's recommendations.

This consultation addresses key areas that the LGA would like a view on to help finalise the Code. It is aimed at councillors and officers from all tiers of local government. If you would like a wider discussion about the code, please do sign up to one of the forthcoming Webinars the LGA are holding as part of this consultation. Details will be posted on our [LGA events website](#).

Instructions and privacy notice

You can navigate through the questions using the buttons at the bottom of each page. Use the 'previous' button at the bottom of the page if you wish to amend your response to an earlier question.

All responses will be treated confidentially. Information will be aggregated, and no individual or authority will be identified in any publications without your consent. Identifiable information may be used internally within the LGA but will only be held and processed in accordance with our [privacy policy](#). We are undertaking this consultation to aid the legitimate interests of the LGA in supporting and representing authorities.

Please complete your response in one go - if you exit before submitting your response your answers may be lost. If you would like to see an overview of the questions before completing the consultation online, you can access a PDF [here](#).

About you

Your name _____

Are you...

☐ A councillor

☐ An officer

Answering on behalf of a whole council (Please provide council name below)

☐ Other (please specify below)

Please indicate your council type

☐ Community/Neighbourhood/Parish/Town

☐ District/Borough

☐ County

☐ Metropolitan/Unitary/London Borough

☐ Other (please specify below)

Application of the Code

Under the Localism Act 2012, the Code of Conduct applies to councillors only when they are acting in their capacity as a member. The LGA believes that because councillors are elected by the public and widely recognised by the public, it makes sense for them to continue to model these behaviours when they are making public comment, are identifying as a councillor and when it would be reasonable for the public to identify them as acting or speaking as a councillor. The Committee on Standards in Public Life supported this approach in their report into Local Government Ethical Standards. Whilst the LGA is waiting for Government's response to these recommendations the option has been added in square brackets as it would need changes in legislation.

Q1. To what extent do you support the proposal that councillors demonstrate the behaviours set out in the Code when they are publicly acting as, identifying as, and/or giving the impression that they are acting as a councillor, including when representing their council on official business and when using social media?

To a great extent

To a moderate extent

To a small extent

Not at all

Don't know/prefer not to say

Q1a. If you would like to elaborate on your answer please do so here:

Q2. Is it sufficiently clear which parts of the Model Code are legal requirements, which are obligations, and which are guidance?

Yes

No

Don't know

Q3. Do you prefer the use of the personal tense, as used in the Code, or would you prefer the passive tense?

Personal tense ("I will")

Passive tense ("Councillors should")

No preference

Specific obligations

The Code lists 12 specific obligations – these set out a minimum standard councillors are asked to adhere to.

Each obligation or group of obligations is put into a wider context to explain why that particular obligation is important.

Q4. To what extent to you support the 12 specific obligations?

	To a great extent	To a moderate extent	To a small extent	Not at all	Don't know / Prefer not to say
1. Treating other councillors and members of the public with civility.					
2. Treating council employees, employees and representatives of partner organisations and those volunteering for the councils with civility and respecting the role that they play.					
3. Not bullying or harassing any person.					
4. Not compromising, or attempting to compromise, the impartiality of anyone who works for, or on behalf of, the council.					
5. Not disclosing information given to me in confidence or disclosing information acquired by me which I believe is of a confidential nature, unless I have received the consent of a person authorised to give it or I am required by law to do so.					
6. Not preventing anyone getting information that they are entitled to by law.					
7. Not bringing my role or council into disrepute.					
8. Not using, or attempting to use, my position improperly to the advantage or disadvantage of myself or anyone else.					

9. Not misusing council resources.

10. Registering and declaring my interests.

11. Not accepting significant gifts or hospitality from persons seeking to acquire, develop or do business with the council or from persons who may apply to the council for any permission, licence or other significant advantage.

12. Registering with the monitoring officer any gift or hospitality with an estimated value of at least £25 within 28 days of its receipt.

Q5. If you would like to propose additional or alternative obligations, or would like to provide more comment on a specific obligation, please do so here:

Q6. Would you prefer to see the obligations as a long list followed by the guidance, or as it is set out in the current draft, with the guidance after each obligation?

As a list

Each specific obligation followed by its relevant guidance

No preference

Q7. To what extent to you think the concept of 'acting with civility' is sufficiently clear?

To a great extent

To a moderate extent

To a small extent

Not at all

Don't know/prefer not to say

Q7a. If you would like to suggest an alternative phrase that captures the same meaning, or would like to provide a comment on this concept, please do so here:

Q8. To what extent do you think the concept of 'bringing the council into disrepute' is sufficiently clear?

To a great extent

To a moderate extent

To a small extent

Not at all

Don't know/prefer not to say

Q8a. If you would like to suggest an alternative phrase that captures the same meaning, or would like to provide a comment on this concept, please do so here:

Q9. To what extent do you support the definition of bullying and harassment used in the code in a local government context?

To a great extent

To a moderate extent

To a small extent

Not at all

Don't know/prefer not to say

Q9a. If there are other definitions you would like to recommend, please provide them here.

Q10. Is there sufficient reference to the use of social media?

Yes

No

Don't know/prefer not to say

Q10a. Should social media be covered in a separate code or integrated into the overall code of conduct?

Separate code

Integrated into the code

Don't know/prefer not to say

Q10b. If you would like to make any comments or suggestions in relation to how the use of social media is covered in the code please do so here:

Registration and declarations of interests

The law at present requires, as a minimum, registration and declaration of 'Disclosable Pecuniary Interests' - that is matters which directly relate to the councillor and their partner if applicable.

The LGA is proposing that all councillors are required to declare interests where matters also relate to or affect other family members or associates. The LGA has broadened the requirement to declare interests beyond this current statutory minimum in line with a recommendation from the Committee on Standards in Public Life. These specific provisions are set out in **Appendix B** of the Code.

Q11. To what extent to you support the code going beyond the current requirement to declare interests of the councillor and their partner?

To a great extent

To a moderate extent

To a small extent

Not at all

Don't know/prefer not to say

Q11a. If you would like to elaborate on your answer please do so here:

Q12. Should the requirement to declare interests be in the main body of the code or in the appendix where the draft model code currently references it?

In the main body of the code

In the appendix

Other (please specify below)

Don't know/prefer not to say

Q12a. If you would like to make any comments or suggestions in relation to how the requirement to declare interests is covered in the code please do so here:

It is also suggested that more outside interests should be registered than is the current statutory minimum. These are set out in **Table 2 of the Appendix** and are designed to demonstrate to the community transparency about other bodies with which the councillor is engaged.

Q13. To what extent do you support the inclusion of these additional categories for registration?

	To a great extent	To a moderate extent	To a small extent	Not at all	Don't know / Prefer not to say
Any organisation, association, society or party of which you are a member or in a position of general control or management and to which you are appointed or nominated by the council					
Any organisation, association, society or party that exercises functions of a public nature of which you are a member or in a position of general control or management					
Any organisation, association, society or party directed to charitable purposes					
Any organisation, association, society or party of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)					

Q13a. If you would like to propose additional or alternative **categories** for registration, please provide them here:

Q14. To what extent to you support the proposed requirement that councillors do not accept significant gifts as set out in Obligation 11?

To a great extent

To a moderate extent

To a small extent

Not at all

Don't know/prefer not to say

Q14a. If you would like to elaborate on your answer please do so here:

Q15. The draft code proposes £25 as the threshold for registering gifts and hospitality. Is this an appropriate threshold?

Yes

Yes, but the amount should be reviewed annually with the code's review

No, it should be lower (please specify amount) _____

No, it should be higher (please specify amount) _____

Don't know/prefer not to say

Q16. The LGA will be producing accompanying guidance to the code. Which of the following types of guidance would you find most useful? Please rank 1-5, with 1 being the most useful.

- _____ Regularly updated examples of case law
- _____ Explanatory guidance on the code
- _____ Case studies and examples of good practice
- _____ Supplementary guidance that focuses on specific areas, e.g., social media
- _____ Improvement support materials, such as training and e-learning packages

Q16a. If you would like to suggest any other accompanying guidance please do so here:

Q17. If you would like to make any further comments about the code please do so here:

Once you press the 'Submit' button below, you will have completed your response.

Many thanks for taking the time to respond to this consultation. You are in control of any personal data that you have provided to us in your response. You can contact us at all times to have your information changed or deleted. You can find our full privacy policy here: [click here to see our privacy policy](#)

For information only - Do not complete



HUDSON ACCOUNTING LTD.
INTERNAL AUDIT REPORT:
TO THE MEMBERS OF ST AUSTELL TOWN COUNCIL
YEAR ENDED 31ST MARCH 2020

ISSUE DATE: 23/04/2020
ISSUED TO: TOWN CLERK

INTRODUCTION:

Internal auditing is an independent, objective assurance activity designed to improve an organisation's operations. It helps an organisation accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes.

SCOPE:

The scope of the audit covers, as a minimum, the areas included in the Internal Audit Report contained in the Annual Governance & Accountability Return and the Transparency Code.

Areas not covered at the interim stage are included in this report as is any re-testing of areas already covered.

APPROACH:

Audit work is carried out in line with the Chartered Institute of Public Finance and Accountancy's Internal Audit Standards and guidance issued by the National Association of Local Councils.

Where applicable we have included reference to 'proper practice' and the associated guidance as laid out in 'Governance & Accountability for Smaller Authorities in England' which is applicable to financial years from 1st April 2019.

Selective testing was carried out and the relevant policies, procedures and controls were reviewed. Visits were made to the Council's offices on 1st October 2019 and 11th February 2020. Final accounts work was carried out remotely due to restrictions in place due to the coronavirus pandemic.

GENERAL COMMENTS:

We would like to thank the staff for their assistance and co-operation during the course of the audit.

The matters raised in this report are only those which came to our attention during our internal audit work and are not necessarily a comprehensive statement of all the weaknesses that exist, or of all the improvements that may be required.

In giving our internal audit opinion, it should be noted that assurance can never be absolute. The most that the internal audit service can provide is a reasonable assurance that there are no major weaknesses in risk management, governance and control processes. The audit does not guarantee that the accounting records are free from fraud or error.

The review undertaken obtained a level of assurance which has allowed us to complete the Internal Audit Report element of the Annual Governance & Accountability Return with no qualifications, thus in all significant respects, the control objectives were being achieved throughout the financial year to a standard adequate to meet the needs of the Council.

Also attached is a copy of the completed Internal Audit Report required as part of the Annual Governance & Accountability Return.

AUDIT COMMENTARY:

Items in **bold text** within the body of the report represent our findings in respect of the application of controls, text in *italics* represent suggested actions and may not necessarily pertain to the application of internal controls.

Previous Recommendations

The position in respect of previous recommendations is set out in the attached Internal Audit Response Record.

Accounting Records

Accounting records have been properly maintained throughout the year.

Payments

Grants:

A sample of grant payments made was checked to the Member approval in the Minutes and was found to be in accord.

Payments:

Further Testing of payments made revealed no issues to report.

Risk

Risk Assessment:

The Council reviewed its risk management arrangements including its comprehensive risk register in February 2020.

The Coronavirus pandemic has had significant impacts on local councils not only in terms of the way that work is carried out but for some there will be significant losses of income and potentially increased costs. The Council's experience should be reflected in its risk management arrangements and continuity planning as well as any financial impact being included in its budget management processes and reserves policies.

In addition it is suggested that a formal appraisal of the impact of the pandemic, including (the unlikely) possibility that there is an impact on the 2019/20 accounts, is carried out as part of the Councils approval of the Annual Governance Statement, specifically Assertion 8.

Insurance:

The Fidelity Guarantee is now adequate at £1 million

Cash:

The Council's Investment Strategy was reviewed in February 2020.

Budgets

Budget 2020/21:

The budget and precept for 2020/21 were properly approved by Full Council following the production of detailed estimates for a three-year period.

The impact on reserve levels was taken into consideration and was the required level of the general fund.

Budget Monitoring:

Budget monitoring activity has been regularly undertaken throughout the year.

Adequacy of Reserves:

After allowing for earmarked reserves of £249,349 the general reserve stands at £268,303 equating to 26% of gross expenditure in 2019/20, at the bottom end of generally accepted parameters.

Income

Allotments:

The Council has a small number of allotments which are adequately controlled.

VAT:

VAT claims for the year have been submitted and the accounts reflect the outstanding claim at year-end.

Interest:

Interest received on the Council's investments have been accurately recorded in the ledger.

Parking permits:

The sale of parking permits is relatively limited; testing revealed no issues to report.

Petty Cash

Petty cash is well controlled and documented, there are no issues to report.

Payroll

Testing in February 2020 revealed no issues to report.

Assets.

The asset register has been updated to reflect changes in ownership and is in accord with reporting on the AGAR.

Bank Reconciliations

Bank reconciliations have been carried out in a timely manner throughout the year and have been subjected to scrutiny in line with financial regulations.

The year-end bank reconciliation was tested for accuracy and found to be in order.

Accounting Statements

The accounting statements were properly produced and provided a good audit trail demonstrating that the figures were in accord with underlying records.

Supporting information required by the external auditor has been produced.

Charities & Trusts

The Council has met its obligations as sole Trustee.

INTERNAL AUDIT RESPONSE RECORD – ST AUSTELL TOWN COUNCIL

No	Recommendation	Management Response	Timescale/ Responsibility	Follow Up (for auditor use)
Interim Report 2019/20				
1	The Fidelity Guarantee is increased.	Agreed		Increased to £1 million - Closed
2	The checking of Library till rolls to banking information is included as part of the Member internal control checking regime. Checking of public convenience and car park takings could also be incorporated.	Agreed		Monitor 2020-21

Annual Internal Audit Report 2019/20

ST AUSTELL TOWN COUNCIL

This authority's internal auditor, acting independently and on the basis of an assessment of risk, carried out a selective assessment of compliance with relevant procedures and controls to be in operation **during** the financial year ended 31 March 2020.

The internal audit for 2019/20 has been carried out in accordance with this authority's needs and planned coverage. On the basis of the findings in the areas examined, the internal audit conclusions are summarised in this table. Set out below are the objectives of internal control and alongside are the internal audit conclusions on whether, in all significant respects, the control objectives were being achieved throughout the financial year to a standard adequate to meet the needs of this authority.

Internal control objective	Agreed? Please choose one of the following		
	Yes	No*	Not covered**
A. Appropriate accounting records have been properly kept throughout the financial year.	✓		
B. This authority complied with its financial regulations, payments were supported by invoices, all expenditure was approved and VAT was appropriately accounted for.	✓		
C. This authority assessed the significant risks to achieving its objectives and reviewed the adequacy of arrangements to manage these.	✓		
D. The precept or rates requirement resulted from an adequate budgetary process; progress against the budget was regularly monitored; and reserves were appropriate.	✓		
E. Expected income was fully received, based on correct prices, properly recorded and promptly banked; and VAT was appropriately accounted for.	✓		
F. Petty cash payments were properly supported by receipts, all petty cash expenditure was approved and VAT appropriately accounted for.	✓		
G. Salaries to employees and allowances to members were paid in accordance with this authority's approvals, and PAYE and NI requirements were properly applied.	✓		
H. Asset and investments registers were complete and accurate and properly maintained.	✓		
I. Periodic and year-end bank account reconciliations were properly carried out.	✓		
J. Accounting statements prepared during the year were prepared on the correct accounting basis (receipts and payments or income and expenditure), agreed to the cash book, supported by an adequate audit trail from underlying records and where appropriate debtors and creditors were properly recorded.	✓		
K. IF the authority certified itself as exempt from a limited assurance review in 2018/19, it met the exemption criteria and correctly declared itself exempt. (If the authority had a limited assurance review of its 2018/19 AGAR tick "not covered")			✓
L. The authority has demonstrated that during summer 2019 it correctly provided for the exercise of public rights as required by the Accounts and Audit Regulations.	✓		
M. (For local councils only) Trust funds (including charitable) – The council met its responsibilities as a trustee.	Yes	No	Not applicable
	✓		

For any other risk areas identified by this authority adequate controls existed (list any other risk areas on separate sheets if needed).

Date(s) internal audit undertaken

Name of person who carried out the internal audit

01/10/2019 11/02/2020 23/04/2020

S P HUDSON C.P.F.A.

Signature of person who carried out the internal audit

S. P. Hudson

Date

23/04/2020

*If the response is 'no' you must include a note to state the implications and action being taken to address any weakness in control identified (add separate sheets if needed).

**Note: If the response is 'not covered' please state when the most recent internal audit work was done in this area and when it is next planned, or, if coverage is not required, the annual internal audit report must explain why not (add separate sheets if needed).