The Old Mining College Centre
Queen Street
Chasetown
BURNTWOOD WS7 4QH

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Our Ref: GH/JM

17 September 2019

To: All Members of the Town Council

Dear Councillor

You are hereby summoned to attend a Meeting of the Town Council to be held in the **Meeting Room at Burntwood Library on Thursday 26 September 2019 commencing at 6:00 pm** at which the business set out below will be transacted.

Yours sincerely

Graham Hunt

Graham Hunt
Town Clerk

While audio and video recordings of this meeting are entirely legal, as a matter of courtesy to Town Council members who work for this town and this Council on a voluntary basis, we would be grateful if you would let the Clerk or the Chairman know beforehand.

UPDATE ON LOCAL POLICING

PUBLIC FORUM

A maximum of 15 minutes will be allocated prior to the commencement of the meeting when members of the public may put questions/comments on any matter in relation to which the Town Council has powers or duties which affect the area (please also refer to the guidance notes at the end of the Agenda).

PRAYERS

AGENDA

1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTERESTS AND DISPENSATIONS

3. MINUTES

To approve as a correct record the Minutes of the Meeting of the Town Council held on 25 July 2019 [Minute No. 15-26] [ENCLOSURE NO. 1].

4. CHAIRMAN'S ANNOUNCEMENTS - FOR INFORMATION ONLY

5. POLICY AND RESOURCES COMMITTEE MINUTES

Chairman of the Policy and Resources Committee to move that the proceedings of the meeting held on 09 September 2019 [Minute Nos. 14-24] be received and where necessary approved and adopted [ENCLOSURE NO. 2].

6. PLANNING AND DEVELOPMENT COMMITTEE MINUTES

Chairman of the Planning and Development Committee to move that the proceedings of the meeting held on 15 August 2019 [Minute Nos. 17-23] and 11 September 2019 [Minute Nos. 24- 29] be received and where necessary approved and adopted [ENCLOSURE NO. 3A AND 3B].

7. COMMUNITY AND PARTNERSHIPS COMMITTEE MINUTES

Chairman of the Community and Partnerships Committee to move that the proceedings of the meeting held on 16 September 2019 [Minute Nos. 18-25] be received and where necessary approved and adopted [ENCLOSURE NO. 4].

8. MEMBERS QUESTIONS under Standing Order 9

9. INTERNAL AUDIT REPORT [ENCLOSURE NO. 5]

Alan Toplis Associates have now provided their report on Internal Audit for the year 31 March 2019. His conclusion is that the systems and procedures currently in operation are operating satisfactorily and provide an adequate level of internal control.

10. UPDATE OF FINANCIAL REGULATIONS [ENCLOSURE NO. 6A AND 6B]

To consider the attached report explaining the need for update of the Financial Regulations and the changes being made and to adopt those revised Regulations.

11. DUTIES OF THE RESPONSIBLE FINANCIAL OFFICER [ENCLOSURE NO. 7]

The previous list of duties of the RFO has been updated in line with the proposed updated Financial Regulations and with the job description drawn up for the appointment of the Finance Officer in May 2018.

12. NOTICE OF CASUAL VACANCY - COUNCILLOR B BACON [SUMMERFIELD AND ALL SAINTS WARD]

To note the resignation of Councillor B Bacon.

To formally note that the Town Clerk declared a Casual Vacancy on the Town Council on 17 September 2019 following the resignation of Mr Brian Bacon [Summerfield and All Saints Ward].

Casual Vacancy process:
A minimum of ten local government electors for the Summerfield and All Saints have until midnight on 01 October 2019 to inform the District Council that they want an election to be held.

If an election is not called the Town Council will advertise the vacancy to be filled by co-option and the successful co-optee will be confirmed at the Full Council meeting on 28 November 2019.

13. NOTICE OF CASUAL VACANCY - COUNCILLOR N BACON [HIGHFIELD WARD]
To note the resignation of Councillor N Bacon.

To formally note that the Town Clerk declared a Casual Vacancy on the Town Council on 17 September 2019 following the resignation of Mrs Norma Bacon [Highfield Ward Ward].

Casual Vacancy process:
A minimum of ten local government electors for the Summerfield and All Saints have until midnight on 01 October 2019 to inform the District Council that they want an election to be held.

If an election is not called the Town Council will advertise the vacancy to be filled by co-option and the successful co-optee will be confirmed at the Full Council meeting on 28 November 2019.

14. PUBLIC PARTICIPATION IN COUNCIL MEETINGS [ENCLOSURE NO. 8]

15. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED That under the Public Bodies (Admissions of Meeting) Act 1960 (Section 2) (and as expended by Section 100 of the Local Government Act 1972), the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information.

16. POLICY AND RESOURCES COMMITTEE: CONFIDENTIAL MINUTES
Chairman of the Policy and Resources Committee to move that the proceedings of the meeting held on 09 September 2019 [Minute Nos. 21-24] be received and where necessary approved and adopted [ENCLOSURE NO. 9 PINK].

17. REPLACEMENT GAS BOILERS [ENCLOSURE NO. 10 PINK]

PUBLIC FORUM SESSION AT TOWN COUNCIL MEETINGS

Residents of Burntwood have an opportunity to speak at each full Town Council meeting:

1. *The Public Forum session will usually be the first item on the Agenda.*

2. *The Public Forum will last up to 15 minutes and members of the public can ask the Council a question (or make a statement).*

3. *Your statement or question must relate to a matter of special relevance to Burntwood or within the responsibility of the Town Council* ***with the exception of planning matters*** *which should be put to a meeting of the Planning and Development Committee.*

4. *Matters relating to the conduct of any individual councillor or officer will not be permitted – in such circumstances you should write to the Council.*

5. *You will be allowed to speak for up to 3 minutes and you can raise more than one issue within the overall limit of 3 minutes allowed to you.*

6. *After each speaker the Leader of the Council (or his/her representative) will answer the question or give notice that he/she will provide a written answer as soon as possible.*

7. *If a written answer is to be given this will be sent to you at your stated address and a copy will be made available for public inspection at the Town Council's offices.*

MINUTES OF THE MEETING OF BURNTWOOD TOWN COUNCIL
HELD AT THE OLD MINING COLLEGE CENTRE, QUEEN STREET, CHASETOWN, BURNTWOOD
ON THURSDAY 25 JULY 2019 COMMENCING AT 6.00 PM

PRESENT

Councillor Evans [in the Chair]
Councillors B Bacon, N Bacon, Banevicius, Birch, Bishop, Brown, D Ennis, L Ennis, Flanagan, Gittings, Greensill, Kirkham, Loughbrough Heron, Place, Norman, Tapper, Westwood, Willis-Croft and Woodward

In attendance
G Hunt, Town Clerk
Ms J Minor, Senior Administration Officer
Two members of the public

PUBLIC FORUM

Mr Chamberlain, representing Burntwood Action Group read out the following statement:

"Burntwood Action Group has welcomed this administration's plea to Lichfield District Council to invest £1m in Burntwood. Could you please outline what specific projects you had in mind when requesting these monies?

Also, we understand that Burntwood Town Council has the next round of CIL monies in their sights. Again, are there any specific projects that you will be putting forward and will the residents have the opportunity to be involved in the process."

Councillor Woodward explained that she had made the plea to Lichfield District Council when she was the Leader of the Opposition however Councillor Norman was now the Leader of the Opposition at Lichfield District Council and was taking this on board.

Councillor Woodward stated that she had had initial talks with the Town Clerk regarding CIL monies however it was vital that the Town Council gets the Neighbourhood Plan through [a rate of 15% is paid currently as there is no Neighbourhood Plan in place compared to 25% where a Neighbourhood Plan has been accepted]. Councillor Woodward stated that there would be an opportunity for residents to make comments.

PRAYERS

Prayers were led by Reverend M Wallace from St John's Community Church.

A minute silence was held in memory of former councillor Peter Tams who had died recently.

ACT OF COMMITMENT

The Chairman of Burntwood Town Council,
Councillor Diane Evans, addressed the Councillors:

Fellow Members of the Town Council:
We have come together to thank God for all his love and goodness towards us, and for the communities in which we share.

We give thanks for all those whose service has strengthened and enriched our common life; and we remember especially those elected to serve on our Town, District and County Councils. Will you therefore join with me in acknowledging our responsibility for our share in this work of local government, and in pledging yourself to the service of God and our people?

Cllrs: With God's help we will.
We pledge ourselves to the service of God and our people.

The Vice-Chairman, Councillor Robert Birch, addressed the councillors:

Mindful of the responsibility each of us has towards others, will you join with me in pledging yourself to the service of God and your neighbour, and to seek the health, safety and well-being of all in this Town, District and County?

All With God's help, we will, we pledge ourselves to the service of God and our neighbour.

15. APOLOGIES FOR ABSENCE

Councillors Denton and Taylor.

16. DECLARATIONS OF INTEREST AND DISPENSATIONS

Councillor Westwood made a declaration of interest in any items relating to the Burntwood BID.

Councillor D Ennis made a declaration of interest in any items relating to the Burntwood BID.

Councillor Woodward made a declaration of interest in Minute No. 23 [Burntwood Town Deal] when referring to Chasewater as she is a Trustee of the Friends of Chasewater.

17. TOWN COUNCIL: MINUTES

Councillor Flanagan made reference to Minute No. 10 [Policy and Resources Committee: Minutes] fourth paragraph and said that the word "of" should be replaced with the word "off" [piggy back off this publication].

RESOLVED That the Minutes of the Annual Meeting of the Town Council held on 15 May 2019 [Minute Nos. 1-14] be received and where necessary approved and adopted.

18. CHAIRMAN'S ANNOUNCEMENTS

The Chairman informed members that she had attended a number of engagements and that she had also attended the funeral of former councillor Peter Tams.

ENCLOSURE NO. 1

The Chairman informed members that the theme her chosen charity for the year would be dementia as this was an important issue which affected a lot of people and the fact that the Town Council wanted to become a dementia friendly town.

The Chairman asked if members could provide a list of their holiday dates in order to assist the Town Clerk and Senior Administrative Officer.

19. COMMUNITY AND PARTNERSHIPS COMMITTEE: MINUTES

Councillor Woodward made reference to Minute No. 7 [18 June 2019] and Minute No. 17 [18 July 2019] - Any Other Business and stated that the Town Council needed to make it as clear as possible as Members of the public did not know in advance what was going to be discussed. Councillor Woodward asked that the "Resolved" items in Minute No. 7 and Minute No. 17 be brought back to the next meeting of the Committee and/or referred back to the Chairman of that Committee.

Councillor D Ennis made reference to Minute No. 7.2 - Burntwood Business Community/ Burntwood BID [Business Improvement District] and clarified that the Burntwood BID would be inviting representations from local businesses etc and not the Town Council. The Town Council would be offering a supportive role.

Councillor Birch made reference to Minute No. 7.3 - Burntwood Youth Council and suggested the word "party" could go before the word "political". Councillor Ennis confirmed that there was no party affiliation. Councillor Woodward explained that the Youth Parliament were currently looking at climate change and knife crime.

Councillor Woodward made reference to Minute No. 7.4 - Parish Councils - Partnership Working and confirmed that several Parish Councils were going to attend a meeting [01 August 2019] to discuss issues of mutual interest. Councillor Woodward explained that the Town Council did not want to duplicate the work of the Lichfield District Parish Forum.

Councillor Place stated that it was vitally important that Parish Councils talk to one another.

RESOLVED That the Minutes of the Meetings of the Community and Partnerships Committee held on 18 June 2019 [Minute Nos. 1-8] and 18 July 2019 [Minute Nos. 9-17] be received and where necessary approved and adopted.

20. PLANNING AND DEVELOPMENT COMMITTEE: MINUTES

Councillor Woodward made reference to Minute No. 14 - Proposed Diversions of Public Footpath, Milestone Way; Minute No. 15 - Green Belt Review and Minute No. 16 - Neighbourhood Planning Task and Finish Group and explained that with regard to Minute No. 14 this item needed a response [tight deadline]. With regard to Minute No. 15 Councillor Woodward thanked Councillor Birch for his very detailed response and asked for Minute No. 16 be brought back to the next meeting of Committee and/or referred back to the Chairman of that Committee.

RESOLVED That the Minutes of the Meetings of the Planning and Development Committee held on 27 June 2019 [Minute Nos. 1-7] and 17 July 2019 [Minute Nos. 8-16] be received and where necessary approved and adopted.

21. POLICY AND RESOURCES COMMITTEE: MINUTES

Councillor Place made reference to Minute No. 5 - Schedule of Payments and asked for Councillor Price be amended to Councillor Place.

Councillor Flanagan made reference to Minute No. 6 - Updating of Town Council IT Capability and asked if the word “onsite” could be amended to “off-site” in respect of the new tablet being used by the Caretaker.

Councillor Birch made reference to Minute No. 6 - Updating of Town Council IT Capability [Page 5] and he confirmed that he had asked, and not Councillor Place, if the tablet could be purchased from a mobile phone company.

Councillor Banevicius made reference to Minute No. 9 - Venues for Town Council Meetings and stated that she was pleased to see that different venues were going to be used. Councillor B Bacon expressed concerns and asked if the different venues did not work out would the Town Council revert back to the Old Mining College Centre. Councillor Evans stated that it would be for a trial period of 12 months and then evaluated. Councillor Place stated that he generally supported the idea however as explained previously had some reservations.

Councillor Woodward explained that it was important to engage with members of the public out in the local community.

RESOLVED That the Minutes of the Meeting of the Policy and Resources Committee held on 15 July 2019 [Minute Nos. 1-13] be received and where necessary approved and adopted.

22. MEMBERS QUESTIONS

No Members questions were raised.

23. BURNTWOOD TOWN DEAL

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Councillor Woodward explained that the Town Deal was setup four years ago to make links between the three tiers of local government covering Burntwood. Semi-formal meetings are held with representatives from Staffordshire County Council, Lichfield District Council and the Town Council to try and smooth the path in decision making. It encourages lead members from each authority to talk to each other.

Councillor Woodward explained that the previous five issues were:

- Supportive Housing
- Health Provision
- Retail Development
- Transport Links
- Chasewater

At a recent initial scoping meeting of the Town Deal held on 16 July 2019 Councillor Pullen, Leader of Lichfield District Council and Councillor Eadie, Deputy Leader of Lichfield District Council had recognised that Burntwood had not had proper investment in the past.

Councillor Woodward explained that the five issues had not really altered however it had also been flagged up the need for a better health facility the other end of the Town to Greenwood House.

Councillor Woodward stated that County Councillor Tittley [Lichfield Rural West - Highfield] had been invited to the meeting and would be kept fully informed.

24. RE-APPOINTMENT OF INTERNAL AUDITOR

Members were informed that the purpose of the report was to provide information to enable the appointment of an internal auditor for 2019/20. By way of background Toplis Associates Limited had acted as internal auditor for 2017/18 and 2018/19.

Toplis Associates Limited have good experience specifically audit of parish Councils. In view of recent changes of staff, there would be value in using an auditor that is familiar with the Town Council and its financial procedures so can more readily identify any changes and highlight any concerns.

RECOMMENDED THAT

a) Toplis Associates Limited be re-appointed as Internal Auditor for 2019-20 for a fee of £420 plus expenses and VAT.

b) The 2019/20 Audit Programme be received and noted.

25. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED That under the Public Bodies (Admissions of Meeting) Act 1960 (Section 2) (and as expended by Section 100 of the Local Government Act 1972), the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information.

26. POLICY AND RESOURCES COMMITTEE: CONFIDENTIAL MINUTES

Councillor Woodward made reference to Minute No. 11 - Health and Safety and explained that she had asked for this matter to go to the next meeting of the Scrutiny Committee for it to track progress given the importance of the issue and potential risk.

There was a vote by show of hands [20 for, none against].

RESOLVED That the Confidential Minutes of the Meeting of the Policy and Resources Committee held on 15 July 2019 [Minute Nos. 10-13] be received and where necessary approved and adopted.

[The Meeting closed at 6.41 pm]

Signed ………………………………………………………… Date …………………………………………………………

ENCLOSURE NO. 1

MINUTES OF A MEETING OF THE POLICY AND RESOURCES COMMITTEE
HELD AT THE OLD MINING COLLEGE CENTRE, QUEEN STREET, CHASETOWN
ON MONDAY 09 SEPTEMBER 2019 COMMENCING AT 6.00 PM

PRESENT

Councillor Woodward [in the Chair]
Councillors Banevicius, Birch, D Ennis, Evans, Flanagan, Westwood and Willis-Croft

In attendance

G Hunt, Town Clerk
Ms J Minor, Senior Administration Officer
Councillor Greensill

14. APOLOGIES FOR ABSENCE

Councillor Place.

[Councillor Woodward informed Members that Councillor N Bacon and Councillor B Bacon have resigned with immediate effect].

15. DECLARATIONS OF INTERESTS AND DISPENSATIONS

Councillor Woodward declared a non-pecuniary interest in any items of business referring to Staffordshire County Council as she is the County Councillor for Burntwood North Division.

Councillor Westwood declared a non-pecuniary interest in any items of business referring to Lichfield District Council as he is the District Councillor for Boney Hay and Central Ward.

Councillor D Ennis declared a non-pecuniary interest in any items of business referring to Lichfield District Council as he is the District Councillor for Chasetown Ward.

Councillor Banevicius declared a non-pecuniary interest in any items of business referring to Lichfield District Council as she is the District Councillor for Chase Terrace Ward.

Councillor Evans declared a non-pecuniary interest in any items of business referring to Lichfield District Council as she is the District Councillor for Boney Hay and Central Ward.

Councillor Birch declared a non-pecuniary interest in any items of business referring to Lichfield District Council as he is the District Councillor for Boney Hay and Central Ward.

16. MINUTES

Councillor Woodward made reference to Minute No. 6 - Updating of Town Council IT Capability and asked that the word “sinking” be amended to “syncing”.

The Town Clerk made reference to Minute No. 7 - Protective Marking Policy and informed Members that the marking policy was now in operation.

ENCLOSURE NO. 2

RESOLVED That the Minutes of the Meeting of the Policy and Resources Committee held on 15 July 2019 [Minute Nos. 1-13] be approved as a correct record.

17. SCHEDULE OF PAYMENTS

Councillor Evans made reference to the two payments made to The Best Fun Limited in respect of the Wakes 2019 inflatables. The Senior Administrative Officer advised that an additional inflatable had been booked at a later date and two separate numbered invoices had been received for payment.

Councillor Banevicius made reference to the payment made to Grasslands Turf and Landscapes in respect of mowing at Burntwood Cemetery and asked if this was quarterly or annually. [Following the meeting the Senior Administrative Officer advised Members that the payment was for the period 29 January to 28 June 2019 and included 14 cuts to graves areas and 14 cuts to the memorial wall area].

Councillor Flanagan made reference to the payment made to E.On Energy Solutions Limited in respect of a replacement column at 12 Leafenden Avenue. Councillor Woodward informed Members that the Town Council has an entitlement to put in street lights in places where the County Council does not [e.g. alleyways etc]. The Town Clerk informed Members that the Town Council maintains 11 street lights. Councillor Westwood asked if a list could be provided. It was **AGREED** that the Senior Administrative Officer would email all committee members with a list of street lights together with a list of bus shelters which were owned and maintained by Burntwood Town Council.

RESOLVED That the schedule of payments made between 28 June 2019 and 30 August 2019 totalling £61,676.38 be received and noted.

18. PUBLIC PARTICIPATION IN COUNCIL MEETINGS

Councillor Woodward explained that, even though the general public have no statutory right to participate in the proceeding of the Council, the Town Council needed to get the balance right taking into account the Better Burntwood Concept of greater community engagement in the workings of the Council.

Councillor Woodward made reference to Item No. 4 - Openness in Local Government: Recording of Meetings and asked if the word “venerable” could be amended to “vulnerable”.

The Town Clerk explained that the purpose of the report was to clarify the arrangements to provide for the public to speak at meetings of the Council to make it more transparent and to engage more with the public. However, to enable the smooth running of meetings it is important that the Town Council is given advance notice of the issues that the public wish to raise so that background information and advice can be prepared for councillors so that they can respond at the meeting to the points made. Similarly, it is important that the relevant Chairman has the opportunity to decide whether or not an issue should be raised at the meeting. Requests to address a meeting should be made to the Town Clerk three working days prior to the meeting.

Councillor Evans felt that this was a great opportunity for the public to get involved and Councillor Banevicius felt that moving the venues around the town [Minute No. 9 - 15 July 2019 refers] offered a fairly simple way of increasing engagement as well.

Councillor Birch made reference to Item No. 4 - Openness in Local Government: Recording of Meetings [4.1] and asked if the word "approved" could be amended to "recorded".

Councillor Birch, as Chairman, made reference to the Planning and Development Committee and asked if the public participation section was still going to be at the start of the meeting. The Town Clerk stated that was at the discretion of the Chairman.

Councillor Willis-Croft made reference to Minute No. 9 - 15 July 2019 refers and asked if the alternative venues proposed provided disabled access. Councillor Woodward stated that all the proposed venues were disabled friendly to encourage more people to become more engaged with the Council.

Councillor Westwood made reference to Item No. 4 - Openness in Local Government: Recording of Meetings [4.1] and explained that this was for members of the public only.

Councillor Birch made reference to Item No. 4 - Openness in Local Government: Recording of Meetings and stated that this needed to be included on the front of agendas.

RECOMMENDED TO FULL COUNCIL that the Town Council adopts the arrangements for public participation at all meetings of the Council [including committees and sub committees]. [However, to enable the smooth running of meetings it is important that the Town Council is given advance notice of the issues that the public wish to raise so that background information and advice can be prepared for councillors so that they can respond at the meeting to the points made. Similarly, it is important that the relevant Chairman has the opportunity to decide whether or not an issue should be raised at the meeting [with the requirement to give three days' notice of an issue to be raised]].

19. IMPROVED OUT OF HOURS ACCESS CONTROLS AT THE OLD MINING COLLEGE CENTRE

Councillor Woodward explained that concerns had been raised regarding security as no record had been kept of who had access to the building [door fobs] and made reference to what is the Old Mining College Centre's purpose.

The Town Clerk explained that the purpose of the report was to seek approval to proposed improvements to the building access controls and made reference to the plan attached to the report.

By way of background, the Town Clerk stated that during weekdays the main door to the Old Mining College Centre is unbolted at 7.30 am and bolted again at 10 pm. [During the weekend the doors are only unbolted by prior arrangement]. Members were informed that the public have access to the building between 9 am and 5 pm when the reception is open, however, from 5 pm until 10 pm the door is left on the latch to allow access for recognised users of the building e.g. Costcutters and organisations hiring meeting rooms. Whilst the door is left on the latch access is gained by the use of a door fob.

The Town Clerk advised that employees of the Town Council do work after 5 pm [lone working] and the lack of access control is a potential risk to them. The Town Clerk advised that lack of proper access control during these hours could also nullify the insurance cover for the building should someone gain access and cause damage.

Councillor Flanagan stated that employee safety was paramount.

The Town Clerk advised that the current control arrangements was not working and needed to be upgraded to reflect how the building is being used now and how it will be used in the future. It is proposed that a swipe card would be issued to each person working in the building. It would be personal to them. The system would then record any comings and goings and provide a record of access to the building. In respect of groups hiring rooms on a regular basis a representative from the group would be identified and given a swipe card. They would be responsible for providing access to and from the building for their group. They would need to keep an attendance register.

Councillor Flanagan asked for example if the card become redundant could the card be shut down. The Town Clerk informed members that the swipe cards would be able to be made redundant via a computer programme.

Councillor Evans was amazed by the lack of a list [proper recording] and Councillor Birch asked if the building was alarmed. The Town Clerk advised that the building was alarmed.

Councillor Banevicius made reference to the opening times in particular 10pm and asked if there was any planning permission attached to the building restricting the opening times. It was **AGREED** that the Town Clerk would investigate the matter.

Councillor Banevicius made reference to the cost of the swipe cards and asked if a deposit would be requested. It was **AGREED** that the Town Clerk would investigate the matter.

Councillor Woodward stated that clearly a tightening up of policies [proper recording] was needed.

RECOMMENDED TO FULL COUNCIL that up to £7,000 be made available for the proposed swipe card control system and that the Town Clerk be authorised to seek three competitive quotations for the work.

20. PLANNED IT UPGRADE

Councillor Woodward made reference to Minute No. 6 - 15 July 2019 refers and advised that the purpose of the report was to advise of an increase in the estimate of cost for the upgrade that had been previously approved.

The Town Clerk explained that on 15 July 2019 the Policy and Resources Committee considered a report outlining a proposed upgrade to the Town Council's IT systems. The report acknowledged that very little investment in the system had been made for some time and it was now becoming outdated and not compliant with the General Data Protection Regulation [GDPR] 2016. The report gave an estimate of cost of between £4,000 and £4,500 for the replacement of the office computers. Following a review of this estimate the cost is now likely to be in the region of £5,500 to £6,000. In addition, it has also become apparent that the firewall protecting the system is also in need of updating. The cost of updating the firewalls is in the region of £3,000.

Members made reference to the firewalls and stated that home use is not the same as business use [corporate licence].

Councillor Ennis made reference to Minute No. 6 - 15 July 2019 refers and in particular the £8 ongoing monthly hosting charge per email address and stated that this seemed expensive to him. Councillor Birch asked if the email addresses would be gov.uk and the Town Clerk confirmed that they would be [e.g. graham.hunt@burntwood-tc.gov.uk].

Councillor Ennis made reference to the fact that there was no reference to the server in the report. **AGREED** that the Town Clerk would investigate the matter further.

Councillor Birch asked if the unit users had their own Wi-Fi and asked if it was possible for the unit users to use the Town Council's Wi-Fi to offset some of the costs. The Town Clerk confirmed that each unit had their own Wi-Fi and the possibility of the unit users using the Town Council's Wi-Fi could be a possibility in the future.

RECOMMENDED TO FULL COUNCIL that advice be obtained by the Town Clerk from an independent advisor [Entrust] to map out the requirements of the Town Council.

21. EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED That under the Public Bodies (Admissions to Meeting) Act 1960 (Section 2) (and as expended by Section 100 of the Local Government Act 1972), the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information.

22. CONFIDENTIAL MINUTES

RESOLVED That the Confidential Minutes of the Meeting of the Policy and Resources Committee held on 15 July 2019 [Minute Nos. 10-13] be approved as a correct record.

23. PREPARING THE TOWN FOR A BETTER BURNTWOOD

See Confidential Minute.

24. HEALTH AND SAFETY POLICY

See Confidential Minute.

[The Meeting closed at 7.45 pm]

Signed ……………………………………………….. Date ……………………………………………………

ENCLOSURE NO. 2

MINUTES OF A MEETING OF THE PLANNING AND DEVELOPMENT COMMITTEE
HELD AT THE OLD MINING COLLEGE CENTRE, QUEEN STREET, CHASETOWN, BURNTWOOD ON
THURSDAY 15 AUGUST 2019 COMMENCING AT 6.00 PM

PRESENT

Councillor Birch [in the Chair]
Councillors Brown, D Ennis, Flanagan, Gittings, Place and Willis-Croft

In attendance

G Hunt, Town Clerk
Ms J Minor, Senior Administration Officer
One member of the public
Councillor Evans
Councillor Westwood

PUBLIC FORUM

No issues were raised by members of the public.

17. APOLOGIES FOR ABSENCE

Councillors Loughbrough Heron and Taylor.

18. GENERAL DECLARATIONS OF INTERESTS AND DISPENSATIONS

All District Councillors present wished it to be recorded that their views were a preliminary view and one they may change when they hear all the evidence at the District Council's Planning Committee.

19. MINUTES

RESOLVED That the Minutes of the Planning and Development Committee Meeting held on 17 July 2019 [Minute Nos. 8-16] be approved as a correct record.

20. MATTERS ARISING

No issues were raised by members.

21. PLANNING APPLICATIONS

RESOLVED That the following comments be submitted to the Local Planning Authority:

ENCLOSURE NO. 3A

(a)	19/00967/FUH	Highfield	Mr D Higgs 14 St Matthews Road Burntwood	Installation of dropped kerb to front of property

No objection.

(b)	19/01029/FUH	Highfield	Mr S Moor Pipe Hall Old Barn Abnalls Lane Burntwood	Single storey and two storey extensions to side and rear; internal remodelling including structural alterations and amended window openings

Whilst there are no objections to the principle of the works, if the Local Planning Authority are minded to approve this scheme then the proposed extensions should be subservient to the host dwelling and should not derive any material adverse harm to the character and appearance of the surrounding area. The general scale and design should be in keeping with the characteristics of the existing dwelling and should integrate well with its surroundings.

(c)	19/01030/LBC	Highfield	Mr S Moor Pipe Hall Old Barn Abnalls Lane Burntwood	Works to listed building to allow erection of single storey and two storey extensions to side and rear; internal remodelling including structural alterations and amended window openings

Whilst there are no objections to the principle of the works, if the Local Planning Authority are minded to approve this scheme then the proposed extensions should be subservient to the host dwelling and should not derive any material adverse harm to the character and appearance of the surrounding area. The general scale and design should be in keeping with the characteristics of the existing dwelling and should integrate well with its surroundings.

(d)	19/01016/COU	Chasetown	Mrs M Chislaghi Chasewater Country Park Pool Lane Burntwood	Change of use of office, wc and store to ice cream parlour, office and store including single storey extension to side

No objection.

(e)	19/00687/FUL	Summerfield and All Saints	S Lester Packing Materials Limited Unit 2 Mount Road Burntwood	Replacement storage building to the rear of Unit 2

No objection.

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(f)	19/01048/FUH	Chase Terrace	Mr I Smart 31 Thorpe Street Burntwood	Single storey rear extension

No objection.

(g)	19/01051/FUH	Hunslet	Mr C Preston 39 Boulton Close Burntwood	Retention of brick built outbuilding in rear garden

Whilst there are no objections to the principle of the works concerns were raised as to the height of the roof and the visual impact on neighbouring properties. If the Local Planning Authority are minded to approve this scheme then the brick built outbuilding shall only be occupied in a manner which is wholly incidental to the residential use of the dwelling known as 39 Boulton Close and shall not be used, sold or let as a separate dwelling unit.

(h)	19/01054/FUH	Chase Terrace	Mr P Cameron 65 Kingsdown Road Burntwood	First floor extension to side and rear and single storey extension to rear including demolition of rear conservatory

Whilst there are no objections to the principle of the works concerns were raised to the use of light grey timber cladding which would be a significant contrast to the existing building and not in keeping with the existing streetscene [red brick construction on the first floor].

(i)	19/01061/FUH	Boney Hay and Central	Mr and Mrs Thompson 215 Rugeley Road Chase Terrace	Erection of outbuilding to form single storey residential annexe

OBJECTIONS as this proposal is for backland development and adequate parking [to facilitate a three bedroomed semi-detached property and a single storey property] is not provided.

[MEMBERS WERE INFORMED THAT COUNCILLOR BIRCH, AS WARD MEMBER, WOULD CALL IN THIS APPLICATION AS DISTRICT COUNCILLOR FOR BONEY HAY AND CENTRAL].

(j)	19/01093/FUL	Chasetown	Mr A Hutchinson Burntwood Leisure Centre High Street Chasetown	Variation of condition no. 1 of application 14/00892/FUL in relation to the retention of a two storey modular building for NHS walk in health clinic

Having regard to Condition No. 1 attached to planning permission 14/00892/FUL [This permission shall be for a limited period expiring on 30 September 2019 and at the end of this period, the building shall be removed from the site and the land cleared and reinstated to its condition immediately prior to the implementation of permission 08/00884/FUL or to any other use-condition which may be otherwise approved in respect of this site] no objection in principle as long as the building is still fit for purpose.

ENCLOSURE NO. 3A

(k)	19/01107/FUH	Chase Terrace	Mr M Stanley 26 High Street Chase Terrace	Single storey extension to rear

No objection.

(l)	19/01002/COU	Gorstey Ley	Miss L Fawdrey 39 Rugeley Road Burntwood	Erection of detached timber clad building to create dog grooming facility

Whilst there are no objections to the principle of the works, if the Local Planning Authority are minded to approve this scheme then a strict condition that the process of the operation will consist of a delivery and collection service carried out by the business owner. Dogs will be collected from their place of residence, taken to and groomed at the facility, prior to being returned within the customised delivery van as the proposal is situated on a busy road and is in close proximity to a primary school. No dogs will be left overnight. The timber clad building shall only be occupied in a manner which is wholly incidental to the residential use of the dwelling known as 39 Rugeley Road and shall not be used, sold or let as a separate dwelling unit.

(m)	19/01081/PNH	Chase Terrace	Mrs M Ingram 7 Thorpe Avenue Burntwood	Prior Notification: Proposed single storey extension to rear projecting 2.6 m from the rear wall of the original dwelling and reaching a maximum height of 2.4 m

No objection.

(n)	19/01130/FUH	Hunslet	Mr R Smith 35 Highfield Road Burntwood	Single storey front and first floor side extensions to form garage and bedrooms

No objection.

22. ADVERTISING BANNERS

The Chairman made reference to a briefing note [circulated at the meeting] which had been produced by the Town Clerk which included an extract from the Control of Advertisement Regulations with particular reference being made to Class 3[D], Class 5 and Class 6.

Councillor Willis-Croft made reference to selling of vehicles on the grass verge on Stables Way.

Councillor Place felt that the Town Council needed to either stick to the rules of Classes 3[D], 5 and 6 or be flexible. Councillor Place said that he was leaning more towards a strict rule.

Councillor D Ennis suggested a more flexible approach particularly in respect of Class 6 which permits advertisements on the forecourt of business premises. [Class 6 gives a further consent to display the type of advertisement permitted by Class 5, namely notices, signs and

ENCLOSURE NO. 3A

advertisements to draw attention to any commercial services, goods for sale, or other services available at the premises. The term "forecourt" includes any enclosing fence, wall, screen or other structure, so long as the means of enclosure is not part of the business premises itself].

Councillor Flanagan made reference to A4 sized posters on lampposts.

The Town Clerk confirmed that as a Parish Council, the Town Council has no powers and could only flag up the issue and pass the information to other partners [i.e. Staffordshire County Council, as Highway Authority and/or Lichfield District Council as Local Planning Authority].

The Town Clerk did point out however that it was important to note that the Town Council's banners currently advertising the Play in the Parks events during the summer were non-compliant as the advertisement permitted by Class 3 [D] must not exceed 0.6 of a square metre. The Town Clerk stated that there was two options available to the Town Council either downside the banners or seek permission.

The Town Clerk advised members that Staffordshire County Council had previously looked into this matter and felt that due to the economic climate did not want to undermine business growth particularly in respect of Class 5 and Class 6. The Town Clerk advised that this matter was not a high priority for the County Council at this moment in time.

Councillor D Ennis felt that the Town Council needed to comply with Class 3[D] [the advertisement permitted by Class 3[D] must not exceed 0.6 of a square metre. It must not be displayed more than 28 days before the sale or event begins and must be removed within 14 days after it ends]. Councillor D Ennis felt that unless a Councillor and/or the Town Council have a direct complaint then we should be offering an advisory service and signposting them to either Staffordshire County Council and/or Lichfield District Council.

Councillor Brown made reference to a resident who lives in Mossbank Avenue who had approached him regarding the Spar banners on the railings at Springhill Road/Cannock Road. Councillor D Ennis said that this was an ideal opportunity for Councillors to offer advice and would advise Councillor Brown accordingly.

The Town Clerk made reference to Minute No. 7 [27 June 2019] - Members Induction and referred to partners taking responsibility for different aspects as Town Council councillors cannot do everything. It was suggested by Councillor D Ennis and agreed that the Town Clerk would email all members of the Town Council with the appropriate guidelines, links etc.

RECOMMENDED TO FULL COUNCIL that the Town Council must comply with Class 3[D] [the advertisement permitted by Class 3[D] must not exceed 0.6 of a square metre. It must not be displayed more than 28 days before the sale or event begins and must be removed within 14 days after it ends] and that unless a complaint is received then the Town Council together with members offers an advisory and signposting service.

23. NEIGHBOURHOOD PLANNING TASK AND FINISH GROUP

The Chairman explained that further to Minute No. 16 [17 July 2019] and in order to avoid confusion, that the Neighbourhood Planning Task and Finish Group be renamed the Planning Advisory Group. The Chairman stated that the Planning Advisory Group would initially consist of six members of the Town Council [namely Councillor Flanagan as Chairman, together with three further members from the Labour Group, one member from the Conservative Group and Councillor Greensill who had already shown an interest]. The Chairman explained that Councillor Greensill was only a member of the Scrutiny Committee and it was felt that as the

Group was only advisory and not a decision making group there would be no conflict of interest. Members were advised that the Planning Advisory Group would report into the Planning and Development Committee in due course.

The Chairman explained that once the Burntwood Neighbourhood Plan had been adopted [currently at the Regulation 16 consultation stage - 09 August 2019 to 20 September 2019] then consideration would be given to members of the public being invited onto the Planning Advisory Group. This could mean a member from the Youth Council, a retired member of the public, a member from Burntwood Action Group and a member from Burntwood BIB.

RECOMMENDED TO FULL COUNCIL that the Town Clerk be instructed to set up a Planning Advisory Group to be chaired by Councillor Flanagan.

[The Meeting closed at 6.45 pm]

Signed ……………………………………….

Date ………………………………………….

ENCLOSURE NO. 3A

MINUTES OF A MEETING OF THE PLANNING AND DEVELOPMENT COMMITTEE
HELD AT THE OLD MINING COLLEGE CENTRE, QUEEN STREET, CHASETOWN, BURNTWOOD ON WEDNESDAY 11 SEPTEMBER 2019 COMMENCING AT 6.00 PM

PRESENT

Councillor Birch [in the Chair]
Councillors Brown, Flanagan, Gittings, Loughbrough Heron, Taylor and Willis-Croft

In attendance

G Hunt, Town Clerk
Ms J Minor, Senior Administration Officer
Councillor Evans
Councillor L Ennis
Councillor Westwood
Two members of the public

PUBLIC FORUM

Ms Dwyer of Chase Road made reference to planning application 19/01162/COUM [Southwinds Nursing Home, 17 Chase Road - change of use from residential care home [class C2] to 11 no. flats [class C3]. Works including window amendment to front elevation with dormer roof and balcony to rear elevations] and set out her objections namely the loss of a residential care home would be an incredible loss to the community, overlooking into existing properties on Fairford Gardens [as the levels of the care home and Chase Road are much higher than Fairford Gardens], highway issues as Chase Road is too narrow and is a main commuter route and the lack of suitable parking.

24. APOLOGIES FOR ABSENCE

Councillors D Ennis and Place.

25. GENERAL DECLARATIONS OF INTERESTS AND DISPENSATIONS

Councillor Gittings declared a personal interest in planning application 19/01162/COUM [Southwinds Nursing Home, 17 Chase Road] as the applicant is known to her.

Councillor Gittings declared a personal interest in planning application 19/01178/FUH [10 Darwin Close] as the applicant is known to her.

Councillor Taylor declared a personal interest in planning application 19/00987/FUH [34 Chase Road] as the applicant is known to him.

All District Councillors present wished it to be recorded that their views were a preliminary view and one they may change when they hear all the evidence at the District Council's Planning Committee.

26. MINUTES

ENCLOSURE NO. 3B

RESOLVED That the Minutes of the Planning and Development Committee Meeting held on 15 August 2019 [Minute Nos. 17-23] be approved as a correct record.

27. MATTERS ARISING

Councillor Birch made reference to planning application 19/00936/COU - 60 Ironstone Road [Change of use of outbuilding from office to residential bedsit] and informed Members that Councillor Woodward had attended the Planning Committee meeting held on 02 September 2019 at Lichfield District Council on behalf of residents to object to the proposed additional bedsit. Members were informed that the application had been recommended for approval by Lichfield District Council Planning Officers however the application was refused by the Planning Committee [disturbance to neighbours and highway issues].

Councillor Birch made reference to planning application 19/00676/FUL - Land off Milestone Way, [part of the blue hoarded site] [Construction of a drive-thru restaurant [use classes A3/A5] including formation of an access off Robins Road, Car Parking, Landscaping and Associated Works] and informed Members that Staffordshire County Council, as Highway Authority had no objections on highway grounds to the proposed development subject to the following conditions being included on any approval:

1. Prior to commencement of development full details of new access including visibility splays, vehicle tracking of largest expected vehicle and lighting at the access shall be submitted to and approved in writing by the Local Planning Authority. The new access shall thereafter be provided in accordance with the approved details prior to construction of the development.

2. Prior to first use of the development details of secure cycle parking shall be submitted and approved by the local planning authority.

3. Prior to first use of the development the parking and turning areas shall be provided as per the approved plan and surfaced in a bound material. The parking and turning areas shall thereafter be retained at all times for their designated purposes.

28. PLANNING APPLICATIONS

RESOLVED That the following comments be submitted to the Local Planning Authority:

(a)	19/00872/FUL	Chasetown	Burntwood Sub Aqua Club Burntwood Leisure Centre High Street Chasetown	Erection of 1 no. storage building

Whilst there are no objections to the principle of the works, Members asked that the Local Planning Authority ensures that the sub aqua equipment is correctly stored accordingly to legislation.

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(b)	19/01162/COUM	Summerfield and All Saints	Mrs G Bundy Southwinds Nursing Home 17 Chase Road Burntwood	Change of use from residential care home [class C2] to 11 no. flats [class 3]. Works including window amendment to front elevation with dormer roof and balcony to rear elevations

OBJECTION even though in principle flats in Burntwood are acceptable, the proposed development fails to provide sufficient parking provision. The development is therefore considered to have a detrimental impact and is contrary to Policy ST2 [Parking Provision] and the large dormer roof and balcony to the rear elevations would have a detrimental impact on properties in Fairford Gardens.

[MEMBERS WERE INFORMED THAT COUNCILLOR L ENNIS, AS WARD MEMBER, WOULD CALL IN THIS APPLICATION AS DISTRICT COUNCILLOR FOR SUMMERFIELD AND ALL SAINTS].

[COUNCILLOR BROWN LEFT THE ROOM AND WAS NOT PRESENT FOR THE DURATION OF THE DISCUSSION].

(c)	19/01176/FUH	Chasetown	Mr K Wiggins 9 Ash Grove Burntwood	Single storey extension to front and rear, two storey extension to side and installation of front porch

No objection.

(d)	19/00987/FUH	Summerfield and All Saints	Mr S Rande 34 Chase Road Burntwood	Conversion of garage and outbuilding to granny annexe

Whilst there are no objections to the principle of the works, if the Local Planning Authority are minded to approve this scheme then the granny annexe should only be occupied in a manner which is wholly incidental to the residential use of the dwelling known as 34 Chase Road and should not be used, sold or let as a separate dwelling unit.

(e)	19/01199/FUH	Chase Terrace	Ms K Davis 20 High Street Chase Terrace	Erection of detached garage and dropped kerb

Whilst there are no objections to the principle of the works, if the Local Planning Authority are minded to approve this scheme then the garage should only be occupied in a manner which is wholly incidental to the residential use of the dwelling known as 20 High Street and should not be used, sold or let as a separate dwelling unit.

(f)	19/01178/FUH	Summerfield and All Saints	Mr K Adams 10 Darwin Close Burntwood	Two storey extension to side

No objection.

(g)	19/01203/FUH	Chase Terrace	Mr and Mrs J Hammond 7 The Grove Burntwood	Single storey extension to rear and erection of detached garage in front garden

Whilst there are no objections to the principle of the works, if the Local Planning Authority are minded to approve this scheme then the garage should only be occupied in a manner which is wholly incidental to the residential use of the dwelling known as 7 The Grove and should not be used, sold or let as a separate dwelling unit.

(h)	19/01204/FUL	Chase Terrace	Mr J Allen 39 Ironstone Road Burntwood	Variation of condition 2 [approved plans] of permission 18/01297/COU relating to number of rooflights and rendering of property

No objection.

(i)	19/01234/FUH	Gorstey Ley	Mr S Caron 51 Farewell Lane Burntwood	First floor rear extension to form en-suite

No objection.

(j)	19/00727/FUL	Boney Hay and Central	Mr and Mrs Bevan 156 Chorley Road Burntwood	Erection of a three bedroom dwelling to rear

No objection.

29. TERMS OF REFERENCE FOR THE PLANNING ADVISORY GROUP

Councillor Birch made reference to Minute Nos. 16 [17 July 2019] and 23 [15 August 2019] and confirmed that the Group would consist of five elected members of the Town Council [namely Councillor Flanagan as Chairman, together with two further members from the Labour Group, one member from the Conservative Group and Councillor Greensill who had already shown an interest]. Councillor Birch explained that Councillor Greensill was a member of the Scrutiny Committee and it was felt that as the Group was only advisory and not a decision making group there would be no conflict of interest.

RECOMMENDED TO FULL COUNCIL that the Town Council adopts the Terms of Reference for the Planning Advisory Group.

[The Meeting closed at 6.29 pm]

Signed .... Date ....

ENCLOSURE NO. 3B

MINUTES OF A MEETING OF THE COMMUNITY AND PARTNERSHIPS COMMITTEE HELD AT THE OLD MINING COLLEGE CENTRE, QUEEN STREET, BURNTWOOD ON MONDAY 16 SEPTEMBER 2019 COMMENCING AT 6:00 PM

PRESENT

Councillor D Ennis [in the Chair]
Councillors L Ennis, Evans, Gittings, Kirkham, Westwood, Willis-Croft and Woodward

In attendance

G Hunt, Town Clerk
Ms J Minor, Senior Administration Officer
Two members of the public

TOGETHER WE'RE BETTER

Members were informed that officers representing Together We're Better would not be attending on this occasion [the Town Clerk had been notified on Friday 13 September 2019]. Members made reference to the fact that this was the second occasion when officers from Together We're Better were unable to attend. Councillor Woodward felt that the Town Council needed to be robust on this occasion as health services in Burntwood were under resourced and made reference to the Sustainability and Transformation Plan. Councillor Evans felt that the Town Council should not be side lined and Councillor Kirkham made reference to health practitioners/GPs who are struggling as well. It was AGREED that the Town Clerk should email the Chief Executive of Together We're Better and it was also AGREED that Councillor D Ennis, as Chairman of the Community and Partnerships Committee would follow this matter up.

18. APOLOGIES FOR ABSENCE

Councillor Loughbrough Heron.

19. DECLARATIONS OF INTERESTS AND DISPENSATIONS

None declared.

20. MINUTES

RESOLVED That the Minutes of the Meeting of the Community and Partnerships Committee held on 18 July 2019 [Minute Nos. 9-17] be received and where necessary approved and adopted.

21. DEMENTIA ACTION PLAN FOR BURNTWOOD TOWN COUNCIL

Members were informed that the purpose of the report was to set out an action plan for the Town Council that would enable them to make a meaningful contribution to health and social care being undertaken across the town to support people living with dementia and their carers.

Councillor Kirkham stated that the report follows on from the meeting of the Dementia Task and Finish Group which was held on 03 July 2019 and which was chaired by Councillor Evans.

The Town Clerk explained that the number of people with dementia is expected to increase with 1 in 3 people born this year will go onto develop dementia. The Town Clerk stated that the Town Council needed a targeted approach and should focus on what they can do.

Members were informed that despite the Town Council not having a statutory role there are things that they could do to support the work of the lead agencies and the voluntary sector. Members were advised that the disease [dementia is a term used to cover a range of brain related diseases] is having a devastating impact on the community, however, it was important to recognise any role could only be a supporting one. One of the key issues that the Town Council could help to address is lack of awareness and could help by promoting the advice and support that is available in Burntwood; identify any gaps in provision and support the establishment of community or voluntary groups to meet identified need.

Councillor Evans reminded members that dementia was her chosen charity for the year and that the Town Council should move ahead as fast as possible.

It was suggested to enable the Town Council to make the contribution the following action plan be recommended:

Action 1 - All town councillors to undertake dementia friends training.

Action 2 - Member dementia champions to be appointed for Boney Hay, Burntwood, Chase Terrace and Chasetown.

Action 3 - Town councillors to map dementia provision in their respective wards.

Action 4 - A dedicated dementia page be set up on the Town Council's website to promote available dementia advice and support.

Action 5 - Start discussions with the business community regarding how to make shops more dementia friendly.

Councillor Kirkham encouraged all Town Councillors to get involved and make a contribution to the Action Plan.

Councillor Woodward thanked the Dementia Task and Finish Group and stated that firm actions needed to be put in place [recognising the Town Council's supporting role].

Councillor Westwood asked if a timescale for the Action Plan had been set. The Town Clerk confirmed that Dementia Friends Training would be provided for all members prior to the meeting of the Town Council on 28 November 2019 and it was hoped that by Christmas 2019 most of the actions would be underway and/or completed.

Councillor D Ennis felt that everyone could achieve the Action Plan as there were groups already out in the community.

It was also suggested that the Town Council could also use its grant scheme to help establish any new groups that are seeking to provide support in areas of deficit.

ENCLOSURE NO. 4

RECOMMENDED TO FULL COUNCIL that the Action Plan be received and adopted and that the Town Council's grant scheme be made available to help establish any new groups that are seeking to provide dementia support in areas of deficit.

22. JOINT PARISH COUNCILS MEETING

The Town Clerk made reference to Item No. 3.0 - Joint Meeting [3.1] and confirmed that Councillor D Ennis was in attendance and not Councillor Evans.

Members were informed that the report was for information purposes only.

Members were referred to Minute No. 17.5 [18 July 2019 refers] and informed that a meeting with adjoining Parish Councils had taken place in August. The Town Clerk explained that the key issues of discussion were Chasewater, Burntwood Cemetery, Local Plan Review, Footpaths and Cycleways and public participation in Council meetings.

Members were informed that some progress had been made since the August meeting. A report on public participation at Council meetings was considered by the Policy and Resources Committee on 09 September 2019. It recommended that the public should be able to participate at all Council meetings providing that 3 days' notice was given to the Town Clerk [this would give the Town Clerk time to provide any background information that might be needed to assist the Committee to respond to any issues raised]. Members were advised that investigations had also been undertaken to see on what basis people who lived outside of the parish could be buried in Burntwood Cemetery [a report outlining the findings of these investigations was programmed to go to the Policy and Resources Committee on 19 November 2019]. Members were informed that the Clerks to Burntwood, Norton Canes and Heath Hayes and Wimblebury Parish Councils had met to start working on National Cycleway Route No. 5 [which goes around Chasewater and out westward through Cannock].

Councillor Woodward said that the meeting was not designed to replace the Parish Forum. Instead it would provide the opportunity for more focussed discussions with adjoining Parishes.

Councillor D Ennis felt that the meeting had gone well and that good discussion had ensued.

Councillor Evans felt that the meetings could only be a positive benefit to all concerned.

23. PLAY IN THE PARKS

Members were informed that the report was for information purposes only.

Members were informed that the purpose of the report was to update them on the events delivered this year under the Play in the Parks initiative.

The Town Clerk explained that the events were well attended [attendance ranged from 300 to 500 people depending on the location and the weather]. The Town Clerk explained that the event held at St Matthews Cricket Ground had to be cancelled due to a very waterlogged field.

Members were advised that the format of 2 events per week for 4 weeks delivered from local parks is now well established. The parks used are Burntwood Park, Chase Terrace Park and Redwood Park along with Open House, St Matthews Cricket Ground and more recently Spark.

Members were advised that the net cost to the Town Council for Play in the Parks 2019 was just over £5000 after a £500 grant from the Lichfield Safer Communities Partnership Small Projects Fund. This is approximately £2,000 more than the previous year due to the commissioning of an Events Management Company to manage the events. This was felt necessary to free up Town Council staff and address health and safety concerns. The extra cost was covered from within the approved budget.

Councillor D Ennis explained that these were very small events to begin with but had evolved over time and the Town Council needed to change how the events were managed. Councillor D Ennis stated that apart from two venues, the Town Council worked in partnership with other organisations i.e. St John's Community Church, Spark, Fun Club and Beacon Community Church and that the Town Council needed the organisations to run the events [supported by the Town Council].

Councillor Woodward felt that in previous years July/August and November/December were completely taken up by staff time [organising and running the events]. Councillor Woodward wished it to be recorded and it was AGREED that the Town Clerk would write to Mrs Tranter to thank her for her help and assistance in running the events this year. Councillor Woodward made reference to the health and safety issues and how thin these were in the past [young children and bouncy castles].

Councillor Woodward made reference to the social media coverage and still felt that the events offered were good value for money.

Councillor Evans stated that Mrs Tranter knew the events inside and out and also thanked Councillor L Ennis for her help and assistance. It was good to see organisations getting on board however it was vitally important to get the health and safety right.

Councillor Willis-Croft felt that the events should continue to have an input from the Town Council.

Councillor D Ennis agreed that the Town Council should not withdraw entirely. The Town Council would continue to help its partners to take the lead in planning and hosting these events. If different organisations took over control of the events they had more funding opportunities than the Town Council i.e. Bromford's YouCan Foundation Funding where members of the public can apply and the Town Council cannot not.

Councillor Kirkham stated that there were lots of colleges/universities offering Event Management Courses and students could do work experience as the events are held during the summer holidays. It was AGREED that Councillor Kirkham would obtain further information, contact details etc.

24. CHRISTMAS EVENTS

Councillor D Ennis stated that he had had an unorganised meeting with Library staff regarding giving out tickets and the queuing system for Santa etc. It had been agreed that the Library would provide the gazebo, queuing system and Friends of Burntwood Library would provide

ENCLOSURE NO. 4

the presents [funded via the Town Council's grant aid scheme] and the Town Council would provide Santa.

Members were informed that a meeting would shortly be held with Seventeen43 Management with regard to the event management part of the event to ensure that the event run safely.

Councillor Woodward made reference to setting the budget for 2020/2021 and emphasised that the Town Council cannot keep undertaking the events and that the Town Council needed to prioritise [best impact on people in Burntwood]. Councillor Woodward felt that the funfair was not very Christmassy.

Councillor D Ennis explained that the Chasetown events was now being run by Chasetown businesses in that they were getting their own tree, lights, road closure etc.

Councillor Evans made reference to the event in Boney Hay and stated that the area concerned did not have the luxury of many businesses. Councillor Evans made reference to the health and safety aspect of the event and the Town Clerk confirmed that Seventeen43 Management would be asked to manage the event.

Councillor D Ennis confirmed that the businesses in Chasetown were sorting out their own insurance, health and safety etc.

Councillor D Ennis felt that the Boney Hay event was not in a good place and could perhaps be moved to Ryecroft shops and Morley Road shops.

Councillor Woodward stated that Bromford may wish to become involved as there are a lot of Bromford tenants in the vicinity. Councillor Woodward confirmed that there was a Ryecroft Traders Association.

Councillor Kirkham felt that due to decline in resources future proofing the events/strategy was needed as the Town Council may need to nurture some of the events in certain areas.

The Town Clerk made reference to the Better Burntwood Concept [flagging up strong partnership working and focussing of resources which would include future proofing for all community events].

25. ANY OTHER BUSINESS

[Councillor D Ennis suggested that "Any Other Business" should remain on future Agendas [for discussion purposes only] so that future Agenda items could be discussed].

There were no other items of business.

[The Meeting closed at 7.00 pm]

Signed ……………………………………………………………

Date ………………………………………………………………

ENCLOSURE NO. 4

Independent Internal Audit Review

for

Burntwood Town Council

Audit for the year to 31st March 2019.

Summary Report

Alan Toplis
Toplis Associates Limited

July 2019.

ENCLOSURE NO. 5

Burntwood Town Council
2018/19
Internal Audit - Summary Report

1. Introduction
This report has been prepared to provide an opinion on the adequacy of the system of internal control operating in respect of the systems of financial administration within Burntwood Town Council throughout the 2018/19 financial year.

2. Scope
The review focussed on the 10 key control areas, as outlined in the Annual Governance and Accounting Return for 2018/19, namely:

- Proper Bookkeeping;
- Standing Orders and Financial Regulations;
- Risk Management activities;
- Budgetary Controls;
- Income Controls;
- Petty Cash procedures;
- Payroll Controls;
- Assets Controls;
- Bank Reconciliation;
- Year - end procedures

We also assessed your Council's public web site information to check conformance against the Local Government Transparency Code 2015.

In addition your council provided me with an Internal Audit Programme for 2018/19. This proforma was completed after the concluding audit on 24th April 2019 without any qualification. The completed programme should be read as an integral part of this report and the original is attached. We also attach a copy of our summary report which will be included as page 3 of your Annual Governance and Accountability Return to the External Auditor for the year ending 31 March 2019.

3. Results of the Internal Audit Review

3.1 Proper Bookkeeping
It was confirmed through a review of accounting records maintained in respect of the 2018/19 Financial Year that the books of account have been properly maintained throughout the year. The Council operates a computerised bookkeeping system using RBS Omega software. Proper audit trails are clearly identifiable and have been verified on a significant sample of the documents.

The records examined included an income and expenditure account, balance sheet, bank and VAT reconciliations, insurance schedule, asset register and

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inventory and all relevant supporting documentation. There were proper audit trails to all records of a high standard.

3.2 Standing Orders and Financial Regulations
From a review of Council minutes, and related supporting documentation, it was established that:

- The Council had in place formally adopted Standing Orders and Financial Regulations throughout the 2018/19 financial year. Standing Orders and Finance Regulations were last reviewed in July 2016 and now require amendment and ratification by the Council due to changes in roles;
- The acting Chief Executive Officer ("CEO") was also the Responsible Financial Officer; Mrs Alison James was Finance Officer throughout the year and has since been appointed as Responsible Financial Officer;
- Payments identified in the cash book are supported by invoices, as verified through testing conducted on a sample of over 100 recent invoices, with the authorisation being at the point of cheque signature or electronic authorisation. (Cheque authorisation procedures require that all cheques or electronic payments are "signed" by two members of the Council or two members and the CEO, as required under your Financial Regulations) Original invoices and a payments schedule are required to be provided to Councillors authorising cheques and BACS transfers;
- All payroll transactions were checked and no extraordinary payments noted. All payments were properly authorised;
- Pension contributions were correct and properly accounted for and disbursed accordingly;
- VAT payments have been identified in relevant cases, adequately recorded and reclaimed. A sample check of claims verified that all of these were correctly made.

3.3 Risk Management
The arrangements for assessing and managing risk were reviewed. All Council minutes were examined for the 2018/19 financial year. No unusual financial activity was identified.

A risk assessment and management (financial) policy was in place. An audit review of the risk assessment proved very satisfactory. It is recommended that the Risk Assessment should be reviewed for continuing completeness during 2019/20.

Insurance documentation was examined and found to have been in place throughout the period under review. The policy (YLL 122019-5063 last dated 12th May 2017 with amendments), a local council policy, is held with Zurich Municipal.

ENCLOSURE NO. 5

The Council also had adequate Insurance to cover the Burntwood Wakes Festival and various other "one off" items.

3.4 Budgetary Control
It is confirmed that the Council approved its 2018/19 estimates and set the precept at £318,690 at its meeting in January 2019. Proper levels of general reserve coverage are included in the Precept calculation.

The periodic reporting of actual expenditure against budget to Council has occurred on a frequent basis since this regime was agreed by the Council in 2007. This was evidenced to be operating as intended through a review of Council minutes, with reports being submitted for review at every full meeting of the Council.

Overall the control of Total Income and Total Net Expenditure within the General Budget was tightly controlled by the Council.

Schedules of actual expenditure were reported to Council throughout the financial year. It was confirmed that there were no breaks in the continuity of cheque numbers and any void cheques are properly accounted for. All BACS payments are properly authorised.

The current arrangements of budgetary control are considered adequate given the level and nature of expenditure involved.

3.5 Income Controls
Income records were examined and found to have been correctly maintained. The 2018/19 precept, £313,645 was received from Lichfield District Council and had been correctly accounted for.

A check on the receipts into the Burntwood Cemetery & Coulter Lane Remembrance Garden accounts was included in the interim internal audit and was found to be correct. It is noted that it is the intention that the former should be self-supporting. We also carried out a specific visit to review the procedures and controls in place for these two cost centres. We can confirm that the procedures you have in place ensure that all expenditure is properly recorded and procedures are in place to ensure that disbursements are properly recharged to the funeral directors and/or to the next of kin.

We would remind you that any alterations to consecrated burial grounds (including perimeter walls and fences) requires a faculty from the Chancellor of the Diocese of Lichfield which must be obtained prior to the commencement of any works.

3.6 Petty Cash

The current petty cash imprest account level is £200. The petty cash float is maintained for minor items of expenditure and was checked for correctness. Invoices for reimbursement are raised as required and are reviewed as per all other invoices, when cheques are signed by the Council. It was verified that no payments are made from Petty Cash without a receipt.

Turnover on this account is in line with acceptable "petty cash" levels.

3.7 Payroll

All payroll records were reviewed and confirmed as being correct.

No payments were considered unreasonable and PAYE, NIC and superannuation records have been properly maintained for all employees. The Council's systems for reporting PAYE Real Time information are in place and operating correctly. A check was made to verify that updates had been filed and acknowledged by HMR&C.

3.8 Assets

The Asset Register was examined and found to be up to date, as at 31 March 2019. Insurance cover for items stated on the Council's Asset Register was found to be adequate throughout the 2018/19 financial year. This was verified by matching the register to the insurance policy schedule (Policy No YLL-122019 – 5063).

We note that in line with instructions from the External Auditor (Mazars LLP) you have changed the accounting treatment of the investment in the CCLA Local Authority Property Fund from deposit to an asset.

3.9 Bank Reconciliation

It was confirmed that the Council has operated a number of bank accounts during the year. At the audit year end the following accounts were in operation:

- Current Business Savings Account – Barclays Account No 93506029 20-85-13;
- CCLA Local Authority Property Fund – Account No 621195601
- CCLA Public Sector Deposit Fund – Account No. 0119560001PC
- Tailored Business Current Account – Unity Trust Account No 20346595 60-83-01;
- Charge Card – Lloyds Multipay Account 5563-1407-0776-8299 (Limit £1000).

Your Council conducts its day to day financial activities through these accounts. Proper bank reconciliations have taken place at regular intervals on all accounts throughout the year.

ENCLOSURE NO. 5

Transfers between all accounts were verified as having been properly authorised and were countersigned by two authorised signatories.

Bank reconciliations are performed for each account on a monthly basis, with a year end reconciliation being included with the final accounts for 2018/19. This was reviewed and found to be correct, including the reconciliation of un-presented cheques. There were no unexplained differences.

3.10 Year- end Procedures

The pro-forma year-end accounts for 2018/19 and the Annual Governance and Accounting Return ("AGAR") were examined and found to have been prepared on the correct accounting basis, showing receipts and payments including cash book records. All bank accounts were properly reconciled against the relevant bank statements and un-cleared cheques are accounted for and were verified. There were no long dated unpresented cheques.

3.11 Other matters

For the purposes of the Data Protection Act 1998 the Council is a properly registered Data Controller. The Council's registration was properly recorded with the Information Commissioners Office for 2018/19.

You will be aware that the new requirements of the General Data Protection Regulation ("GDPR") came into effect from late May 2018. We can confirm that your procedures appear to meet the minimum requirements of the regulations.

4. Conclusion

The overall conclusion is that the systems and procedures currently in operation within Burntwood Town Council are operating satisfactorily and provide an adequate level of internal control.

Alan Toplis

Alan Toplis
Internal Auditor to Burntwood Town Council

Date of interim audit: 11/07/2018 & 29/11/2018
Date of final audit: 24/04/2019

ENCLOSURE NO. 5

Annual Internal Audit Report 2018/19

BURNTWOOD 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 2019.

The internal audit for 2018/19 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 2017/18, it met the exemption criteria and correctly declared itself exempt. *("Not Covered" should only be ticked where the authority had a limited assurance review of its 2017/18 AGAR)*			✓
L. During summer 2018 this authority has correctly provided the proper opportunity for the exercise of public rights in accordance with the requirements of the Accounts and Audit Regulations.			Not applicable ✓

	Yes	No	Not applicable
M. (For local councils only) Trust funds (including charitable) – The council met its responsibilities as a trustee.			

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: 11/07/18 29/11/18 24/04/19

Name of person who carried out the internal audit: ALAN TOPLIS - TOPLIS ASSOCIATES

Signature of person who carried out the internal audit: A Toplis

Date: 24/04/19

*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).

ENCLOSURE NO. 5

BURNTWOOD TOWN COUNCIL
2018/19 AUDIT PROGRAMME

	Yes	No
1) Appropriate books of account have been properly kept throughout the year?		
▪ Are the cashbooks maintained and up to date?	✓	
▪ Are the cashbooks arithmetically correct?	✓	
▪ Are the cashbooks regularly balanced?	✓	

2) The Council's financial regulations have been met, payments were supported by invoices, expenditure was approved and VAT was appropriately accounted for.		
▪ Has the Council formally adopted standing orders and financial regulations?	✓	
▪ Has a Responsible Financial Officer been appointed with specified duties?	✓	
▪ Are payments in the cashbooks supported by invoices, authorised and minuted?	✓	
▪ Has VAT on payments been identified, recorded and reclaimed?	✓	
▪ Where necessary, is S137 expenditure separately recorded and within statutory limits?	✓	

3) The Council assessed the significant risks to achieving its objectives and reviewed the adequacy of arrangements to manage these.		
▪ Does a scan of the minutes identify any unusual financial activity?		✓
▪ Do the minutes record the Council carrying out an annual risk assessment?	✓	
▪ Is insurance cover appropriate and adequate?	✓	
▪ Are internal financial controls documented and regularly reviewed?	✓	

4) The annual precept requirement resulted from an adequate budgetary process, progress against the budget was regularly monitored and reserves were appropriate.		
▪ Has the Council prepared an annual budget in support of its precept?	✓	
▪ Is actual expenditure against budget regularly reported to the Council?	✓	
▪ Are there any significant unexplained variances from budget?		✓

5) Expected income was fully received, based on correct prices, properly recorded and promptly banked and VAT was appropriately accounted for.		
▪ Is income properly recorded and promptly banked?	✓	
▪ Does the precept recorded in the cashbook agree to the District Council's notification?	✓	
▪ Are security controls over cash adequate and effective?	✓	

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	Yes	No
6) Petty cash payments were properly supported by receipts, expenditure was approved and VAT appropriately accounted for.		
▪ Is all petty cash spent recorded and supported by VAT invoices/receipts?	✓	

7) Salaries to employees and allowances to members were paid in accordance with Council approvals and PAYE and NI requirements were properly applied.		
▪ Do salaries paid agree with those approved by the Council?	✓	
▪ Are any other payments to officers reasonable and approved by the Council?	✓	
▪ Has PAYE/NI been properly operated by the Council as an employer?	✓	
▪ Are Pension contributions properly calculated and accounted for?	✓	

8) Asset and Investments registers were complete and accurate and properly maintained.		
▪ Does the Council keep an asset register of all material assets owned?	✓	
▪ Are the Assets/Investments registers up to date?	✓	
▪ Do asset insurance valuations agree with those in the asset register?	✓	

9) Periodic and year end bank account reconciliations were properly carried out.		
▪ Is there a bank reconciliation for each account?	✓	
▪ Is a bank reconciliation carried out regularly on receipt of statements?	✓	
▪ Are there any unexplained balancing entries in any reconciliation?		✓

10) Year end accounts were prepared on the correct accounting basis (receipts and payments/income and expenditure), agreed with cashbooks, were supported by an adequate audit trail from underlying records, and, where appropriate, debtors and creditors were properly recorded.		
▪ Are year end accounts prepared on the correct accounting basis (~~Receipts and Payments~~/Income and Expenditure)?	✓	
▪ Do accounts agree with the cashbooks?	✓	
▪ Is there an audit trail from underlying financial records to the accounts?	✓	
▪ Where appropriate, have debtors and creditors been properly recorded?	✓	

ENCLOSURE NO. 5

Burntwood Town Council

26 September 2019

Update of Financial Regulations

1.0 Purpose of the Report

1.1 This report explains the proposed updates to the Town Council's Financial Regulations and highlights some key implications of the revised Regulations.

2.0 Background

2.1 The Financial Regulations, together with the Standing Orders, are the 2 main documents which govern the workings of the Council and should be regularly reviewed. The Internal Auditor noted in his recent report on the year ended 31st March 2019 that the Financial Regulations need updating to reflect current roles, job titles and procedures. In particular, the post of Finance Officer was created in May 2018 and became the Responsible Financial Officer (RFO), a role which had previously been undertaken by the CEO. The Regulations were last updated in July 2016 to take account of the model template issued by NALC.

3.0 Proposed Amendments to Regulations and Items for Highlight

3.1 NALC recently issued an updated model template. The amendments were few and minor but have been incorporated in the proposed version.

3.2 In line with current roles and job titles, the Regulations have been updated to replace previous references to CEO with references to Town Clerk and/or Finance Officer (as appropriate). Similarly, references to Senior Administration Officer have been changed to Deputy Town Clerk.

3.3 The timetable for the annual budget setting exercise has been brought forward by a month and the revised timescales are reflected in section 2 (Annual Estimates). At the same time, a 3 year forecast will be prepared by the Town Clerk. This area of work, as with some of the other items highlighted further on in this report, were included in the previous Regulations but are not currently being carried out.

3.4 The Regulations now state in section 3 (Budgetary Control) that the RFO will provide more frequent financial reports of income and expenditure against budget, to each Town Council meeting (para. 3.3). However, this will not be fully implemented until the accounting and IT systems and procedures have been updated to facilitate more timely collection of data and easier production of reports.

3.5 In section 4 (Accounting and Audit), the Chairman of Policy and Resources Committee will now be required to verify and sign, on a regular basis, the monthly bank reconciliations for all accounts against the bank statements, prepared by the RFO.

3.6 The responsibility for scrutiny of Council payments was delegated from the Town Council to the Policy and Resources Committee in late 2018. This change has been reflected, in particular, in section 5 (Banking Arrangements and Authorisation of Payments).

3.7 In future, the Town Clerk or Finance Officer will draw up a list of all the regular payments (para. 5.6) to be made in the financial year (such as continuing contracts, maintenance agreements, salaries and statutory requirements) and will ensure these are authorised according to the Regulations for all payments and included on the schedule of payments. The latter will also henceforth include payments made with any Council credit cards, which will then also include any re-imbursements of the petty cash account.

3.8 Re section 6 (Instructions for the Making of Payments), the Internal Auditor recently pointed out that councillors should have access to copies of invoices and purchase orders when being asked to authorise payments. These will now be made readily available in the office and, in future, it is hoped to introduce an intranet system giving authorisers electronic access to all the relevant documents.

3.9 Log in information including any PINs and passwords for access to Council systems, such as the online bank account, are to be retained in a sealed envelope in the Council's safe and administered by the Town Clerk (para. 6.8).

3.10 The thresholds at which the Council should carry out a tendering exercise or seek 3 quotations have been amended in section 11 (Contracts) in line with the recent report approved by the Policy and Resources Committee.

3.11 The section on Charities (previously section 16) has been deleted, as the Council is no longer a trustee of any charitable bodies (the William Cadman Charity having been closed down in 2016).

4.0 Timescale

4.1 It is recommended that the updated Regulations are adopted now. However, in some cases, as outlined earlier, the required procedures will not be fully implemented until the relevant systems, particularly improved IT and accounting systems, are in place.

5.0 Recommendation

5.1 The Town Council is recommended to approve the revised Financial Regulations, incorporating the amendments as outlined above, and to note the additional procedures which will need to be carried out to ensure adherence to the Regulations.

Report Author

Alison James

Finance Officer

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01543 677166

BURNTWOOD TOWN COUNCIL

FINANCIAL REGULATIONS
Adopted dd mm 2019

ENCLOSURE NO. 6B

CONTENTS

1. GENERAL

1.1 These Financial Regulations govern the conduct of financial management of the Council and may only be amended or varied by resolution of the Council. Financial Regulations are one of the Council's three governing policy documents providing procedural guidance for members and officers. Financial Regulations must be observed in conjunction with the Council's Standing Orders and any individual Financial Regulations relating to contracts.

1.2 The Council is responsible in law for ensuring that its financial management is adequate and effective and that the Council has a sound system of internal control which facilitates the effective exercise of the Council's functions, including arrangements for the management of risk.

1.3 The Council's accounting control systems must include measures:

- for the timely production of accounts
- that provide for the safe and efficient safeguarding of public money
- to prevent and detect inaccuracy and fraud, and
- identifying the duties of officers

1.4 These Financial Regulations demonstrate how the Council meets these responsibilities and requirements.

1.5 At least once a year, prior to approving the Annual Governance Statement, the Council must review the effectiveness of its system of internal control which shall be in accordance with proper practices.

1.6 Deliberate or wilful breach of these Regulations by an employee may give rise to disciplinary proceedings.

1.7 Members of Council are expected to follow the instructions within these Regulations and not to entice employees to breach them. Failure to follow instructions within these Regulations brings the office of Councillor into disrepute.

1.8 The Responsible Financial Officer (RFO) holds a statutory office to be appointed by the Council. The Finance Officer has been appointed as RFO for this Council and these Regulations will apply accordingly.

1.9 The RFO:

- acts under the policy direction of the Council;
- administers the Council's financial affairs in accordance with all Acts, Regulations and proper practices;
- determines on behalf of the Council its accounting records and accounting control systems;
- ensures the accounting control systems are observed;
- maintains the accounting records of the Council up to date in accordance with proper practices;
- assists the Council to secure economy, efficiency and effectiveness in the use of its resources; and
- produces financial management information as required by the Council.

1.10 The accounting records determined by the RFO shall be sufficient to show and explain the Council's transactions and to enable the RFO to ensure that any income and expenditure and statement of balances, or record of receipts and payments and additional information, as the case may be, or management information prepared for the Council from time to time comply with the Accounts and Audit Regulations.

1.11 The accounting records determined by the RFO shall in particular contain:

- entries from day to day of all sums of money received and expended by the Council and the matters to which the income and expenditure or receipts and payments account relate;

- a record of the assets and liabilities of the Council; and
- wherever relevant, a record of the Council's income and expenditure in relation to claims made, or to be made, for any contribution, grant or subsidy.

1.12 The accounting control systems determined by the RFO shall include:

- procedures to ensure that the Financial Regulations of the Council are recorded as soon as reasonably practicable and as accurately and reasonably as possible;
- procedures to enable the prevention and detection of inaccuracies and fraud and the ability to reconstruct any lost records;
- identification of the duties of officers dealing with financial transactions and division of responsibilities of those officers in relation to significant transactions;
- procedures to ensure that uncollectable amounts, including any bad debts, are submitted to the Council for approval to be written off only with the approval of the Town Clerk and that the approvals are shown in the accounting records; and
- measures to ensure that risk is properly managed.

1.13 The Council is not empowered by these Regulations or otherwise to delegate certain specified decisions. In particular any decision regarding:

- setting the final budget or the precept (Council Tax requirement);
- approving accounting statements;
- approving an annual governance statement;
- borrowing;
- writing off bad debts;
- declaring eligibility for the General Power of Competence; and
- addressing recommendations in any report from the internal or external auditors

shall be a matter for the full Council only.

1.14 In addition the Council must:

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

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

In these Financial Regulations the term 'proper practice' or 'proper practices' shall refer to guidance issued in *Governance and Accountability for Smaller Authorities in England – a Practitioners' Guide* issued by the Joint Practitioners Advisory Group (JPAG), available from the website of the National Association of Local Councils' (NALC).

2. ANNUAL ESTIMATES (BUDGET)

2.1 Each Committee (if any) shall formulate and submit proposals to the Council in respect of revenue and capital costs for the following financial year, not later than the end of September each year.

2.2 The RFO must each year, by no later than November, prepare detailed estimates of all receipts and payments including the use of reserves and all sources of funding for the following financial year in the form of a budget to be considered by the Policy & Resources Committee and then the Council.

2.3 The Council shall consider annual budget proposals at its meeting in January.

2.4 The Council shall fix the precept (Council Tax requirement) and relevant basic amount of Council Tax to be levied for the ensuing financial year at its January meeting, to meet any deadline set by Lichfield District Council. The RFO shall issue the precept to Lichfield District Council and shall supply each member with a copy of the approved annual budget.

2.5 The approved annual budget shall form the basis of financial control for the ensuing year.

2.6 The Town Clerk shall prepare and have regard to, a three-year forecast of Revenue and Capital Receipts and Payments, which shall be prepared for Council approval at the same time as the annual Budget or Estimates.

3. BUDGETARY CONTROL AND AUTHORITY TO SPEND

3.1 Expenditure on revenue items may be authorised up to the amounts included for that class of expenditure in the approved budget. This authority is to be determined by:

- the Council for all items over £5,000;
- a duly delegated committee of the Council for items over £1,000, or
- the Town Clerk or Finance Officer, as appropriate, in conjunction with the Chairman of the Council or Chairman of the appropriate committee, for any items below £1,000.
- Such authority is to be evidenced by a minute or by an authorisation slip duly signed by the Town Clerk or Finance Officer and where necessary also by the appropriate Chairman.
- Contracts may not be disaggregated to avoid controls imposed by these regulations.

3.2 No expenditure may be authorised that will exceed the amount provided in the revenue budget for that class of expenditure other than by resolution of the Council or duly delegated committee. During the budget year and with the approval of Council having considered fully the implications for public services, unspent and available amounts may be moved to other budget headings or to an earmarked reserve as appropriate (‘virement’).

3.3 The RFO shall regularly provide the Council with a statement of receipts and payments to date under each head of the budgets, comparing actual expenditure to the appropriate date against that planned as shown in the budget. These statements are to be prepared for each Town Council meeting and shall show explanations of material variances. For this purpose, 'material' shall be in excess of £100 or 15% of the budget.

3.4 The Town Clerk may incur expenditure on behalf of the Council which in the Town Clerk's judgement it is necessary to carry out. Such expenditure includes repair, replacement, or other work, which is of such extreme urgency that it must be done at once, whether or not there is any budgetary provision for the expenditure, subject to a limit of £1,000. The Town Clerk shall report the action to the Chairman or Leader of the Council as soon as possible and to the Council as soon as practicable thereafter.

3.5 Unspent provisions in the revenue budget shall not be carried forward to a subsequent year unless approved by the Council.

3.6 The salary budgets are to be reviewed at least annually by November for the following financial year and such review shall be evidenced by a hard copy schedule signed by the Town Clerk and the Policy and Resources Committee chairman. The RFO will inform committees of any changes impacting on their budget requirement for the coming year in good time.

3.7 No expenditure shall be incurred in relation to any capital project and no contract entered into or tender accepted involving capital expenditure, unless the Council is satisfied that the necessary funds are available and the requisite borrowing approval has been obtained.

3.8 All capital works shall be administered in accordance with the Council's Standing Orders and Financial Regulations relating to contracts.

3.9 Changes in earmarked reserves shall be approved by Council as part of the budgetary control process.

4. ACCOUNTING AND AUDIT (INTERNAL AND EXTERNAL)

4.1 All accounting procedures and financial records of the Council shall be determined by the RFO in accordance with the Accounts and Audit Regulations, appropriate guidance and proper practices.

4.2 On a regular basis, at least once in each quarter, and at each financial year end, the Chairman of the Policy and Resources Committee shall verify bank reconciliations (for all accounts) produced by the RFO. The Chairman shall sign the reconciliations and the original bank statements (or similar document) as evidence of verification. This activity shall on conclusion be reported, including any exceptions, to and noted by the Policy & Resources Committee.

4.3 The RFO shall complete the annual statement of accounts, annual report, and any related documents of the Council contained in the Annual Governance and Accountability Return (as specified in proper practices), as soon as practicable after the end of the financial year and having certified the accounts shall submit them and report thereon to the Council within the timescales set by the Accounts and Audit Regulations.

4.4 The RFO shall be responsible for ensuring that there is an adequate and effective system of internal audit of the Council's accounting records, and of its system of internal control in accordance with proper practices. Any officer or Member of the

Council shall make available such documents and records as appear to the Council to be necessary for the purpose of the audit and shall, as directed by the Council, supply the RFO, internal auditor, or external auditor with such information and explanation as the Council considers necessary for that purpose.

4.5 The internal auditor shall be appointed by and shall carry out the work in relation to internal controls required by the Council in accordance with proper practices.

4.6 The internal auditor shall:

- be competent and independent of the financial operations of the Council;
- report to Council in writing, or in person, on a regular basis with a minimum of one annual written report during each financial year;
- to demonstrate competence, objectivity and independence, be free from any actual or perceived conflicts of interest, including those arising from family relationships; and
- have no involvement in the financial decision making, management or control of the Council.

4.7 Internal or external auditors may not under any circumstances:

- perform any operational duties for the Council;
- initiate or approve accounting transactions; or
- direct the activities of any Council employee, except to the extent that such employees have been appropriately assigned to assist the internal auditor.

4.8 For the avoidance of doubt, in relation to internal audit, the terms 'independent' and 'independence' shall have the same meaning as is described in proper practices.

4.9 The RFO shall make arrangements for the exercise of electors' rights in relation to the accounts including the opportunity to inspect the accounts, books and vouchers and display or publish any notices and statements of account required by the Audit Commission Act 1998, or any superseding legislation, and the Accounts and Audit Regulations.

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

5. BANKING ARRANGEMENTS AND AUTHORISATION OF PAYMENTS

5.1 The Council's banking arrangements, including the bank mandate, shall be made by the RFO in consultation with the Town Clerk and approved by the Council; banking arrangements may not be delegated to a committee. They shall be regularly reviewed for safety and efficiency.

5.2 The RFO shall prepare a schedule of payments made since the previous meeting or required, forming part of the Agenda for the Meeting, and, together with the relevant invoices, be presented to the Policy and Resources Committee. If more appropriate, the details may be shown in the Minutes of the Meeting. This schedule will include any payments made by Council cards, which will in turn include re-imbursements of the petty cash account.

5.3 All invoices for payment shall be examined, verified and certified by the Town Clerk, Deputy Town Clerk or RFO to confirm that the works, goods or services to which each invoice relates has been received, carried out, examined and represents expenditure previously approved by the Council.

5.4 The RFO or Deputy Town Clerk shall examine invoices for arithmetical accuracy, analyse them to the appropriate expenditure heading and take all steps to arrange timely payment of all invoices submitted, and which are in order.

5.5 The Town Clerk shall have delegated authority to authorise payments of items only in the following circumstances:

a) If a payment is necessary to avoid a charge to interest under the Late Payment of Commercial Debts (Interest) Act 1998, where the Town Clerk certifies that there is no dispute or other reason to delay payment, provided that the payments are included on the schedule of payments submitted to the next meeting of the Policy and Resources Committee.

b) An expenditure item authorised under 5.6 below (continuing contracts and obligations) provided that the payments are included on the schedule of payments submitted to the next meeting of the Policy and Resources Committee.

c) Fund transfers within the Council's banking arrangements up to the sum of £10,000, provided that the payments are included on the schedule of payments submitted to the next meeting of the Policy and Resources Committee.

5.6 For each financial year the Town Clerk or Finance Officer shall draw up a list of due payments which arise on a regular basis as the result of a continuing contract, statutory duty, or obligation (such as but not exclusively) Salaries, PAYE and NI, Superannuation Fund and regular maintenance contracts and the like for which Council or a duly authorised committee may authorise payment for the year provided that the requirements of regulation 3.1 (Budgetary Controls) are adhered to, provided also that the payments are included on the schedule of payments submitted to the next meeting of the Policy and Resources Committee.

5.7 A record of regular payments made under 5.6 above shall be drawn up and be signed by two members on each and every occasion when payment is authorised – thus controlling the risk of duplicated payments being authorised and/or made.

5.8 In respect of grants the Council shall approve expenditure within any limits set by the Council and in accordance with any policy statement approved by Council. Any Revenue or Capital Grant in excess of £5,000 shall, before payment, be subject to ratification by resolution of the Council.

5.9 Members are subject to the Code of Conduct that has been adopted by the Council and shall comply with the Code and Standing orders when a decision to authorise or instruct payment is made in respect of a matter in which they have a disclosable pecuniary or other interest, unless a dispensation has been granted.

5.10 The Council will aim to rotate the duties of members in these Regulations so that onerous duties are shared out as evenly as possible over time.

5.11 Any changes in the recorded details of suppliers, such as bank account records, shall be approved in writing by the RFO.

6. INSTRUCTIONS FOR THE MAKING OF PAYMENTS

6.1 The Council will make safe and efficient arrangements for the making of its payments.

6.2 Payments shall be made following authorisation, under Financial Regulation 5 above

6.3 All payments shall be effected by BACS or cheque or other instructions to the Council's bankers, or otherwise, in accordance with a resolution of Council or duly delegated committee.

6.4 Cheques or orders for payment drawn on the bank account shall be signed by two members of Council. A member who is a bank signatory, having a connection by virtue of family or business relationships with the beneficiary of a payment, should not, under normal circumstances, be a signatory to the payment in question.

6.5 To indicate agreement of the details shown on the cheque or an order for payment with the counterfoil and the invoice or similar documentation, the signatories shall each also initial the cheque counterfoil or the BACS listing sheet(s).

6.6 If thought appropriate by the Council, payment for utility supplies (energy, telephone and water), any National Non-Domestic Rates, Salaries, PAYE and NI and Superannuation Fund may be made by variable direct debit provided that the instructions are signed by two members and any payments are reported to the Policy and Resources Committee as made.

6.7 If thought appropriate by the Council, payment for certain items may be made by internet banking transfer provided evidence is retained showing which members approved the payment.

6.8 Where a computer requires use of a personal identification number (PIN) or other password(s), for access to the Council's records on that computer, a note shall be made of the PIN and passwords and shall be retained in a sealed envelope in the Council's safe. The envelope may not be opened other than in the presence of two Councillors and the Town Clerk as administrator. After the envelope has been opened, in any circumstances, the PIN and/or passwords shall be changed as soon as practicable. The fact that the sealed envelope has been opened, in whatever circumstances, shall be reported to all members immediately and formally to the next available meeting of the Council. This will not be required for a member's personal computer used only for remote authorisation of bank payments.

6.9 No employee or Councillor shall disclose any PIN or password, relevant to the working of the Council or its bank accounts, to any person not authorised in writing by the Council or a duly delegated committee.

6.10 Daily back-up copies of the records on any computer shall be made and shall be stored safely away from the computer in question, and preferably off site.

6.11 The Council, and any members using computers for the Council's financial business, shall ensure that anti-virus, anti-spyware and firewall software with automatic updates, together with a high level of security, is used.

6.12 Where internet banking arrangements are made with any bank, the Town Clerk and, where additionally required, RFO shall be appointed as Service Administrators. The bank mandate approved by the Council shall identify a number of Councillors who will be authorised to approve transactions on those accounts.

6.13 Access to any internet banking accounts will be directly to the access page (which may be saved under "favourites"), and not through a search engine or e-mail link. Remembered or saved passwords facilities must not be used on any computer used for Council banking work. Breach of this Regulation will be treated as a very serious matter under these Regulations.

6.14 Changes to account details for suppliers, which are used for internet banking, may only be changed on written hardcopy notification by the supplier which should be signed by the RFO. A programme of regular checks e.g. quarterly, of standing data with suppliers will be followed.

6.15 A pre-paid debit card may be issued to employees with varying limits. These limits will be set by the Council. Transactions and purchases made will be reported to the Policy and Resources Committee and authority for topping-up shall be at the discretion of the Council.

6.16 Any corporate credit card or trade card account opened by the Council will be specifically restricted to use by the Town Clerk and shall be subject to automatic payment in full at each month-end. Personal credit or debit cards of members or staff shall not be used under any circumstances.

6.17 The Deputy Town Clerk may provide petty cash in advance to officers for the purpose of defraying operational and other expenses. Vouchers for payments made shall be forwarded to the RFO with a claim for reimbursement.

a) The RFO shall maintain a petty cash float of up to £200 for the purpose of defraying operational and other expenses. Vouchers for payments made from petty cash shall be kept to substantiate the payment.

b) Income received must not be paid into the petty cash float but must be separately banked, as provided elsewhere in these regulations.

c) Payments to maintain the petty cash float shall be shown separately on the schedule of payments presented to the Policy and Resources Committee under 5.2 above.

7. PAYMENT OF SALARIES

7.1 As an employer, the Council shall make arrangements to meet fully the statutory requirements placed on all employers by PAYE and National Insurance legislation. The payment of all salaries shall be made in accordance with payroll records and the rules of National Insurance and PAYE currently operating, and salary rates shall be as agreed by Council, or duly delegated committee.

7.2 Payment of salaries and payment of deductions from salary such as may be required to be made for PAYE, National Insurance and pension contributions, or similar statutory or discretionary deductions, must be made in accordance with the payroll records and on the appropriate dates stipulated in employment contracts, provided that each total monthly salary payment is reported to the next available Policy and Resources Committee meeting, as set out in these Regulations above.

7.3 No changes shall be made to any employee's pay, emoluments, or terms and conditions of employment without the prior consent of the Council.

7.4 Each and every payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a separate confidential record (Sage Instant Payroll software). This confidential record is not open to inspection or review (under the Freedom of Information Act 2000 or otherwise) other than:

a) by any Councillor who can demonstrate a need to know;
b) by the internal auditor;
c) by the external auditor; or
d) by any person authorised under the Audit Commission Act 1998, or any superseding legislation.

7.5 The total of such payments in each calendar month shall be reported with all other payments as made as may be required under these Financial Regulations, to ensure that only payments due for the period have actually been paid.

7.6 An effective system of personal performance management should be maintained for all officers.

7.7 Any termination payments shall be supported by a clear business case and reported to the Council. Termination payments shall only be authorised by Council.

7.8 Before employing interim staff the Council must consider a full business case.

8. LOANS AND INVESTMENTS

8.1 All loans and investments shall be effected in the name of the Council, after obtaining any necessary borrowing approval. Any application for borrowing approval shall be approved by Council as to terms and purpose. The application for borrowing approval, and subsequent arrangements for the loan shall only be approved by full Council.

8.2 Any financial arrangement which does not require formal borrowing approval from the Secretary of State (such as Hire Purchase or Leasing of tangible assets) shall be subject to approval by the full Council. In each case a report in writing shall be provided to Council in respect of value for money for the proposed transaction.

8.3 All loans and investments shall be negotiated in the name of the Council and shall be for a set period in accordance with Council policy.

8.4 All investments of money under the control of the Council shall be in the name of the Council.

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

8.6 Payments in respect of short term or long-term investments, including transfers between bank accounts held in the same bank or branch, shall be made in accordance with Regulation 5 (Authorisation of Payments) and Regulation 6 (Instructions for Payments).

9. INCOME

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

9.2 Particulars of all charges to be made for work done, services rendered or goods supplied, shall be agreed annually by the Council and notified to the RFO. The RFO shall be responsible for the collection of all accounts due to the Council.

9.3 The Council will review all fees and charges annually, following a report by the Town Clerk.

9.4 Any sums found to be irrecoverable and any bad debts shall be reported to the Council and shall be written off in the year.

9.5 All sums received on behalf of the Council shall be banked intact as directed by the RFO. In all cases, all receipts shall be deposited with the Council's bankers, with such frequency as the RFO considers necessary.

9.6 The origin of each receipt shall be entered on the paying-in slip.

9.7 Personal cheques shall not be cashed out of money held on behalf of the Council.

9.8 The RFO shall promptly complete any VAT Return that is required. Any repayment claim due in accordance with VAT Act 1994 Section 33 shall be made quarterly and to coincide with the financial year end.

9.9 Where any significant sums of cash are regularly received by the Council, the RFO shall take such steps as are agreed by the Council, to ensure that more than one person is present when the cash is counted in the first instance, that there is a reconciliation to some form of control such as ticket issues, and that appropriate care is taken in the security and safety of individuals banking such cash.

9.10 Income received must not be paid into any petty cash float but must be separately banked, as provided elsewhere within these Regulations.

10. ORDERS FOR WORK, GOODS AND SERVICES

10.1 An official order, email or letter shall be issued under the Town Clerk's signature for all work, goods and services, unless a formal contract is to be prepared, or an official order would be inappropriate. Copies of orders shall be retained.

10.2 Records of orders shall be controlled by the RFO.

10.3 All Members and officers are responsible for obtaining value for money at all times. An officer issuing an official order shall ensure, as far as reasonable and practicable, that the best available terms are obtained in respect of each transaction, usually by obtaining three or more quotations or estimates from appropriate suppliers, subject to any *de minimis* provisions in Regulation 11.1 below.

10.4 A Member may not issue an official order or make any contract on behalf of the Council.

10.5 The Town Clerk shall verify the lawful nature of any proposed purchase before the issue of any order, and in the case of new or infrequent purchases or payments, the Town Clerk shall ensure that the statutory authority shall be reported to the meeting at which the order is approved so that the minutes can record the power being used.

11. CONTRACTS

11.1 Procedures as to contracts are laid down as follows:

a) Every contract shall comply with these Financial Regulations, and no exceptions shall be made otherwise than in an emergency, provided that this Regulation shall not apply to contracts which relate to items (i) to (vi) below:

(i) for the supply of gas, electricity, water, sewerage, telephone services and NNRD payments;

(ii) for specialist services such as are provided by legal professionals acting in disputes only;

(iii) for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant;

(iv) for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the Council;

(v) for additional audit work of the external auditor up to an estimated value of £500 (in excess of this sum the Town Clerk shall act after consultation with the Chairman and Leader of the Council); and

(vi) for goods or materials proposed to be purchased which are proprietary articles and/or are only sold at a fixed price.

b) Where the Council intends to procure or award a public supply contract, public service contract or public works contract as defined by The Public Contracts Regulations 2015 (“the Regulations”) which is valued at £25,000 or more, the Council shall comply with the relevant requirements of the Regulations[1].

c) The full requirements of The Regulations, as applicable, shall be followed in respect of the tendering and award of a public supply contract, public service contract or public works contract which exceed thresholds in The Regulations set by the Public Contracts Directive 2014/24EU (which may change from time to time).

d) Where applications are made to waive Financial Regulations relating to contracts, to enable a price to be negotiated without competition, the reason shall be embodied in a recommendation to the Council.

e) Such invitation to tender shall state the general nature of the intended contract, and the Town Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall, in addition, state that tenders must addressed to the Town Clerk. Each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract.

f) All sealed tenders shall be opened at the same time on the prescribed date by the Town Clerk in the presence of at least one Member of Council.

g) Any invitation to tender issued under this regulation shall be subject to Standing Order 30: Financial Controls and Procurement and shall refer to the terms of the Bribery Act 2010.

h) When it is intended to enter into a contract of between £10,000 and £25,000 (i.e. below the limit covered by para. 11.1b) a formal tendering process must be carried out. For contracts between £10,000 and £1,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Town Clerk shall obtain three quotations (priced descriptions of the proposed supply); where the value is below £1,000 Regulation 10.3 above shall apply.

i) The Council shall not be obliged to accept the lowest or any tender, quote or estimate

[1] The Regulations require councils to use the Contracts Finder website to advertise contract opportunities, set out the procedures to be followed in awarding new contracts and to publicise the award of new contracts

j) Should it occur that the Council, or duly delegated committee, does not accept any tender, quote or estimate, the work is not allocated and the Council requires further pricing, provided that the specification does not change, no person shall be permitted to submit a later tender, estimate or quote who was present when the original decision making process was being undertaken.

12. PAYMENTS UNDER CONTRACT FOR BUILDING OR OTHER CONSTRUCTION WORKS

12.1 Payments on account of the contract sum shall be made within the time specified in the contract by the Town Clerk, upon authorised certificates of the architect or other consultants engaged to supervise the contract (subject to any percentage withholdings as may be agreed in the particular contract).

12.2 Where contracts provide for payment by instalments, the RFO shall maintain a record of all such payments. In any case where it is estimated that the total cost of work carried out under a contract, excluding agreed variations, will exceed the contract sum of 5% or more, a report shall be submitted to the Council.

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

13. STORES AND EQUIPMENT

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

13.2 Delivery notes shall be obtained in respect of all goods received into store or otherwise delivered and goods must be checked as to order and quantity at the time delivery is made.

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

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

14. ASSETS, PROPERTIES AND ESTATES

14.1 The Town Clerk shall make appropriate arrangements for the custody of all title deeds and Land Registry Certificates of properties held by the Council. The Town Clerk shall ensure a record is maintained of all properties held by the Council, recording the location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held in accordance with the Accounts and Audit Regulations.

14.2 No tangible moveable property shall be purchased or otherwise acquired, sold, leased or otherwise disposed of without the authority of the Chairman of the relevant Committee or the Leader of the Council together with any other consents required by law, save where the estimated value of any one item of tangible, moveable property, does not exceed £250.

14.3 No real property (interests in land) shall be sold, leased or otherwise disposed of without the authority of the Council, together with any other consents required by law. In each case a report in writing shall be provided to Council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).

14.4 Subject only to the limit set in Regulation 14.2 above, no tangible moveable property shall be purchased or acquired without the authority of the full Council. In each case a report in writing shall be provided to Council with a full business case.

14.5 The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date. The continued existence of tangible assets shown in the Register must be verified at least annually by the Town Clerk, possibly in conjunction with a health and safety inspection of assets.

15. INSURANCE

15.1 Following the annual risk assessment (per Regulation 17), the Town Clerk shall affect all insurances and negotiate all claims on the Council's insurers.

15.2 The Town Clerk shall give prompt notification to the Council of all new risks, properties or vehicles which require to be insured and of any alterations affecting existing insurances.

15.3 The Town Clerk shall keep a record of all insurances effected by the Council and the property and risks covered thereby and annually review it.

15.4 The Town Clerk shall be notified of any loss, liability or damage or of any event likely to lead to a claim, and shall report these to the Council at the next available meeting

15.5 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 by the Council or duly delegated committee.

16. RISK MANAGEMENT

16.1 The Council is responsible for putting in place arrangements for the management of risk. The Town Clerk shall prepare, for approval by the Council, risk management policy statements in respect of all activities of the Council. Risk policy statements and consequential risk management arrangements shall be reviewed by the Council annually.

16.2 When considering any new activity, the Town Clerk shall prepare a draft risk assessment including risk management proposals, for consideration and adoption by the Council.

17. SUSPENSION AND REVISION OF FINANCIAL REGULATIONS

17.1 It shall be the duty of the Council to review the Financial Regulations of the Council from time to time. The RFO shall make arrangements to monitor changes in legislation or proper practices and shall advise the Council of any requirement for a consequential amendment to these Financial Regulations.

17.2 The Council, may, by resolution of the Council duly notified prior to the relevant meeting of the Council, suspend any part of these Financial Regulations provided that reasons for the suspension are recorded and that an assessment of the risks arising has been drawn up and presented in advance to all members of Council.

RECORD OF REVISIONS		
REVISION NO.	**DATE APPROVED**	**REASON FOR REVISION**
1.0	20 September 2007	Original document
1.1	17 July 2008	Addition of Section 18.0: Review of Effectiveness of Internal Audit
1.2	14 January 2010	Revised Petty Cash float from £100 to £200 (6.4(a))
1.3	19 May 2011	Revised Banking Arrangements and Cheques to include the Town CEO as a signatory (5.3)
1.4	07 November 2013	Recognition of change relating to the Audit Commission (4.5)
1.5	13 March 2014	Change to contract value (from £20,000 changed to £10,000) at which a minimum of three tenders are required (11.1(b) and 11.1(h))
2.0	July 2016	Complete revision in line with NALC's Model Financial Regulations
3.0	mm 2019	General update including change in officer roles and titles and Council delegation of approval of payments list to Policy and Resources Committee

DUTIES OF THE RESPONSIBLE FINANCIAL OFFICER (RFO)
ADOPTED *Day Month* 2019

A. To ensure that the financial administration operates according to Financial Regulations and proper practices and that appropriate financial systems and procedures are in place. To bring to the attention of the Council any requirement to undertake a review.

B. To prepare financial reports for Committees and the Council. These reports will cover budget monitoring, fund balances, receipts to date, payroll summary, payment of accounts and other relevant current matters.

C. To prepare draft estimates to the required timetable which, when approved by the Council, will form the annual budget monitoring during the year. To report on income and expenditure compared to budget and material variances to each Town Council meeting and to Committees as required.

D. To submit the precept request to Lichfield District Council to the deadline set and supply any breakdown requested.

E. To ensure that all money due to the Council is billed and collected promptly.

F. To ensure that payments are made in accordance with Financial Regulations and policy, receipts are banked promptly and an adequate system of internal controls is maintained.

G. To ensure that all supplier bank account details are regularly checked and any changes are verified.

H. To manage cash flow, investments and bank transfers of all accounts.

I. To maintain the petty cash account and ensure all reimbursements are substantiated.

J. To take responsibility for the correct recording of all VAT transactions and meeting all HMRC requirements, including submission of VAT returns and complying with Making Tax Digital for VAT. To deal with any VAT inspections.

K. To provide monthly bank reconciliations and bank statements for all accounts on a regular basis for verification by the Chairman of Policy and Resources Committee.

L. To prepare accounts and relevant documents for internal and external audit. To complete year end processing, prepare the annual return and report thereon to Council. To make arrangements for the annual exercise of electors' rights.

M. To take overall responsibility for the management of the payroll and liaise with Staffordshire County Council to meet the requirements of the Local Government Pension Scheme including ongoing and year end returns.

N. To maintain the asset register of the Council.

O. To be responsible for periodic checks of stocks and stores at least annually.

P. To assist the Council and Town Clerk in ensuring Best Value in the use of the Council's resources.

ENCLOSURE NO. 7

ENCLOSURE NO. 7

Burntwood Town Council

25th September 2019

Public Participation at Council Meetings

1.0 Purpose of the Report

1.1 The purpose of this report is to seek authority for the amendment of the Council's Standing Orders to allow for greater public participation at all Council meetings

2.0 Background

2.1 At its meeting on 9th September 2019 the Policy and Resources Committee approved a recommendation (see Appendix 1) to allow the public to speak at all Council meeting providing 3 days' notice is given to the Council.

2.2 This change was prompted by the aim of the new administration to increase public engagement with the work of the Council. It has also already decided to hold the Council in different parts of the town to improve access to the meetings. This will be done on a trail basis and reviewed after 12 months. It is also felt that the current arrangements for the public to participate in the meetings were quite restrictive. At present the Council's Standing Orders only allow for the public to speak at the beginning of Council meetings and the Planning Committee (see Appendix2). To enable the Policy and Resources Committee's decision to be implemented the Council's Standing Orders will need to be amended.

3.0 Proposed alteration to Standing Oder No 1

3.1 To bring into effect the decision of the Policy and Resources Committee it is proposed that sections D, E, F, and G of Standing Order No 1 should be amend to

d) Meetings of the Council 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) Public Forum: Town Council Meetings only: Subject to Standing Order 1(d) above, a maximum of 30 minutes will be allocated prior to the commencement of the meeting where members of the public may put questions/ comments on any matter in relation to which the Town Council has powers or duties which affect the area

f) All other Council meetings: Subject to Standing Order 1(d) above, members of the public are permitted to make representations, answer questions, and give evidence in respect of any item of business included on the meeting's agenda, subject to the Council being given 3 working days' notice of the issue to be raised

ENCLOSURE NO. 8

g) Subject to Standing Order 1(d) above, each member of the public shall not normally speak for more than 3 minutes. The Chairman will have the discretion to allow a speaker more time if appropriate

3.2 The proposed changes to Standing Order No 1 as set out in paragraph 3.1 will:

- Allow more time at the Council Meeting for the public to participate
- Ensure that the public can participate in all of the meetings held by the Council
- Place a requirement on the public to give advance notice of their concerns so that councillors can be properly briefed to enable them to be able to respond at the meeting
- Provide the Chairman with discretion to allow more time for a speaker if it is helpful in addressing the issue that is being discussed

4.0 Finance

4.1 The proposed amendments will not involve any additional cost

5.0 Conclusion

5.1 The proposed changes to the existing Standing Orders relating to the public speaking at meetings of the Council if it is to achieve its aim of increased community engagement with the work of the Council. The existing arrangements are too restrictive.

6.0 Recommendation

6.1 The Council is recommended to approve the changes to Standing Order No 1 as set out in paragraph 3.1

Contact Officer

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Policy and Resources Committee

Public Participation in Council Meetings

9th September 2019

1. Purpose of the Report

1.1 The purpose of this report is to clarify the clarify the arrangements to provide for the public to speak at meetings of the Council.

2. Background

2.1 Town Council meetings including all full meetings or committees are open meetings. This means that the press and the general public are able to attend. There are only two exceptions (a) when Councillors have confidential matters to discuss and pass a resolution to move into a 'Part ll (private) meeting which excludes the press and the general public. (b) The Annual Parish Meeting or extraordinary Parish Meeting where only registered electors of the Parish are entitled to speak and vote.

3. Public Speaking at meeting/s

Full Council

3.1 The general public have no statutory right to participate in the proceeding of the Council unless invited to do so. This is only possible following a resolution of the Council, which will be based on the public contribution being relevant to the agenda item under consideration or discussion. However current best practice recommends provision is made for the public to participate at all the meetings which is consistent with this Council's intent to increase community involvement in decision making. There two opportunities where the public could speak at a Council meeting:

(i) Questions from the Public

A member of the general public may under this agenda item raise in person, any matter, ask a question and/or address the Council on a specific subject/s. In all

APPENDIX 1

cases public comments and Council responses must be made through the Chairman of the meeting who has the authority to place a time restriction on proceedings. Members of the general public unable to attend may submit their comments, concerns or questions in writing or by emailing the Clerk to the Council providing, these are received by noon on of the day preceding a published meeting. Depending to the matter raised the Clerk will respond, if appropriate, within 7 days of the meeting date. Unlike the Annual Parish Meeting or an Extraordinary Parish Meeting the member of the public does not have to be a registered elector

(ii) Planning Application/s
Members of the general public will be granted the opportunity to address the meeting on planning applications published on the meeting agenda, without the legal requirement to suspend and re-convene the meeting: The applicant will have 2 minutes to respond and objectors and/or supporters a collective time two minute to present their views

Committees and Sub Committees

3.2 Although open to the general public committee meeting/s do not normally offer the same opportunities for public participation. However, at the discretion of the Chairman members of the general public may be allowed to speak if their comments or questions directly relate to an agenda item. Requests to address a committee meeting should be made to the Town Clerk 3 working prior to the day of the meeting. This will enable the Chairman of the meeting to consider the relevance of the request in relation to the agenda item. This will also allow the Town Clerk to prepare any background information that may assist the Committee to fully understand and respond to the question(s) being raised.

3.3 Unlike the Annual Parish Meeting or Extraordinary Parish Meetings there is no residency requirement in respect at speaking at a meeting.

4. Openness in Local Government: - Recording of meetings

4.1 Under the “Openness in Local Government Act 2014“, the Town Council generally permits the recording of the content of its public meetings. Filming or photography requests should be notified to the Town Clerk, and the relevant Chairman will consider the request and agree conditions in advance of the meeting. In the event of a request to film or record a meeting being approved all participants will have the opportunity to say that they do not wish to be filmed or approved.

4.2 The following rules will also apply to the filming or recording of a meeting:

a) Those recording, filming, blogging or tweeting at the meeting do not have the right to give an oral report or commentary during the meeting.

b) Those that are recording or filming all or part of a meeting must not edit their recording or film in any way that could lead to misrepresentation or misinterpretation of the proceeding.

c) Only by prior agreement will the use of flash photography or film lighting be allowed

d) Those filming must have a constant awareness of the restrictions that apply to the filming of children and venerable people.

e) Filming or recording can only take place from a fixed position, which has been agree in advance with the Chairman/Clerk to the Council. (H&S rules with regard positioning of cables/equipment also apply)

f) The Chairman of the meeting has absolute discretion to suspend or terminate any actions or activities that in his or her opinion is disruptive.

g) Should a notification be received that a person does not wish to be recorded, filmed etc, that request must be adhered too.

5. Conduct at a Council meeting

5.1 Everyone present at the meeting will be expected to act respectfully towards every other person present. They will not act in a manner that demeans, insults, threatens or intimidates him or her. All statements, questions and responses, challenges to statements, complaints or criticisms must be related to the facts of the matter and not personal in nature. Anyone who falls short of this expectation will be asked by the Chairman to desist in any behaviour considered to be disrupting the meeting. If the behaviour continues Council can resolve, without discussion, that the person(s) withdraw from the meeting, or be removed. If a meeting becomes unmanageable because of interruption, or impossible to be continued due to disturbance or disregard for the Chairman's instructions the Council can and will resolve to either close the meeting for a period of time or have the meeting recalled for another date.

6. Conclusion

6.1 A key feature of the Town Council's new operation model 'the Better Burntwood Concept' is greater community engagement in the workings of the Council and wider civic life. So, it is appropriate that provision is made at Council meetings for the public to participate. However, to enable the smooth running of meetings it is important that the Town Council is given advance notice of the issues that the public wish to raise.

Background information and advice can then be prepared for councillors so that they can respond at the meeting to the points made. Similarly, it is important that the relevant Chairman has the opportunity to decide whether or not an issue should be raised at the meeting. This is no different to the written reports on the agenda which will have been approved for inclusion on the agenda by the Chairman. The requirement to give 3 days' notice of an issue to be raised is not onerous.

7. Recommendation

7.1 The Policy and Resources Committee is recommended to adopt the arrangements for public participation in Council meetings as set out in sections 3 to 5 inclusive.

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APPENDIX 1

BURNTWOOD TOWN COUNCIL

STANDING ORDERS
Adopted 28 July 2016

APPENDIX 2

STANDING ORDERS WITH RESPECT TO PROCEEDINGS AND BUSINESS OF BURNTWOOD TOWN COUNCIL

STATUTORY PROVISIONS

THESE STANDING ORDERS ARE BASED ON THE NEW NATIONAL MODEL STANDING ORDERS PUBLISHED BY THE NATIONAL ASSOCIATION OF LOCAL COUNCILS (NALC) IN 2013.

Some matters on which a council would normally make a Standing Order have been laid down in Acts of Parliament and are therefore compulsory.

The Standing Orders based on the statutory provisions have been printed in **bold type**.

This is so that Councillors can have available in one document a complete procedural code, which includes the prescribed statutory elements and the discretionary rules adopted by Council as Standing Orders.

Statutory provisions cannot be suspended or amended, as can the Standing Orders made by Council (see Standing Order No 32).

All provisions incorporated into these Standing Orders have been made in accordance with primary legislation and with due regard to the provisions of the Human Rights Act 1998.

INDEX OF STANDING ORDERS

LEGEND:

● Mandatory for Full Council meetings
● Mandatory for Committee meetings
● Mandatory for Sub-Committee meetings

1. 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 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 of the Council shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**

e) **Public Forum: Town Council Meetings only**: Subject to Standing Order 1(d) above, a maximum of 15 minutes will be allocated prior to the commencement of the meeting where members of the public may put questions/comments on any matter in relation to which the Town Council has powers or duties which affect the area.

f) **Planning Committee Meetings only:** Subject to Standing Order 1(d) above, members of the public are permitted to make representations, answer questions and give evidence in respect of any item of business included on the Planning Committee's agenda.

g) Subject to Standing Order 1(e) above, each member of the public shall not speak for more than 3 minutes.

h) In accordance with Standing Order 1(e) above, a question asked by a member of the public during a public participation session at a meeting shall not require a response or debate.

i) In accordance with 1(h) above, the Chairman may direct that a response to a question posed by a member of the public be referred to the Leader of the Council or his/her nominee for an oral response or to an employee for a written response.

j) A record of a public participation session at a meeting shall be noted in the minutes of that meeting.

k) A person shall raise her/his hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort). The Chairman may at any time permit an individual to be seated when speaking.

l) Any person speaking at a meeting shall address her/his comments to the Chairman.

m) Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chairman shall direct the order of speaking.

n) The press shall be provided 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 may in her/his absence be done by, to or before the Vice-Chairman (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 Standing Order 1(w) below, all questions at a meeting shall be decided by a majority of the Councillors present and voting.**

q) **The Chairman may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise her/his casting vote whether or not s/he gave an original vote.** *(See also Standings Orders 2(h) and 2(i) below.)*

r) **Unless Standing Orders provide otherwise, voting on any 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** her/**his vote for or against that question.** Such a request shall be made before the vote is taken.

s) **The minutes of a meeting shall record the names of Councillors present** and apologies for absence.

t) **A Councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's Code of Conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter.**

v) **No business may be transacted at a meeting** of the Council **unless at least one third** (8) **of the whole number of Members of the Council are present and in no case shall the quorum of a** committee, sub-committee, working group or Task & Finish Group **meeting be less than 3.**

w) **If a meeting is or becomes inquorate no business shall be transacted** and the meeting shall be adjourned. Any outstanding business of a meeting so adjourned shall be transacted at a following meeting.

2. ORDINARY COUNCIL MEETINGS

(See also Standing Order 1 above)

a) **In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the new Councillors elected take office.**

b) **In a year which is not an election year, the annual meeting of a Council shall be held on such day in May as the Council may direct.**

c) **If no other time is fixed, the annual meeting of the Council shall take place at 6.00 pm.**

d) **In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council directs.**

e) **The election of the Chairman and Vice-Chairman of the Council shall be the first business completed at the annual meeting of the Council.**

f) **The Chairman of the Council, unless s/he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until her/his successor is elected at the next annual meeting of the Council.**

g) **The Vice-Chairman of the Council, if any, unless s/he resigns or becomes disqualified shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.**

h) **In an election year, if the current Chairman of the Council has not been re-elected as a Member of the Council, s/he shall preside at the meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the Council but must give a casting vote in the case of an equality of votes.**

i) **In an election year, if the current Chairman of the Council has been re-elected as a Member of the Council, s/he shall preside at the meeting until a new Chairman of the Council has been elected. S/he may exercise an original vote in respect of the election of the new Chairman of the Council and must give a casting vote in the case of an equality of votes.**

j) Following the election of the Chairman of the Council and Vice-Chairman 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/her 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 and to receive and note minutes and/or to determine recommendations made by committees.

   iii) Appointment of committees, sub-committees, working groups, Task & Finish Groups.

   iv) Appointment of representatives to represent the Council on Outside Bodies.

   v) Any other business specified in the summons.

Other Meetings

k) After the first business has been completed the order of business, unless the Council otherwise decides on the grounds of urgency, shall be as follows:

   i) **After consideration to approve the signing of the Minutes by the person presiding as a correct record.**

   ii) **To deal with business expressly required by statute to be done.**

iii) Chairman's announcements.

iv) To dispose of business, if any, remaining from the last meeting.

v) To receive and consider reports and minutes of committees.

vi) To answer questions from Councillors.

vii) To receive and consider resolutions or recommendations in the order in which they have been received.

viii) To consider motions in the order in which notice has been received.

ix) Any other business specified in the summons.

Urgent Business

m) A motion to vary the order of business on the grounds of urgency:

i) May be proposed by the Chairman or by any Councillor and, if proposed by the Chairman, may be put to the vote without being seconded, and

ii) Shall be put to the vote without discussion.

3. PROPER OFFICER

a) The Council's Proper Officer shall be either:

i) The Chief Executive Officer

ii) Or such other employee as may be appointed by the Council to undertake the role of the Proper Officer during the Proper Officer's absence. The Proper Officer and the employee appointed to act as such during the Proper Officer's absence shall fulfil the duties assigned to the Proper Officer in Standing Orders.

b) The Council's Proper Officer shall do the following:

i) **Sign and serve on Councillors by delivery or post** or email **at their residence a summons confirming the time, date, venue and the agenda of a meeting of the Council and a meeting of a committee** and sub-committee **at least 3 clear days before the meeting.**

ii) **Give public notice of the time, date, venue and agenda at least 3 clear days before a meeting of the Council or a meeting of a committee** or a sub-committee **(provided that public notice with agenda of an extraordinary meeting of the Council convened by Councillors is signed by them).**

iii) Subject to Standing Orders 4(a)-(e) below, include in the agenda all motions in the order received unless a Councillor has given written notice at least 7 days before the meeting confirming her/his withdrawal of it.

iv) **Convene a meeting of Full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in** her/**his office, in accordance with Standing Order 3(b)(i) above.**

v) Make available for inspection the minutes of meetings.

vi) **Receive and retain copies of byelaws made by other local authorities.**

vii) Receive and retain acceptance of office forms from Councillors.

viii) Retain a copy of every Councillor's register of interests.

ix) Keep proper records required before and after meetings.

x) Process all requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the Council's procedures relating to the same.

xi) Receive and sign general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.

xii) Manage the organisation, storage of and access to information held by the Council in paper and electronic form.

xiii) Arrange for legal deeds to be signed by two Councillors and witnessed. (See also Standing Orders 15a) and (b).)

xiv) Arrange for prompt authorisation, approval and instruction regarding any payments to be made by the Council in accordance with the Council's Financial Regulations.

xv) Record every planning application notified to the Council and the Council's response to the local planning authority electronically on the planning software used by the Council.

xvi) Refer a planning application received by the Council to the Chairman or in her/his absence the Vice-Chairman of the Planning Committee within 2 working days of receipt to facilitate an extraordinary meeting if the nature of the planning application requires consideration before the next ordinary meeting of the Planning Committee.

xvii) To certify copies of bylaws made by the Council.

xviii) Action or undertake activity or responsibilities instructed by resolution or contained in Standing Orders.

4. MOTIONS REQUIRING WRITTEN NOTICE

a) In accordance with Standing Order 3(b)(iii) above, no motion may be moved at a meeting unless it is included in the agenda and the mover has given written notice of its wording to the Council's Proper Officer at least 5 clear days before the next meeting.

b) If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the Chairman of the forthcoming meeting or, as the case may be, the Councillors who have convened the meeting, to consider whether the motion shall be included or rejected in the agenda.

c) Notice of every motion received in accordance with the Council's Standing Orders shall be numbered in the order received and shall be entered in a book, which shall be open to inspection by all Councillors.

d) The Proper Officer shall insert in the Summons for every meeting all notices of motion or recommendation properly given in the order in which they have been received unless the Councillor giving a notice of motion has stated in writing that s/he intends to move at some later meeting or that s/he withdraws it.

e) If a resolution or recommendation specified in the summons is not moved either by the Councillor who gave notice of it or by any other Councillor, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice.

f) Every motion rejected in accordance with the Council's Standing Orders shall be duly recorded with a note by the Proper Officer giving reasons for its rejection in a book for that purpose, which shall be open to inspection by all Councillors.

g) Every motion and resolution shall relate to the Council's statutory functions, powers and lawful obligations or shall relate to an issue which specifically affects the Council's area or its residents.

h) If the subject matter of a resolution comes within the province of a committee of the Council, it shall, upon being moved and seconded, stand referred without discussion to such committee or to such other committee as the Council may determine for report; provided that the Chairman, if s/he considers it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.

5. MOTIONS NOT REQUIRING WRITTEN NOTICE

a) Motions in respect of the following matters may be moved without written notice:

i) To appoint a person to preside at a meeting.

ii) To approve the accuracy of the minutes of the previous meeting.

iii) To correct an inaccuracy of the draft minutes of the previous meeting.

iv) To dispose of business, if any, remaining from the last meeting.

v) To alter the order of business on the agenda for reasons of urgency or expedience.

vi) That the Council proceed to the next business.

vii) To close or adjourn debate.

viii) To refer by formal delegation a matter to a committee or a sub-committee or an employee.

ix) To appoint a committee or sub-committee or any Councillors (including substitutes) thereto.

x) To receive nominations to a committee or sub-committee.

xi) To dissolve a committee or sub-committee.

xii) To note the minutes of a meeting of a committee or sub-committee.

xiii) To consider a report and/or recommendations made by a committee or a sub-committee or any employee.

xiv) To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant.

xv) To authorise legal deeds to be signed by two Councillors and witnessed. (See Standing Orders 14(a) and (b) below.)

xvi) To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.

xvii) To give leave to withdraw a resolution or amendment.

xviii) That the question be now put.

xix) To extend the time limit for speeches.

xx) To exclude the press and public for all or part of a meeting.

xxi) To silence or exclude from the meeting a Councillor or member of the public for disorderly conduct.

xxii) To give the consent of the Council if such consent is required by Standing Orders.

xxiii) To suspend any Standing Order except those which are mandatory by law.

xxiv) To adjourn the meeting.

xxv) To appoint representatives to outside bodies.

b) If a motion falls within the terms of reference of a committee or sub-committee or within the delegated powers conferred on an employee, a referral of the same may be made to such committee or sub-committee or employee provided that the Chairman may direct for it to be dealt with at the present meeting for reasons of urgency or expedience.

6. RULES OF DEBATE

a) **Motions and Amendments**

i) 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.

ii) A motion (including an amendment) shall not be progressed unless it has been moved and seconded.

iii) A motion on the agenda that is not moved by its proposer may be treated by the Chairman of the meeting as withdrawn.

b) **Seconder's Speech**

A Councillor when seconding a motion or amendment may, if s/he then declares her/his intention to do so, reserve her/his speech until a later period of the debate.

c) **Content of Speeches**

A Councillor shall direct her/his speech to the question under discussion or to a personal explanation or to a point of order – naming the appropriate order.

d) **Length of Speeches**

No speech by a mover of a resolution shall exceed 5 minutes and no other speech shall exceed 3 minutes except by consent of the Chairman of the Council.

e) **Amendments to Motions**

i) A resolution or amendment shall not be discussed unless it has been proposed and seconded and, unless proper notice has already been given, it shall, if required by the Chairman, be put in writing and handed to her/him before it is further discussed or put to the meeting.

ii) A Councillor may move amendments to her/his own motion. If that motion has already been seconded, an amendment to it shall be moved only with the consent of the seconder.

iii) Any amendment to a motion shall be relevant to the motion and shall be either:

- To leave out words
- To add words
- To leave out words and add other words
- To refer a subject of a debate to a committee for consideration or reconsideration

iv) An amendment to a motion shall not have the effect of rescinding, negating or radically altering the original or substantive motion under consideration.

v) Only one amendment shall be moved and debated at a time. No further amendments to a motion shall be moved until the amendment under discussion has been disposed of unless the Chairman considers this expedient.

vi) If an amendment is not carried, other amendments may be moved on the original motion.

vii) If an amendment is carried, the original motion, as amended, shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved.

viii) The mover of the motion or of an amendment shall have the right of reply, not exceeding 3 minutes.

ix) A Councillor, other than the mover of a resolution, shall not, without leave of the Council, speak more than once on any resolution except to move an amendment or further amendment, or on an amendment, or on a point of order, or in personal explanation, or to move a closure.

x) A Councillor may speak on a point of order or a personal explanation. A Councillor speaking for these purposes shall be heard forthwith. A personal explanation shall be confined to some material part of a former speech by her/him which may have been misunderstood.

xi) A Councillor exercising a right of reply shall not introduce new matters.

xii) After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

xiii) Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply in respect of the substantive motion at the very end of the debate and immediately before it is put to the vote.

f) **When a Councillor May Speak Again**

Subject to Standing Orders 6(f), (h) and (i), a Councillor may not speak further in respect of any one motion whilst it is the subject of debate, except:

i) to speak once on an amendment moved by another Councillor;

ii) to move or speak on another amendment if the motion has been amended since he/she last spoke;

iii) to make a point of order;

iv) to give a personal explanation; or

v) in exercise of a right of reply.

g) **Points of Order and Personal Explanation**

i) During the debate of a motion, a Councillor may interrupt only on a point of order or a personal explanation and shall be entitled to be heard forthwith and the Councillor who was interrupted shall stop speaking.

ii) A Councillor raising a point of order shall identify the Standing Order or statutory provision which s/he considers has been breached and the way s/he considers it has been breached or specify the irregularity in the meeting s/he is concerned by.

iii) A point of order shall be decided by the Chairman and her/his decision shall be final.

iv) A personal explanation shall be confined to some material part of a former speech by him which may have been misunderstood in the present debate.

h) **Withdrawal of a Motion**

A motion amendment may be withdrawn by the proposer with the consent of the Council and in cases of Motions Moved Without Notice with the consent of the seconder, which shall be signified without discussion, and no Councillor may speak upon it after permission has been asked for its withdrawal unless such permission has been refused.

i) **Motions Which May be Moved During a Debate**

When a Councillor's 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

ix) To suspend particular Standing Order, excepting those which reflect mandatory statutory requirements.

j) 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/her right of reply.

k) **Standing**

A Councillor shall stand when speaking unless permitted by the Chairman to sit on account of infirmity.

l) **Ruling on Point of Order or Personal Explanation**

The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be discussed.

m) **Mode of Address**

During the sitting of the Council, Councillors shall address the Chairman and every Councillor shall, in referring to the Chairman, Vice-Chairman, Councillors and Officers, employ their respective official titles.

n) **Only One Councillor to Stand and Speak at a Time**

A Councillor when speaking shall stand and address the Chairman. If two or more Councillors rise, the Chairman shall call on one to speak; the other or others shall then sit. While a Councillor is speaking the other Councillors shall remain seated and silent, unless rising on a point of order or in personal explanation.

o) **Respect for the Chairman**

Whenever the Chairman speaks during a debate a Councillor then standing shall resume her/his seat and the Council shall be silent.

p) **Closure Motions**

A Councillor may move without comment at the conclusion of a speech of another Councillor:

i) "That the Council proceed to the next business".

ii) 0"That the motion be now put".

iii) "That the debate be now adjourned".

iv) "That the Council do now adjourn".

On the seconding of which the Chairman shall proceed as follows:

- On a motion "That the Council proceed to the next business", unless in her/his opinion the matter before the meeting has been insufficiently discussed, s/he shall first give the mover of the original motion a right of reply, and then put to vote the motion to proceed to the next business.

- On a motion "That the motion be now put", unless in her/his opinion the matter before the meeting has been insufficiently discussed, s/he shall first put to the vote the motion that the motion be now put, and if it is passed then give the mover of the original motion her/his right of reply under Standing Order 6(f) before putting her/his motion to the vote.

- On a motion "That the debate be now adjourned" or "That the Council do now adjourn"; if in her/his opinion the matter before the meeting has not been sufficiently discussed and cannot reasonably be sufficiently discuss on that occasion, s/he shall put the adjournment motion to the vote without giving the mover of the original motion her/his right of reply on that occasion.

- On resuming an adjourned debate, the Councillor who moved its adjournment shall be entitled to speak first.

(NOTE: Where a meeting is adjourned the subsequent proceedings are part of the original meeting and no new notices or agendas need to be issued except a notification to Councillors not present of the date of the continuation of the meeting.)

q) **Alterations of Motions**

i) For Motions Moved on Notice a Councillor may:

a) With the consent of the Council without discussion alter a motion of which s/he has given notice, provided the alteration is one which could be made as an amendment thereto;

and

b) Move amendments to her/his own motion.

ii) For Resolutions Moved Without Notice a Councillor may:

a) With the consent of her/his seconder and the Council signified without discussion alter a motion, provided the alteration is one which could be made as an amendment thereto;

and

b) With the consent of her/his seconder, move amendments to her/his own motion.

7. CO-OPTION: PROCEDURE TO FILL A CASUAL VACANCY OCCURING ON THE TOWN COUNCIL

a) If a casual vacancy should arise on the Council due to:

- a Councillor's failure to make his/her Declaration of Acceptance of Office within the proper time,
- resignation or
- death

then the Chief Executive Officer will normally start the proceedings to fill the vacancy without further recourse to a meeting of the Town Council.

b) If a casual vacancy arises for any other reason, e.g. disqualification due to six months absence from meetings or other reason for disqualification, then the Chief Executive Officer on behalf of the Town Council shall declare the office vacant and start the proceedings to fill the vacancy without further recourse to a meeting of the Town Council.

c) If a casual vacancy arises within six months of the day when the Councillor whose office is declared vacant would ordinarily have retired then no by-election may be demanded. As the Council is permitted either to advertise the vacancy for co-option or to leave the office vacant until the date of the next ordinary election, the Council will be asked at its next suitable meeting which option it wishes to pursue.

d) Except in the circumstances described in (c) above, notice of the vacancy will be issued by the Town Council in consultation with the Electoral Services section of Lichfield District

Council; notices will normally be placed on the Council's notice board, on the Council's web site, in Burntwood Library and in the local press.

e) If a by-election is called, Electoral Services will inform the Town Council and will then make all the necessary arrangements for the by-election. Poll cards for the by-election will be issued by Electoral Services; poll cards are optional and the Town Council will incur a cost for issuing them.

f) If no by-election is called, Electoral Services will inform the Town Council and the Town Council can co-opt a new Member. Normally the Chief Executive Officer will invoke the procedure to do this immediately without recourse to a meeting of the Council.

g) Co-option vacancies will be advertised on the Council's notice board and through any other medium which the Council or Chief Executive Officer consider suitable.

h) Applications for co-option will be considered at the next suitable meeting of the Council.

i) Applicants for co-option will be asked to submit information about themselves and must confirm their eligibility for the position of councillor within the statutory rules. They will be invited to give a presentation of up to three minutes to the Council meeting at which the co-option will be considered.

j) At the meeting there will be no further discussion following the presentations. The Council shall vote upon the applicant(s). The Council will suspend Standing Order 1(s) and agree to conduct the vote by ballot. Ballot papers will be distributed and the Council will proceed immediately to vote. The Council reserves the right not to make a co-option.

k) Voting will be according to the statutory requirements, i.e. by a clear majority of those present and voting.

l) The successful application will execute the Declaration of Acceptance of Office within the specified timeline after the decision has been made and will therefore receive summonses to meetings of the Council and may act as a Member of the Council.

8. CODE OF CONDUCT (ENGLAND)

See also Standing Orders 1(d)-(i) above.

a) All Councillors shall observe the Code of Conduct adopted by the Council on 12 July 2012.

b) If a Councillor has a personal interest as defined by the Code of Conduct adopted by the Council on 12 July 2012 then s/he shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required.

c) Councillors with a Disclosable Pecuniary Interest (DPI) will leave the room when the item in which they have interest is discussed by the Council.

d) If a Councillor who has declared a personal interest then considers the interest to be prejudicial, s/he must withdraw from the room or chamber during consideration of the item to which the interest relates.

e) **Dispensation requests shall be in writing to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.

f) A decision as to whether to grant a dispensation shall be made by a meeting of the Council, or committee or sub-committee for which the dispensation is required and that decision is final.

g) The existence, duration and nature of any dispensations granted will be clearly minuted and included in the Register of Disclosable Interests.

h) The Proper Officer is required to compile and hold a Register of Councillors' interests, or a copy thereof, in accordance with agreement reached with the Monitoring Officer of the Responsible Authority and/or as required by statute.

i) **A dispensation may be granted in accordance with standard order 8(f) above if having regard to all relevant circumstances the following applies:**

   i) **without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business or**

   ii) **granting the dispensation is in the interests of persons living in the Council's area or**

   iii) **it is otherwise appropriate to grant a dispensation.**

9. QUESTIONS

a) A Councillor may seek an answer to a question concerning any business of the Council provided 2 clear days notice of the question has been given to the Proper Officer.

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

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

d) A person to whom a question has been put may decline to answer.

10. MINUTES

a) If a copy of the draft Minutes of a preceding meeting has been circulated to Councillors no later than the day of service of the summons to attend the scheduled meeting they shall be taken as read.

b) No discussion of the Minutes shall take place except upon their accuracy. Corrections to the Minutes shall be moved in accordance with standing order 5(ii) above.

c) Minutes, including any amendment to correct their accuracy, 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, s/he shall sign the Minutes and include a paragraph in the following terms or to the same effect:

> "The Chairman of this meeting does not believe that the Minutes of the meeting of the ( ) held on [date] in respect of ( ) were a correct record but her/his view was not upheld by the majority of the ( ) 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, any previous draft Minutes or recordings of the meeting shall be destroyed.

f) **Presentation of Committee Minutes and Reports**

The Chairman of the committee concerned, or in her/his absence the Vice-Chairman or, should s/he also be absent, such other Councillor as the Chairman may select, shall move an original motion that the Minutes of her/his committee be received or approved and adopted as the case may be. On such a motion being duly seconded it shall operate as a series of motions that each item of the Minutes or report be received and the recommendations therein (if any) be adopted. The committee minutes shall here upon be open to discussion by the Council.

11. DISORDERLY CONDUCT

a) No person shall obstruct the transaction of business at a meeting or behave offensively or improperly.

b) If, in the opinion of the Chairman, there has been a breach of Standing Order 11(a) above, the Chairman shall express that opinion and thereafter any Councillor (including the Chairman) may move that the person be silenced or excluded from the meeting and the motion, if seconded, shall be put forth with and without discussion.

c) If a resolution made in accordance with Standing Order 11(b) above is disobeyed the Chairman may take such further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

d) **General Disturbance**

In the event of general disturbance which, in the opinion of the Chairman renders the due and orderly dispatch of business impossible, the Chairman may, without the question being put, adjourn the meeting for such period as s/he at her/his discretion shall consider expedient.

e) **Disturbance by Members of the Public**

If the public interrupts the proceedings of any meeting, the Chairman of the Council or committee Chairman may, after warning, order that s/he be removed from the meeting and may adjourn the meeting for such period as is necessary to restore order.

12. RECISSION OF PREVIOUS RESOLUTIONS

a) A resolution (whether affirmative or negative) of the Council shall not be reversed within 6 months except either by a special motion, the written notice whereof bears the names of at least 11 Councillors of the Council, or by a motion moved in pursuance of the report or recommendation of a committee.

b) When a special motion or any other motion moved pursuant to Standing Order 12(a) above has been disposed of, no similar motion may be moved within a further 6 months.

13. VOTING ON APPOINTMENTS

Where more than 2 persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of the 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. Any tie may be settled by the Chairman’s casting vote.

14. EXPENDITURE

a) Any expenditure incurred by the Council shall be in accordance with the Council's Financial Regulations.

b) **The Council's Financial Regulations shall be reviewed once a year.**

c) **The Council's Financial Regulations may make provision for the authorisation of the payment of money in exercise of any of the Council's functions to be delegated to a committee, sub-committee or to an employee.**

d) **Orders for the payment of money shall be authorised by resolution of the Council and signed by** two **Councillors.**

15. EXECUTION AND SEALING OF LEGAL DEEDS

See also Standing Order 5(a)(xv) above.

a) A legal deed shall not be executed on behalf of the Council unless the same has been authorised by resolution.

b) **In accordance with a resolution made under Standing Order 14(a) above, any two Members of the Council may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.**

c) **Authentication of Documents for Legal Proceedings**

Where any document will be a necessary step in legal proceedings on behalf of the Council it shall be signed by the Proper Officer or a person authorised by him unless any enactment otherwise requires or authorises, or the Council give the necessary authority to another officer for the purpose of such proceedings.

16. COMMITTEES

See also Standing Order 1 above.

a) The Council may, at its Annual Meeting, appoint committees and may at any other time appoint such committees as may be necessary, and:

   i) Shall determine their terms of reference.

   ii) May permit committees to determine the date of their meetings.

   iii) Shall appoint and determine the term of office of members of such a committee so as to hold office no later than the next Annual Meeting.

   iv) May appoint substitute Councillors to a committee whose role is to replace ordinary Councillors at a meeting of a committee if ordinary Councillors of the committee have confirmed to the Proper Officer 2 days before the meeting that they are unable to attend.

   v) An ordinary Member of a committee who has been substituted at a meeting by a substitute Member (in accordance with Standing Order 16(a)(iv) above shall not be permitted to participate in debate or vote on business at that meeting and may only speak during any public participation session during the meeting.

   vi) May in accordance with Standing Orders, dissolve a committee at any time.

vii) Except where authorised by statute or ordered by the Council, in the case of a committee, the quorum of a committee shall be one-half of its Members.

17. SUB-COMMITTEES

See also Standing Order 1 above.

a) Unless there is a Council resolution to the contrary, every committee may appoint a sub-committee whose terms of reference and Members shall be determined by resolution of the committee.

b) i) No act of the sub-committee shall have effect until approved by the committee or the Council as appropriate.
ii) All sub-committees will report to the parent committee on a regular basis.

c) The Chairman and Vice-Chairman of the committee shall be Members of every sub-committee appointed unless they signify that they do not wish to serve.

18. EXTRAORDINARY MEETINGS

See also Standing Order 1 above.

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 to do so by two Councillors, those two Councillors may convene an extraordinary meeting of the Council. The statutory public notice giving the time, venue 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 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 of having been requested to do so by two Councillors, those two Councillors man convene an extraordinary meeting of a committee (or sub-committee). The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two Councillors.

19. ADVISORY COMMITTEES

See also Standing Order 1 above.

a) The Council may appoint Advisory Committees comprised of a number of Councillors.

b) The name of an Advisory Committee, the number of Members and the bodies to be invited to nominate Members shall be specified.

c) The Proper Officer shall inform the Members of each Advisory Committee of the terms of reference of the committees.

d) An Advisory Committee may make recommendations and give notice thereof to the Council but its decisions and recommendations shall not be mandatory.

20. RESPONSIBLE FINANCIAL OFFICER

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

21. ACCOUNTS AND ACCOUNTING STATEMENTS

a) "Proper practices" in Standing Orders refer to the most recent version of Governance and Accountability for Local Councils – a Practitioners' Guide (England).

b) All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's Financial Regulations.

b) The Responsible Financial Officer shall supply to each Councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:

   i) the Council's receipts and payments for each quarter;

   ii) the Council's aggregate receipts and payments for the year to date;

   iii) the balances held at the end of the quarter being reported

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

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

      i) each Councillor with a statement summarising the Council's receipts and payments for the last quarter and the year to date for information; and

      ii) to the Full Council the accounting statements for the year in the form of Section 2 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 governance statement, shall be presented to Council for consideration and formal approval before 30 June.

22. ESTIMATES/PRECEPTS

a) **The Council shall approve written estimates for the coming financial year** at its meeting before the end of January.

b) Any committee desiring to incur expenditure shall give the Proper Officer a written estimate of the expenditure recommended for the coming year no later than 31 October.

23. CANVASSING OF AND RECOMMENDATIONS BY COUNCILLORS

a) Canvassing Councillors or the Members of a committee or sub-committee directly or indirectly, for appointment to or by the Council shall disqualify the candidate from such appointment. The Proper Officer shall disclose the requirements of this Standing Order to every candidate.

b) A Councillor or a Member of a committee or sub-committee shall not solicit a person for appointment to or by the Council or recommend a person for such appointment or for promotion; but, nevertheless, any such person may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.

c) This Standing Order shall apply to tenders as if the person making the tender were a candidate for appointment.

24. INSPECTION OF DOCUMENTS

a) Subject to Standing Orders to the contrary a Councillor may, for the purposes of her/his official duties (but not otherwise) inspect any documents in the possession of the Council or a committee or a sub-committee and request a copy for the same purpose.

b) The minutes of meetings of the Council, its committees or sub-committees shall be available for inspection by Councillors.

25. UNAUTHORISED ACTIVITIES

Unless authorised by a resolution, no individual Councillor shall in the name or on behalf of the Council, a committee or a sub-committee:

a) Inspect or enter any land and/or premises which the Council has a right or duty to inspector enter; or

b) Issue orders, instructions or directions.

26. CONFIDENTIAL BUSINESS

a) Councillors and employees shall not disclose confidential or sensitive information which for special reasons would not be in the public's interest.

b) A Councillor in breach of the provisions of Standing Order 26(a) above may be removed from a committee or a sub-committee by a resolution of the Council.

c) An employee in breach of the provisions of Standing Order 26(a) above may be subject to disciplinary action by the Council.

27. GENERAL POWER OF COMPETENCE (ENGLAND)

a) **Before exercising the general power of competence, a meeting of the Full Council shall have passed a resolution to confirm it has satisfied the prescribed statutory criteria required to qualify as an eligible Parish Council.**

b) **The Council's period of eligibility begins on the date that the resolution under Standing Order 27(a) above was made and a resolution should be passed at each subsequent relevant annual meeting confirming that the Council meets the conditions set out below:**

(1) At the time a resolution under paragraph 1 is passed:

(a) the number of members of the Council that have been declared to be elected, whether at ordinary elections or at a by-election, is equal to or greater than two-thirds of the total number of members of the Council;

(b) the clerk to the parish council holds:

(i) the Certificate in Local Council Administration;
(ii) the Certificate of Higher Education in Local Policy;
(iii) the Certificate of Higher Education in Local Council Administration; or
(iv) the first level of the foundation degree in Community Engagement and Governance awarded by the University of Gloucestershire or its successor qualifications; and

(c) the clerk to the parish council has completed the relevant training, unless such training was required for the purpose of obtaining a qualification of a description mentioned in paragraph (b).

(2) For the purposes of this paragraph "relevant training" means training:

(a) in the exercise of the general power;

(b) provided in accordance with the national training strategy for parish councils adopted by the National Association of Local Councils, as revised from time to time.

c) **After the expiry of its preceding period of eligibility, the Council continues to be an eligible council solely for the purpose of completing any activity undertaken in the exercise of the general power of competence which was not completed before the expiry of the Council's preceding period of eligibility referred to in Standing Order 27(b) above.**

28. MATTERS AFFECTING COUNCIL EMPLOYEES

a) If a meeting considers any matter personal to a Council employee, it shall not be considered until the Council, committee or sub-committee has decided whether or not the press and public shall be excluded pursuant to Standing Order 1(c) above.

b) Any persons responsible for all or part of the management of Council employees shall keep written records of all meetings relating to their performance, capabilities, grievance and disciplinary matters as confidential and secure.

c) The Council shall keep written records relating to employees secure. All paper records shall be secured under lock and electronic records shall be password protected.

d) No employee other than the Chief Executive Officer shall have access to staff records referred to in Standing Orders 28(b) and (c).

e) Access and means of access by keys and/or computer passwords to records of employment referred to in Standing Orders 128b) and (d) above shall be provided only to the Direct Services Manager and/or Senior Administration Officer if so justified.

f) **Relatives of Councillors or Officers**

If a candidate for any appointment under the Council is to her/his knowledge related to any Councillor or the holder of any office under the Council, s/he and the person to whom s/he is related shall disclose the relationship in writing to the Proper Officer. A candidate who fails to do so shall be disqualified for such appointment and, if appointed, may be dismissed without notice. The Proper Officer shall report to the Council or to the appropriate committee any such disclosure.

g) The Proper Officer shall make known the purpose of this Standing Order to every candidate.

29. FREEDOM OF INFORMATION ACT 2000

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.

Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the Chairman of the Policy & Resources Committee. The said committee shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000.

30. FINANCIAL CONTROLS AND PROCUREMENT

a) The Council shall consider and approve Financial Regulations drawn up by the RFO, which shall include detailed arrangements in respect of the following:

   i) The accounting records and systems of internal control.

   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.

   v) Procurement policies (subject to Standing Order 30(b) below) including the setting of values for different procedures where the contract has an estimated value of less than £25,000.

b) Financial Regulations shall be reviewed regularly and at least annually for fitness of purpose.

c) **Financial Regulations shall confirm that a proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £25,000 shall be procured on the basis of a formal tender as summarised in Standing Order 30(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 of the goods, materials, services and 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 an appropriate manner.

iv) Tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer.

v) Tenders submitted 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 the appropriate meeting of the Council or committee or sub-committee with delegated responsibility

e) Neither the Council, nor a committee a sub-committee with delegated responsibility is bound to accept the lowest value tender, estimate or quotation or indeed any

f) **Where the value of a contract is likely to exceed £164,176 (or other threshold specified by the Office of Government Commerce from time to time) the Council must consider whether the Public Contracts Regulations 2006 (SI No.5, as amended) and the Utilities Contracts Regulations 2006 (SI No. 6, as amended) apply to the contract and, if either of those Regulations apply, the Council must comply with EU procurement rules.**

31. ALLEGATIONS OF BREACHES OF THE CODE OF CONDUCT

a) On receipt of a notification that there has been an alleged breach of the Code of Conduct the Proper Officer (Chief Executive Officer) shall refer it to the Monitoring Officer at Lichfield District Council.

b) Where the notification relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Leader of the Council of that fact, who, upon receipt of such notification, shall nominate a person to assume the duties of the Proper Officer set out in the remainder of this Standing Order, who shall continue to act in respect of that matter as such until the complaint is resolved.

c) 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.

d) The subject matter of notifications shall be confidential and, insofar as it possible to do so by law, the Council (including the Proper Officer and the Leader of the Council) shall take the steps set out below, together with other steps considered necessary, to maintain confidentiality:

i) Draft the summonses and agendas in such a way that the identity and subject matter of the complaint are not disclosed.

ii) Ensure that any background papers containing the information set out in Standing Order 30(a) above are not made public.

iii) Ensure that the public and press are excluded from meetings as appropriate.

iv) Ensure that the minutes of meetings preserve confidentiality.

v) Consider any liaison that may be required with the person or body with statutory responsibility for the investigation of the matter.

e) Standing Order 30(d) above should not be taken to prohibit the Council (whether through the Proper Officer or the Leader of the Council otherwise) from disclosing information to

Councillors and officers of the Council or to other persons where such disclosure is necessary to deal with the complaint or is required by law.

f) The Council may:

   i) Seek documentary and other evidence from the person or body with statutory responsibility for investigation of the matter.

   ii) Seek and share information relevant to the complaint.

   iii) Grant the Councillor involved a financial indemnity in respect of legal costs, which shall be in accordance with the law and subject to approval by a meeting of the Full Council.

g) References in Standing Order 30 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.

h) **Upon notification by the District Council that a Councillor has breached the Council's Code of Conduct, the Council shall consider what, if any, action to take against her/him. Such action excludes disqualification or suspension from office.**

32. VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS

a. Any or every part of the Standing Orders, except those which are mandatory by law, may be suspended by resolution in relation to any specific item of business.

b. A motion to permanently add to or to vary or revoke one or more the Council's Standing Orders not mandatory by law shall not be carried unless two-thirds of the Councillors at a meeting vote in favour of the same.

33. RESTRCTION ON COUNCILLOR ACTIVITES

Unless authorised by a resolution, no Councillor shall:

i) inspect any land and/or premises which the Council has a right or duty to inspect, or
ii) issue orders, instructions or directions.

34. STANDING ORDERS TO BE GIVEN TO COUNCILLORS

a) The Proper Officer shall provide a copy of the Council's Standing Orders to a Councillor upon delivery of her/his declaration of acceptance of office form.

b) The Chairman's decision as to the application of Standing Orders at meetings shall be final.

c) A Councillor's failure to observe Standing Orders more than 3 times in one meeting may result in her/him being excluded from the meeting in accordance with Standing Orders.