

Marlborough Town Council



21 May 2023

Dear Councillor

Full Town Council

I hereby **summon** you to a meeting of **Marlborough Town Council** which will be held on **Tuesday, 28 May 2023 at 7pm** in the **Court Room, Marlborough Town Hall**.

Yours sincerely

Richard Spencer-Williams

Richard Spencer-Williams, PSLCC

Town Clerk

If members of the public wish to attend and ask a question they should notify the Town Clerk of this by noon on the Friday prior to the meeting and provide their question in writing at the same time. Some members of the public may not be allowed to attend if all the allocated seats are taken.

If members of the public wish to ask a question, but not attend, they can provide the question in writing to the Town Clerk by noon on the day of the meeting, and a written response will be provided.

PRAYERS

PUBLIC QUESTION TIME

In accordance with Standing Order 3(f), members of the public may ask questions of the Council. The time allocated for this should not exceed 10 minutes and be limited to 1 question per person unless directed otherwise by the Chair. A full response may not be possible without further research, and the Chair may direct that a written or oral response be given.

CRIME AND DISORDER

A member of Wiltshire Police will be invited to give a report and answer questions from Councillors and members of the public (not to exceed 10 minutes)

TO RECEIVE QUESTIONS TO AND FROM WILTSHIRE COUNCILLORS

Not to exceed 10 minutes

AGENDA

1. **Apologies for absence**
2. **Declarations of interest**
 - a) To receive any Declaration(s) of Interest under Marlborough Town Council's Code of Conduct¹ issued in accordance with the Localism Act 2011
 - b) To consider any dispensation requests received by the Town Clerk
Members are reminded that they are obliged to notify the Monitoring Officer of a change to disclosable interests, or a new interest as defined in Appendices A and B of the Code of Conduct within 28 days of becoming aware of it. These should be passed on to the Town Clerk to register online.
3. **Mayor's Announcements**
4. **Minutes**

To approve and sign the minutes of the meeting held 13 May 2024 and the extraordinary meeting held 16 January 2024
5. **Review of the Scheme of Delegation**

To review and adopt the Town Council's Scheme of Delegation
6. **Nominations to Standing Committees**

To receive and consider nominations to Committees as set out in Standing Order² 6(k)iv and to undertake ballots if necessary
7. **To elect a Chair and Vice Chair of Standing Committees**

¹ www.marlborough-tc.gov.uk/images/your-council/MTC_Code_of_Conduct_2022_Adopted_27_3_23.pdf

² www.marlborough-tc.gov.uk/images/your-council/Standing_Orders_Revised_Amended_June_2022.pdf

- 8. Review of Standing Orders**
To review and adopt the Town Council's Standing Orders
- 9. Financial Regulations**
To review and adopt the Town Council's Financial Regulations
- 10. Appointment of Representatives to Outside Bodies 2024 25**
To appoint representatives to organisations and voluntary groups
- 11. Appointment of Members to an Appeals Panel**
To nominate 4 members to form an Appeals Panel to meet as necessary (these should not be members of the Staffing Committee)
- 12. Asset Register**
To approve the register of insured land and assets
- 13. Insurance Renewal**
To note a report by the Town Clerk about insurance cover in respect of all insured risks
- 14. Review of Council's staff memberships and subscriptions to other bodies**
To note a report by the Office Manager and approve current subscriptions and memberships
- 15. Review of Risk Management Scheme 2024/25**
To review and adopt for 2024/25 the Risk Management Scheme for the Town Council
- 16. Appointment of Internal Auditors – 2024/25**
To confirm that Internal Auditors, Auditing Solutions Ltd, will continue to carry out the Council's internal audits in 2024/25
- 17. Bank Mandate**
To approve that the Bank Mandate is amended to record the changes of Mayor, Deputy Mayor and Chair and Vice Chair of the Finance and Policy Committee all of whom together with the Town Clerk/Responsible Finance Officer or Office Manager (as authorised officer) will be signatories and always requiring that two Councillors and one officer sign all cheques and other orders for payment
- 18. Calendar of Meetings**
To re-adopt the Calendar of Meetings for 2024/25
- 19. Year End Budget Report 2022 23**
To note the month 12 budget report for 2023/24
- 20. Outside Bodies**
Members to offer updates on their representational roles to external organisations

21. Members' Question Time

Questions to be submitted to the Town Clerk by midday on the day of the meeting and not to exceed 10 minutes

22. Committee Minutes

In accordance with para 3.1 of the Scheme of Delegation³, to note the approved minutes of the following committee meetings: **Planning** – 18 March, 8 April and 7 May 2024; **Property** - 4 December 2023 and 19 February 2024; **Finance and Policy** - 29 January 2024 and **Amenities and Open Spaces** – 15 January 2024. These minutes have been approved by committees and circulated to Members and are available to download from www.marlborough-tc.gov.uk/council/meetings-agendas-minutes-from-may-2023 or from the Town Council offices. Other meetings have taken place, but minutes are not yet approved so remain in draft form.

23. Common Seal

To authorise the fixing of the Common Seal of Marlborough Town Council to all documents necessary to give effect to the decisions of the meeting

³ www.marlborough-tc.gov.uk/images/your-council/Scheme_of_Delegation_24052022_updated_12_9_23.pdf

To approve and sign the minutes of the meeting held 13 May 2024 and the extraordinary meeting held 16 January 2024

Marlborough Town Council



Annual Town Council

Minutes of the Annual Meeting of Marlborough Town Council held
Monday, 13 May 2024 in the Court Room, Marlborough Town Hall at 6.30pm

PRESENT	Councillor Nicholas Fogg	Town Mayor
	Councillor Andrew Ross	
	Councillor Mervyn Hall	
	Councillor Lisa Farrell	
	Councillor Mark Cooper	
	Councillor Kym-Marie Cleasby	
	Councillor Mark Luson	
	Councillor Susannah O'Brien	
	Councillor Emily Trow	
	Councillor Caroline Sadler	
	Richard Spencer-Williams	Town Clerk
	Mrs Rachel Gowshall DL JP	Deputy Lieutenant
	Rev. Chris Smith	
	Clare Harris	Deputy Town Clerk
	Sue Fry	Office Manager
	Andrea Millar	Civic Secretary
	Dawn Whitehall	Corporate Services Officer
	Neil Goodwin	Marlborough.News
	Plus invited guests	

Councillor Fogg opened the meeting with prayers

1/24

ELECTION OF TOWN MAYOR FOR THE YEAR 2024/2025

Proposed by Councillor Farrell and seconded by Councillor Hall that Councillor Kym-Marie Cleasby be elected as Town Mayor for the ensuing year

RESOLVED: that Councillor Cleasby be elected as Town Mayor for 2024/25

- 2/24 ELECTION OF DEPUTY TOWN MAYOR FOR THE YEAR 2024/25**
Proposed by Councillor Cleasby and seconded by Councillor O'Brien that Councillor Emily Trow be elected as Deputy Mayor for the ensuing year
RESOLVED: that Councillor Trow be elected as Deputy Town Mayor for 2024/25
- The retiring Town Mayor, the Town Clerk, Town Crier, and Macebearers processed from the Court Room, followed by the newly elected Town Mayor and her Chaplain and Deputy Mayor, to the Mayor's Parlour
- The newly elected Town Mayor and Deputy Town Mayor, the retiring Town Mayor, the Town Clerk, Town Crier, Macebearers and Mayor's Chaplain processed into the Court Room
- 3/24 DECLARATION OF ACCEPTANCE OF OFFICE BY THE TOWN MAYOR**
Councillor Cleasby signed her Declaration of Acceptance of Office
- 4/24 DECLARATION OF ACCEPTANCE OF OFFICE BY THE DEPUTY TOWN MAYOR**
Councillor Trow signed her Declaration of Acceptance of Office
- 5/24** A vote of thanks was proposed by Councillor Hall to the retiring Town Mayor and seconded by Councillor Trow
- 6/24** The retiring Town Mayor gave his reply
- 7/24** The newly elected Town Mayor gave thanks for her election, and presented her Consort with his badge
- 8/24 APOLOGIES**
Apologies for absence were received from Councillors Davies, Sheppard, Thomas, Shantry and Kohrt
- 9/24 MINUTES**
RESOLVED: that the minutes of the meeting held 25 March 2024 were approved as a true record and signed by the Town Mayor
- 10/24 COMMON SEAL**
RESOLVED: that the Common Seal of Marlborough Town Council be affixed to all documents necessary to give effect to the decisions of the meeting

The meeting closed at 7 pm

Marlborough Town Council



Full Town Council

Minutes of an extraordinary meeting of Marlborough Town Council held Tuesday,
16 January 2024 in the Court Room, Marlborough Town Hall at 7pm

PRESENT	Councillor Nicholas Fogg	Town Mayor
	Councillor Kym-Marie Cleasby	Deputy Mayor
	Councillor Andrew Ross	
	Councillor Noel Barrett-Morton	
	Councillor Lisa Farrell	
	Councillor Mervyn Hall	
	Councillor Mark Cooper	
	Councillor Jane Davies	
	Councillor Mark Luson	
	Councillor Emily Trow	
	Richard Spencer-Williams	Town Clerk
	Dawn Whitehall	Corporate Services Officer
ALSO		
PRESENT	Neil Goodwin	Marlborough.News
	Plus 15 members of the public	

PRAYERS

The Mayor opened the meeting with a minute's silence for Town Crier Mike Tupman MBE and prayers for his family, friends and for Councillor Thomas and her family.

PUBLIC QUESTION TIME

Comments and questions from residents included:

- Whether the Town Council would consider contacting the Pang Valley Flood Forum with a view to setting up a similar forum for the Kennet valley
- Whether the Town Council would consider creating a public meeting for residents to get together to provide feedback on the response to the flood and discuss possible measures going forward. **Councillor Cleasby** confirmed that this was part of the proposal to be considered later in the meeting
- Whether flood water had been analysed for contamination, and if so whether pollution levels were higher than normal. The **Town Clerk** had already asked this question, and hoped an answer would be forthcoming at a meeting w/c

22 January with the Swindon & Wiltshire Resilience Partnership, Environment Agency and drainage representatives

- Whether the Town Council could raise questions with Thames Water and continue to ask until there was a satisfactory answer. These included Thames Water's response to sewage leaks; discharging into rivers during floods; how sewage leaks had affected areas not otherwise affected by the groundwater/river flooding; that when the water table rises and/or pipes were blocked, effluent was pushed back up the system into homes and out of manhole covers. An anecdotal reply by an engineer that a stretch of sewer was "old and leaky" was mentioned; what were the plans to upgrade it?
- Whether Wiltshire Council could be asked to suspend parking restrictions, or provide permits for a period of time in London Road allowing the various trades to park for longer than currently permitted while working at affected properties
- Whether it was possible to provide any assurances to homeowners that plans were in place, e.g. to improve drainage, that would help to prevent flooding in future. This would be of particular concern when homeowners decided to sell their properties
- Thanks to staff, the emergency services and community for all their help during the flood

The Mayor thanked everyone for their questions and comments. He noted a recent report from Action for the River Kennet (ARK) that streams not seen since Victorian times had reappeared and groundwater levels were the highest on record. It had been an extraordinary situation, and while not having control over the climate, this didn't mean the Town Council shouldn't take whatever steps it could to mitigate future floods. Issues such as storm drains, drainage capacity and planning considerations (e.g. not to build on land near rivers; additional drainage/run off from developments) were all factors to consider.

QUESTIONS TO AND FROM WILTSHIRE COUNCILLORS

Councillor Davies suggested it was important to look at the whole Kennet Valley: for example, Lockeridge had been flooded, all the water meadows in the area had been flooded, and water treatment plants at West Overton and Fyfield had needed additional support. She suggested that all the parishes affected could work with ARK and the local MP to challenge Thames Water, particularly about its approach to discharging into the River Kennet. As an important, rare chalk stream and a site of special scientific interest it was important to protect it.

400/23

APOLOGIES

Apologies for absence were received from **Councillors Sheppard, Thomas, Shantry, O'Brien** and **Kohrt**.

401/23

DECLARATIONS

There were no declarations of interest or requests for dispensation.

FLOOD PLAN

Members noted the Town Clerk's report and considered the Town Council's flood plan. Discussion points included:

- Whether to set up a working party to take the flood plan forward
- Re-establishing nominated flood wardens
- Roles flood wardens might be able to adopt (e.g. stopping drivers causing bow waves that pushed water into properties, arranging relief for volunteers)
- Who could take decisions to close roads in times of emergencies; whether the Town Council could be granted temporary power
- Establishing a clearly defined, central point of contact for emergency situations
- Establishing clear communications between Town and Wiltshire Council
- Registering a flood plan with Wiltshire Council would ensure clear contacts and communications would be in place
- Whether any capability of holding back or storing water upstream could be established
- Whether sluice gate management was clearly documented and could be co-ordinated
- Community volunteers played essential roles in emergencies - how to formalise and mobilise them, and how to support them
- Whether a proper explanation of the peak water surge could be obtained
- It would be important when reviewing the plan to include the expansion of post-flood actions and recovery phases, e.g. provision of financial assistance

RESOLVED: to form a working group consisting of Councillors, residents, and neighbouring parishes and, with Wiltshire Council support, to review the emergency plan and create a more comprehensive, robust stand-alone flood plan

Councillors who volunteered to join the working group were **Councillors Ross, Hall, Farrell, Cleasby, Davies, Luson** and **Trow**. Members not present would also be given the opportunity to take part.

RESOLVED: that **Councillor Luson** was the preferred Chair of the working group

During a suspension of Standing Orders, residents asked for points to be addressed by the Town Council/working party including:

- A resident of London Road noted that contamination from sewage meant that people would be out of their homes for significantly longer than if the flooding had been spring water. It was important that residents have the opportunity to be part of the working group, and that the issues of controls around sewage be addressed by Thames Water
- Lack of attendance by Thames Water to London Road overnight on Thursday 4 January; previous incidents of backed-up sewage affecting properties and the need for Thames Water to compensate home owners: whether the specific issues of the system in London Road could be addressed

- Whether, because of leaking sewage pipes underground, there was any way to know whether there was likely to be sewage contamination in those properties that were only affected by groundwater flooding rather than the river
- Whether groundwater flood alerts could be provided by the Environment Agency as well as flood alerts from rivers
- Whether more could be done to keep highway gullies and storm water systems clear. **Councillor Davies** acknowledged that Wiltshire Council had recognised this was an issue and was investing in additional equipment, and encouraged everyone to use the MyWilts app to report blocked gullies
- Whether smaller parishes – specifically Ogbourne St Andrew – could be included

Residents present who were interested in taking part in the working group provided their contact details.

The **Town Mayor** thanked everyone for attending and participating and acknowledged the request for an open meeting for residents, which would be followed up.

ACTION: invite a representative from Thames Water to present to a future Full Council meeting on its plans to upgrade the system in and around Marlborough and the River Kennet

403/23

COMMON SEAL

Proposed by **Councillor Ross** and seconded by **Councillor Barrett-Morton** and

RESOLVED: that the Common Seal of Marlborough Town Council be affixed to all documents necessary to give effect to the decisions of the meeting

The meeting closed at 8 pm

ITEM 5

SCHEME OF DELEGATION

To review and adopt the Scheme of Delegation.

Please see Appendix 1.

ITEM 6

STANDING COMMITTEE MEMBERSHIPS

To receive and consider nominations to Committees as set out in Standing Order 6(k)iv and to undertake ballots, if necessary:

- 1) Finance and Policy Committee
- 2) Property Committee
- 3) Amenities and Open Spaces Committee
- 4) Staffing Committee
- 5) To confirm that all Councillors will be members of the Planning Committee

Councillors are asked to please note that a list will be available at the time of the meeting.

ITEM 7

ELECTION OF CHAIRS AND VICE CHAIRS

To elect a Chair and Vice Chair of the following Standing Committees:

- 1) Planning Committee – all members to vote
- 2) Finance and Policy Committee – only members of committee to vote
- 3) Property Committee – only members of committee to vote
- 4) Amenities and Open Spaces Committee – only members of committee to vote
- 5) Staffing Committee – only members of committee to vote

ITEM 8

REVIEW OF STANDING ORDERS

To review and adopt the Town Council's Standing Orders

Please see Appendix 2.

ITEM 9

FINANCIAL REGULATIONS

To review and adopt the Town Council's Financial Regulations

Please see Appendix 3.

ITEM 10 APPOINTMENT OF REPRESENTATIVES TO OUTSIDE BODIES 2024 25

To appoint representatives to organisations and voluntary groups

Councillors are asked to please note that a list will be available at the time of the meeting. Please see Appendix 4 for the list of Outside Bodies and expressions of interest at 20 May.

To nominate four Members to form an Appeals Panel to meet as necessary (these should not be members of the Staffing Committee).

2023-24 members were Councillors Davies, Thomas, Sheppard and Shantry.

To approve the register of insured land and assets.

Please see Appendix 5.

To note a report by the Town Clerk about insurance cover in respect of all insured risks.

Purpose

This report is to inform Members that the Town Council will renew its insurance cover with Zurich Municipal on 17 June 2024 (year three of a three-year agreement).

Background

Financial Regulations⁴ para. 15 sets out the following:

15. INSURANCE

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

Financial Implications

The premium quoted for 2024/25 is £16,353.

The budget line for insurance in 2024/25 is £17,000 which includes some contingency to cover additional insurance requirements.

Recommendation

The Town Clerk recommends that Members note this report.

Town Clerk 3.5.23

⁴ www.marlborough-tc.gov.uk/images/your-council/Financial_Regulations_20052019_22622.pdf

ITEM 14**REVIEW OF COUNCIL AND STAFF MEMBERSHIP
AND SUBSCRIPTIONS TO OTHER BODIES**

To note a report by the Office Manager and approve current subscriptions and memberships

Summary

In accordance with Standing Orders 6k (xii), Members are asked to review and consider subscriptions and memberships.

Listed below are the current subscriptions and memberships.

SUBSCRIPTION	AMOUNT £
Wiltshire Association of Local Councils	1,211.47
Visit Wiltshire	794.00
Society of Local Council Clerks	279.00
Institute of Cemetery and Crematorium Management	95.00
Information Commission	55.00
Action for the River Kennet	30.00

Recommendation

That Members approve the current subscriptions and memberships.

Sue Fry 3.5.23

ITEM 15**REVIEW OF RISK MANAGEMENT SCHEME**

To review and adopt for 2024/25 the Risk Management Scheme for the Town Council.

Please see Appendix 6.

ITEM 16**INTERNAL AUDITORS**

To confirm that Internal Auditors, Auditing Solutions Ltd, will continue to carry out the Council's internal audits in 2024/25.

The Council are asked to confirm that Audit Solutions Ltd will continue to carry out the Council's internal audits in 2024/25 and instruct the Town Clerk accordingly.

ITEM 17**BANK MANDATE**

To approve that the Bank Mandate is amended to record the changes of Mayor, Deputy Mayor and Chair and Vice Chair of the Finance and Policy Committee all of whom together with the Town Clerk/Responsible Finance Officer or Office Manager (as authorised officer) will be signatories and always requiring that 2 Councillors and one officer sign all cheques and other orders for payment.

ITEM 18**CALENDAR OF MEETINGS 2024/25**

To re-adopt the Calendar of Meetings for 2024/25.

Please see Appendix 7.

ITEM 19**YEAR END BUDGET REPORT 2023 24**

To note the year end budget report for 2023 24

Purpose

The purpose of this report is to provide the Council with a budget report for year-end (as at 31 March 2024).

31 March 2024

Income	£1,084,321
Expenditure	£1,058,495
Total assets (cash, less liabilities)	£1,287,292
Year End Saving	£25,826

Budget Overview and Analysis

Please also refer to Omega Detailed Reports:

- Appendix 8.1 - Omega Report Detailed Income & Expenditure by Budget Heading Month 12 (as required by Financial Regulation 4.8)
- Appendix 8.2 - Omega Report Detailed Balance Sheet as of 31 March 2024

Members are asked to note the budget position for year-end on 31 March 2023 24.

Town Clerk 15 5 24

ITEM 20**OUTSIDE BODIES**

Members to offer updates on their representational roles to external organisations

ITEM 21**MEMBERS' QUESTION TIME**

Questions to be submitted to the Town Clerk by midday on the day of the meeting; not to exceed 10 minutes

ITEM 22**COMMITTEE MINUTES**

In accordance with para 3.1 of the Scheme of Delegation, to note the approved minutes of the following committee meetings: **Planning** – 18 March, 8 April and 7 May 2024; **Property** - 4 December 2023 and 19 February 2024; **Finance and Policy** - 29 January 2024 and **Amenities and Open Spaces** – 15 January 2024. These minutes have been approved by committees and circulated to Members and are available to download from <https://www.marlborough-tc.gov.uk/council/meetings-agendas-minutes-from-may-2023> or from the Town Council offices. Other meetings have taken place, but minutes are not yet approved so remain in draft form.

ITEM 23**COMMON SEAL**

To authorise the fixing of the Common Seal of Marlborough Town Council to all documents necessary to give effect to the decisions of the meeting

MARLBOROUGH TOWN COUNCIL

SCHEME OF DELEGATION

This Scheme of Delegation authorises the Proper Officer and Responsible Financial Officer (the Town Clerk) and Standing Committees to act with delegated authority in the specific circumstances detailed.

Proper Officer and Responsible Financial Officer - Duties and Powers

1. Responsible Financial Officer

1.1. The Clerk to the Council shall be the Responsible Financial Officer to the Council and shall be responsible for the Town Council's accounting procedures, in accordance with the Accounts and Audit Regulations in force at any given time.

2. Proper Officer

2.1. The Clerk to the Council shall be the Proper Officer of the Council and as such is specifically authorised to:

- Receive declarations of acceptance of office
- Receive and record notices disclosing interests
- Receive and retain plans and documents
- Sign Notices or other documents on behalf of the Council
- Receive copies of bylaws made by a principal local authority
- Certify copies of bylaws made by the Council
- Draw up agendas usually after consultation with the relevant Committee Chair
- Sign summons to attend meetings of the Council.

2.2. In addition, the Clerk to the Council has the delegated authority to undertake the following matters on behalf of the Council:

- Day to day administration of services, together with routine inspection and control
- Day to day supervision and control of all staff employed by the Council
- Authorisation to call any extra meetings of the Council or any Committee as necessary, having consulted with the Mayor of the Council, and/or the Chairman of the appropriate Committee

- Authorisation to respond immediately to any correspondence, requiring or requesting information or relating to previous decisions of the Council, but not correspondence requiring an opinion to be taken by the Council or its Committees
 - Authorisation of routine recurring expenditure within the agreed budget
 - Emergency expenditure up to £3,000 outside of an agreed budget
 - Authorisation of expenditure on works up to a maximum of £3,000
- 2.3. Delegated actions of the Clerk to the Council shall be in accordance with Standing Orders, Financial Regulations, and this Scheme of Delegation and in line with directions given by the Council from time to time.

Council and its Committees Duties and Powers

3. Council

- 3.1. The following are reserved matters for the Council to decide, notwithstanding that the appropriate Committee(s) may make recommendations thereon for the Council's consideration.
- Appointment of the Town Clerk / RFO following consideration being given to a recommendation from the Staffing Committee
 - Setting the Precept
 - Borrowing money
 - Approval of the Council's Annual Accounts and the Annual Return
 - Making, amending, or revoking Standing Orders, Financial Regulations, or this Scheme of Delegation
 - Making, amending, or revoking bylaws
 - Making of orders under any statutory powers
 - Appointment of all Standing Committees
 - Matters of principle or policy including those recommended by the Finance and Policy Committee
 - Noting of all minutes approved by Committees
 - Approval of application for Quality Status and/or its equivalent
 - Nomination and appointment of representatives of the Council to any other authority, organisation, or body

- Any proposed undertakings committing expenditure above £10,000 and that outside of Committee Budgets which may be a charge to General Reserves
- Responses to legislative and other allied consultations excluding those dealt with by the Planning Committee
- Prosecution or defence in a Court of Law other than an Employment Tribunal
- Nomination or appointment of representatives of the Council at any inquiry on matters affecting the Town, excluding those matters specific to a Committee.
- Decisions with a view to the Council becoming eligible to exercise the General Power of Competence

3.2. Urgent matters:

- In the event of any matter arising which requires an urgent decision the Clerk to the Council shall forthwith consult with the Mayor and/or Deputy-Mayor (and also with the Chairman and/or Vice-Chairman of the Finance and Policy Committee if the matter involves expenditure not provided for in the annual budget, and not covered by Finance Regulations), and other relevant Committee Chairs and/or Vice Chairs before acting on behalf of the Council
- Before the Clerk exercises the delegated powers granted by the above paragraph, those Members consulted shall consider whether the matter justifies summoning a Special Meeting of the Council or appropriate Committee
- Whenever any action is taken in this way, full details of the circumstances justifying urgent action shall be submitted in writing to the next available meeting of the Committee concerned and/or Council.

4. Committees and Sub Committees

4.1. The **Finance and Policy Committee** shall be delegated to make decisions on behalf of the Council in the following matters:

- Approval of its Minutes as true and correct records
- All matters relating to financial management of the Council's affairs including legal matters, excluding the final setting of a precept or any amount to be borrowed.
- Following consultation with all budget holding Committees, to receive estimates from the RFO for all Committee budgets (including that for the Finance and Policy Committee) to enable the establishment of an overall budget estimate for recommendation to Full Council as laid down in Financial Regulations

- To discuss all grant applications in accordance with the Grant Scheme's agreed criteria and guidelines which should be reviewed on an annual basis and make recommendations to Full Council for inclusion in the overall budget estimate
- The monitoring of all budgets on an ongoing basis, taking action where required to vire (transfer) unspent provision to ensure that the overall budget parameters are maintained
- Audit arrangements, including the selection and review of Internal Auditors.
- Approval of expenditure on items within the Committee's area of responsibility and included in the approved Council budget up to the amount specified in the budget
- The maintenance of a Fixed Asset Register covering all items purchased exceeding £1000. The safe custody and upkeep of all accoutrements and objects of interest or value in the ownership of the Council.
- The maintenance and safe custody of the civic insignia and ceremonial dress.
- Corporate Management including matters of general policy ahead of recommendations to Full Council
- The administration of the charities which fall within the Town Council's jurisdiction.

The following matters are reserved to the Council for decision but the Committee may make recommendations:

- Reviewing the Council's Financial Regulations / Standing Orders and Council policies in consultation with other Council Committees on an annual basis
- Recommendation of the Committee's budget and overall Council budget for each financial year
- Any funding required outside of, or above, the set budget in any given financial year
- Any other matter that has been delegated to it by the Council from time to time.
- The Committee may refer specific matters to the Council for a final decision if it so wishes.

4.2. The **Planning Committee** shall be delegated to make decisions on behalf of the Council in the following matters:

- Approval of its Minutes as true and correct records
- To have delegated powers to make observations on all planning, highways, footpaths, licensing applications and related matters, and submit those observations to the appropriate authority. When necessary hold meetings with residents, developers or planning officers to assist with the formulation of those observations

- To respond to all consultations, and to take part in any discussions which could result in changes to the Core Strategy, Planning Policy Statements, Town & Country Planning Act, etc
- To submit proposals in respect of funding for any training requirements for staff and members to the Finance and Policy Committee. The Planning Committee will consider all applications in a consistent manner, with those submitted by or on behalf of members of the Council, or on behalf of the Council itself being noted.

The following matters are reserved to the Council for decision but the Committee may make recommendations:

- Recommendation of the Committee's budget each financial year
- Any funding required outside of, or above, the set budget in any given financial year
- Any other matter which may be delegated to it by the Council from time to time
- The Committee may refer specific matters to the Council for a final decision if it so wishes.

The Mayor attends the Planning Committee as an "ex officio" (non voting) member but can participate in the debate

4.3. The **Property Committee** shall be delegated to make decisions on behalf of the Council in the following matters:

- Approval of its Minutes as true and correct records
- The maintenance, improvement, and general upkeep of all the Councils' properties within the agreed budget
- Management of the Town Hall, the Council's tenancies, rent reviews and all tenancy agreements (including the Rugby Club, Golf Club, Bowls Club, Boxing Club, etc)
- Approval of expenditure on items within the Committee's area of responsibility and included in the approved Council budget up to the amount specified in the budget
- To receive estimates from the RFO for the Property Committee's budget to enable a considered recommendation to be made to the Finance and Policy Committee as laid down in Financial Regulations
- To negotiate any changes to existing lease agreements, and negotiate terms for all new lease agreements remaining mindful of the Council's financial responsibilities
- To ensure that all works carried out on the Council's properties have due regard to Health & Safety, Disability Discrimination Act and comply with all legislation in terms of public safety

- To promote the use of the Town Hall within an agreed budget.

The following matters are reserved to the Council for decision but the Committee may make recommendations:

- Recommendation of the Committee's budget each financial year
- Any funding required outside of, or above, the set budget in any given financial year
- Any other matter which may be delegated to it by the Council from time to time
- The Committee may refer specific matters to the Council for a final decision if it so wishes.

4.4. The **Staffing Committee** shall be delegated to make decisions on behalf of the Council in the following matters and will meet as necessary:

- Approval of its Minutes as true and correct records
- The recruitment and selection of all staff with the exception of the Town Clerk / RFO
- The short listing of applicants for the post of Town Clerk and RFO with applications circulated to all Councillors
- To interview applicants for the post of Town Clerk / RFO and make recommendations to the Council thereon
- To consider and implement any changes that are required for the Council to comply with Employment Law, Health and Safety legislation and terms and conditions of service for all employees as set out in the Employees Handbook produced in consultation with the Council's Employment Law Advisors. *(This incorporates those conditions laid down in the National Joint Council (NJC "Green Book") and recommended by National Association of Local Councils (NALC) and the Society of Local Council Clerks (SLCC))*
- To administer any discipline or grievance cases in accordance the Councils' adopted policies.
- Prosecution or defence in any Employment Tribunal proceedings
- To ensure all staff appraisals are being carried out in accordance with Town Council policy
- To ensure that the Town Mayor carries out an annual appraisal of the Town Clerk
- To approve any changes to the terms and conditions of employment of employees of the council.
- To approve changes to remuneration of any employee within the approved budget.

The following matters are reserved to the Council for decision but the Committee may make recommendations:

- Recommendation of the Committee's budget each financial year (if any)
- Any funding required outside of, or above, the set budget in any given financial year
- Any other matter which may be delegated to it by the Council from time to time
- The Committee may refer specific matters to the Council for a final decision if it so wishes.

It is vital that the Council and Staffing Committee keeps confidential its deliberations and decisions around individual staff matters

4.5. The **Amenities & Open Spaces Committee** shall be delegated to make decisions on behalf of the Council in the following matters:

- Approval of its Minutes as true and correct records
- The maintenance, improvement and general upkeep of all cemeteries, parks, gardens, play areas and open spaces within an agreed budget
- The Town Clerk, in consultation with the Chairman of the Committee, has delegated power to take any action considered appropriate in a situation where the health and safety of public or staff is at risk
- To review and set charges for use of open spaces (including burial and cemetery fees)
- To receive estimates from the RFO for the Amenities and Open Spaces budget to enable a considered recommendation to be made to the Finance and Policy Committee as laid down in Financial Regulation 2.1
- To ensure that all activities carried out within the Council's property have due regard to Health & Safety, Disability Discrimination Act and comply with all legislation in terms of public safety.

The following matters are reserved to the Council for decision but the Committee may make recommendations:

- Recommendation of the Committee's budget each financial year
- Any funding required outside of, or above, the set budget in any given financial year
- Any other matter which may be delegated to it by the Council from time to time
- The Committee may refer specific matters to the Council for a final decision if it so wishes.

5. Sub-Committees

- 5.1. A Standing Committee may if it believes that it would be appropriate, appoint a Sub-Committee. Any powers to be delegated to such a Sub-Committee may be detailed at the time the Sub-Committee is formed by means of a Minute detailing the Terms of Reference but such delegated powers must be approved by the Council.

6. Working Parties/Advisory Committees

- 6.1. Working Parties/Advisory Committees may be formed by resolution of the Council or a Committee at any time. The work of such a Working Party/Advisory Committee will be decided upon at the time it is formed by means of a minute detailing the Terms of Reference. Each Working Party/Advisory Committee will report back with recommendations to the Council or the Committee that formed it. A Working Party/Advisory Committee does not have decision-making powers. Non-Council members can be appointed to it. Its meetings are not open to the public.

7. Delegation - Limitations

Committees and Sub-committees shall, at all times, act in accordance with the Council's Standing Orders, Financial Regulations, and this Scheme of Delegation and, where applicable, any other rules, regulations, schemes, statutes, bylaws, or orders made and with any directions given by the Council from time to time. This does not apply to Working Parties/Advisory Committees

8. Attendance of Members at Committee meetings

- 8.1. All Councillors have an absolute right to attend any Committee meeting. The Chairman of the Committee has at his absolute discretion the right to allow a non-member to speak but is encouraged to do so. As a courtesy and if possible, a non-member is required to notify the Chairman in advance if they wished to speak on an agenda item. A non-member could make one statement per agenda item if invited by the Chairman not to exceed 2 minutes. Any further participation in the meeting of a non-member is at the invitation of the Chairman.
- 8.2. The Council believes in open and transparent governance wherever possible. However, a Committee has the right to exclude the press and public during any part of a meeting due to the special or confidential nature of the business to be transacted. With the exception of the Staffing Committee where personal and individual issues are discussed, Councillors who are non-members of a Committee that has passed a resolution excluding the press and public have an absolute right to remain in the meeting. If, in the opinion of the Staffing Committee, the item is of a particularly sensitive or confidential nature, they will be asked to leave. In such circumstances, non-member Councillors will only be allowed to remain if

8.3. they can demonstrate a 'need to know' as defined in the cases of *R v City of Birmingham District Council ex parte O* [1983] 1 AC 578 and *R v Hackney LBC ex parte Gamper* [1985] 1 WLR 1229. The decision of the Committee will be final.

9. Call-in policy

9.1. A member may call-in a decision taken by a committee under this scheme in accordance with the procedure set out in Standing Order 30

10. Deputy Town Clerk

10.1 The Deputy Town Clerk will act in respect of the delegated duties and powers attributed to the Town Clerk in their absence due to periods of leave or sickness.



MARLBOROUGH TOWN COUNCIL

Standing Orders

Introduction

These Standing Orders have been updated in line with the National Association of Local Council (NALC) model Standing Orders 2018 for England, updated in 2020.

How to use Standing Orders

Standing Orders are the written rules of a local council. Standing Orders are essential to regulate the proceedings of a meeting. A council may also use Standing Orders to confirm or refer to various internal organisational and administrative arrangements. The Standing Orders of a council are not the same as the policies of a council but Standing Orders may refer to them.

Local councils operate within a wide statutory framework. NALC model Standing Orders incorporate and reference many statutory requirements to which councils are subject. It is not possible for the model Standing Orders to contain or reference all the statutory or legal requirements which apply to local councils. For example, it is not practical for model Standing Orders to document all obligations under data protection legislation. The statutory requirements to which a council is subject apply whether or not they are incorporated in a council's Standing Orders.

Some of the following Standing Orders are mandatory as they are laid down in Acts of Parliament. These are printed in **bold type** and cannot be altered.

Any reference to 'Council' or 'the Council' means Marlborough Town Council. Any reference to Clerk or RFO means the Town Clerk.

The Chair of Marlborough Town Council is entitled to use the title 'Town Mayor'. The title confers no additional powers on the Chair. It follows that the title 'Chair' includes 'Town Mayor' and the word 'Vice Chair' includes 'Deputy Town Mayor'.

Any reference to 'Annual Meeting of the Town Council' means 'Mayor Making.'

These Standing Orders are part of a suite of documents which also include:

Scheme of Delegation
Financial Regulations
Code of Conduct

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1. Rules of debate at meetings

- a. Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the Chair of the meeting.
- b. A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- c. A motion on the agenda that is not moved by its proposer may be treated by the Chair of the meeting as withdrawn.
- d. If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- e. An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- f. If an amendment to the original motion is carried, the original motion becomes the substantive motion upon which further amendment(s) may be moved.
- g. An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the Chair of the meeting, is expressed in writing to the Chair.
- h. A Councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting
- i. If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the Chair.
- j. Subject to Standing Order 1(k) below, only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chair of the meeting.
- k. One or more amendments may be discussed together if the Chair of the meeting considers this expedient, but each amendment shall be voted upon separately.
- l. A Councillor may not move more than one amendment to an original or substantive motion.
- m. The mover of an amendment has no right of reply at the end of debate on it.
- n. Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate of the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.
- o. Unless permitted by the Chair of the meeting, a Councillor may speak once in the debate on a motion except:

- i. To speak on an amendment moved by another Councillor;
 - ii. To move or speak on another amendment if the motion has been amended since they last spoke;
 - iii. To make a point of order;
 - iv. To give a personal explanation; or
 - v. In exercise of a right of reply.
- p. During the debate of a motion, a Councillor may interrupt only on a point of order or a personal explanation and the Councillor who was interrupted shall stop speaking. A Councillor raising a point of order shall identify the Standing Order which they consider has been breached or specify the other irregularity in the proceedings of the meeting they are concerned by.
- q. A point of order shall be decided by the Chair of the meeting and their decision shall be final but may be subject to scrutiny as to interpretation at a subsequent meeting.
- r. When a motion is under debate, no other motion shall be moved except:
- i. To amend the motion;
 - ii. To proceed to the next business;
 - iii. To adjourn the debate;
 - iv. To put the motion to a vote;
 - v. To ask a person to be no longer heard or leave the meeting;
 - vi. To refer a motion to a committee or sub-committee for consideration;
 - vii. To exclude the public and press;
 - viii. To adjourn the meeting; or
 - ix. To suspend particular Standing Order(s) excepting those which reflect mandatory statutory requirements.
- s. Before an original or substantive motion is put to the vote, the Chair 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 their right of reply.
- t. Excluding motions moved under Standing Order 1(r) above, the contributions or speeches by a Councillor shall relate only to the motion under discussion and shall not exceed (3) minutes without the consent of the Chair of the meeting.

2. Disorderly conduct at meetings

- a. No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this Standing Order is ignored, the Chair of the meeting shall request such person(s) to moderate or improve their conduct.
- b. If person(s) disregard the request of the Chairman of the meeting to moderate or improve their conduct, any Councillor or the Chair of the meeting may move that the person be no longer heard or excluded from the meeting. The motion, if seconded,

shall be put to the vote without discussion.

- c. If a resolution made under Standing Order 2(b) above is ignored, the Chair of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting. If the Chair stands, the Councillor speaking will cease speaking and sit down.

3. Meetings generally

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

- a **Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.**
- b **The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a Bank Holiday or a day appointed for public thanksgiving or mourning.**
- ■ c **The minimum three clear days' public notice of a meeting does not include the day on which the notice was issued or the day of the meeting.**
- d **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**
- e Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.
- f The period of time designated for public participation at Full Town Council and Standing Committee meetings in accordance with Standing Order 3(e) above shall not exceed 10 minutes unless directed by the Chair of the meeting.
- g Subject to Standing Order 3(f) above, a member of the public shall not speak for more than 3 minutes or at the discretion of the Chair.
- h In accordance with Standing Order 3(e) above, a question need not require a response at the meeting nor start a debate on the question. The Chair of the meeting may direct that a written or oral response be given.

- i A person shall raise their hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort)]. The Chair of the meeting may at any time permit a person to be seated when speaking.
- j A person who speaks at a meeting shall direct their comments to the Chair of the meeting.
- k Only one person is permitted to speak at a time. If more than one person wants to speak, the Chair of the meeting shall direct the order of speaking.



- l **Subject to Standing Order 3(m), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To “report” means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.**



- m A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.



- n The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.



- o **Subject to Standing Orders which indicate otherwise, anything authorised or required to be done by, to or before the Chair of the Council may in their absence be done by, to or before the Vice-Chair of the Council (if any).**



- p The Chair, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice-Chair, if present, shall preside. If both the Chair and the Vice-Chair are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.



- q **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the Councillors or Councillors with voting rights present and voting.**

- r** The Chair of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise their casting vote whether or not they gave an original vote.
See Standing Orders 6(i) and (j) below for the different rules that apply in the election of the Chair of the Council at the Annual Meeting of the Council.
- s** Unless Standing Orders provide otherwise, voting on a question shall be by a show of hands. 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 their vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda. If two or more Councillors request it, that voting may take place by ballot.
- t** The minutes of a meeting shall include an accurate record of the following:
- i. the time and place of the meeting;
 - ii. the names of Councillors present and absent;
 - iii. interests that have been declared by Councillors and non-Councillors with voting rights;
 - iv. whether a Councillor or non-Councillor with voting rights left the meeting when matters that they held interests in were being considered;
 - v. if there was a public participation session; and
 - vi. the resolutions made.
- u** A Councillor or a non-Councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's Code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the Code on their right to participate and vote on that matter.
- v** No business may be transacted at a meeting unless at least one-third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three.
See Standing Order 4e below for the quorum of a committee or sub-committee meeting.
- w** If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.
- x** A meeting, where possible, shall not exceed a period of 2 ½ hours or at the Chair's discretion.

4. Committees and Sub-committees

- a Unless the Council determines otherwise, a committee may appoint a sub- committee whose terms of reference and members shall be determined by the committee.**
- b The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.**
- c Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non- councillors.**
- d The Council may appoint standing committees or other committees as may be necessary, and:**
 - i. shall determine their terms of reference;
 - ii. shall appoint and determine the term of office of Councillor or non-Councillor members of such a committee (unless the appointment of non-Councillors is prohibited by law) so as to hold office no later than the next annual meeting;
 - iii. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of the Council;
 - iv. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
 - v. shall, subject to Standing Orders 4(b) and (c), appoint and determine the terms of office of members of such a committee;
 - vi. may, subject to Standing Orders 4(b) and (c), appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer 3 days before the meeting that they are unable to attend;
 - vii. shall, after it has appointed the members of a standing committee, appoint the chair of the standing committee;
 - viii. shall permit a committee other than a standing committee, to appoint its own chair at the first meeting of the committee;
 - ix. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which, in both cases, shall be no less than three;
 - x. shall determine if the public may participate at a meeting of a committee;
 - xi. shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;
 - xii. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
 - xiii. may in accordance with Standing Orders, dissolve a committee at any time.
- e. The quorum of a committee shall be half of its members or no less than 3 with the Planning Committee's quorum being no less than 6 members.**

5. Advisory Committees/Working Parties

- a **The Council may appoint Advisory Committees/Working Parties comprised of a number of Councillors and non-Councillors.**
- b Advisory Committees/Working Parties may consist wholly of persons who are non-Councillors.
- c Advisory Committees/Working Parties have no delegated powers but may make recommendations to Full Council or a relevant Committee.

6. Ordinary Council meetings

- a **In an election year, the Annual Meeting of the Council (Mayor Making) 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 the 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 6pm.**
- 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 first business conducted at the Annual Meeting of the Council shall be the election of the Chair (Town Mayor) and Vice-Chair (Deputy Town Mayor) of the Council. It is expected that the Vice-Chair/Deputy Town Mayor will automatically become Chair/Town Mayor the following year.**
- f **The Chair of the Council, unless they have resigned or become disqualified, shall continue in office and preside at the Annual Meeting until their successor is elected at the next Annual Meeting of the Council.**
- g **The Vice-Chair of the Council, unless they resign or become disqualified, shall hold office until immediately after the election of the Chair of the Council at the next Annual Meeting of the Council.**
- h **In an election year, if the current Chair of the Council has not been re-elected as a member of the Council, they shall preside at the meeting until a successor Chair of the Council has been elected. The current Chair of the Council shall not have an original vote in respect of the election of the new Chair 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 Chair of the Council has been re-elected as a member of the Council, they shall preside at the meeting until a new Chair of**

the Council has been elected. They may exercise an original vote in respect of the election of the new Chair of the Council and must give a casting vote in the case of an equality of votes.

- j Following the election of the Chair of the Council and Vice-Chair 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 Chair 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 Chair of the Council of their 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;
- k At the first Council meeting following the Annual Town Council meeting, the order of business shall be as follows:
- i. Receipt of the minutes of the last meeting of a committee;
 - ii. Consideration of the recommendations made by a committee;
 - iii. Review of the Scheme of Delegation arrangements to committees, sub-committees, staff and other local authorities;
 - iv. Appointment of members to existing committees which will be as follows;
 - The Planning Committee shall consist of fifteen Councillors plus the Mayor who will be ex officio and non-voting.
 - All other committees will consist of up to eight Councillors plus the Mayor.
 - All Councillors will serve on up to two other committees each.
 - In the event that a Councillor chooses to serve on only one committee the vacant position will then be open to other Councillors by ballot, if necessary.
 - No Councillor shall serve on more than two Committees unless there are remaining vacancies and after all Councillors have had an opportunity to take up their seats on two committees.
 - v. Appointment of any new Committees in accordance with Standing Order 4 above;
 - vi. Review and adoption of appropriate Standing Orders and financial regulations;
 - vii. Review of arrangements, including any charters and agency agreements, with other local authorities and review of contributions made to expenditure incurred by other local authorities;
 - viii. Review of representation to Outside Bodies
 - ix. In an election year, to make arrangements with a view to the Council becoming eligible to exercise the General Power of Competence in the future;
 - x. Review of inventory of land and assets including buildings and office equipment;
 - xi. Confirmation of arrangements for insurance cover in respect of all insured risks;
 - xii. Review of the Council's and/or staff subscriptions to other bodies;
 - xiii. Review of the Council's complaints procedure;
 - xiv. Review of the Council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998;
 - xv. Review of the Council's policy for dealing with the press/media; and

- xvi. Determining the time and place of ordinary meetings of the Full Council up to and including the next Annual Meeting of the Council.

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

- a **The Chair of the Council may convene an extraordinary meeting of the Council at any time.**
- b **If the Chair of the Council does not or refuses to call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two Councillors, any two Councillors may convene an Extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting must be signed by the two Councillors.**
- c The Chair of a Committee or a sub-Committee may convene an extraordinary meeting of the committee or the sub-committee at any time.
- d If the Chair of a Committee or a Sub-committee does not or refuses to call an Extraordinary Meeting within 7 days of having been requested by to do so by 2 members of the Committee or the Sub-committee, those 2 members of the Committee and/or Sub-committee may convene an Extraordinary Meeting of a Committee and a Sub-committee. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by those 2 members.

8. Previous resolutions

- a A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least 6 Councillors to be given to the Proper Officer in accordance with Standing Order 10 below, or by a motion moved in pursuance of the recommendation of a Committee or a Sub-committee based on an officer or councillor report.
- b When a motion moved pursuant to Standing Order 8(a) above has been disposed of, no similar motion, that is contrary to pursuance, may be moved within a further six months.

9. Voting on appointments

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

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

- a A motion shall relate to the responsibilities of the meeting which it is tabled for and in

any event shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.

- b No motion may be moved at a meeting unless it is relevant to the agenda and either
 - at the request of the Proper Officer the mover has given written notice of its wording to the Proper Officer at least 7 clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
 - Or
 - the motion is moved in pursuance of the recommendation of a committee or a sub-committee based on an officer or council report.
- c The Proper Officer may, before including a motion on the agenda received in accordance with Standing Order 10(b) above, correct obvious grammatical or typographical errors in the wording of the motion.
- d If the Proper Officer considers the wording of a motion received in accordance with Standing Order 10(b) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer so that it can be understood at least 7 clear days before the meeting, or if it is agreed as acceptable by the Council or Committee in accordance with Standing Order 10 (b).
- e If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the Chair of the forthcoming meeting or, as the case may be, the Councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
- f Subject to Standing Order 10(e) above, the decision of the Proper Officer as to whether or not to include the motion on the agenda, or if it is relevant and in accordance with the Standing Order 10 (b,d) shall be final.
- g Motions received shall be recorded and numbered in the order that they are received.
- h Motions rejected shall be recorded with an explanation by the Proper Officer for their rejection.

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

- a The following motions may be moved at a meeting without written notice to the Proper Officer;
 - i. to correct an inaccuracy in the draft minutes of a meeting;
 - ii. to move to a vote;
 - iii. to defer consideration of a motion;
 - iv. to refer a motion to a particular committee or sub-committee;
 - v. to appoint a person to chair at a meeting;
 - vi. to change the order of business on the agenda;

- vii. to proceed to the next business on the agenda;
- viii. to require a written report;
- ix. to appoint a committee or sub-committee and their members;
- x. to extend the time limits for speaking;
- xi. to exclude the press and public from a meeting in respect of confidential or sensitive information which is prejudicial to the public interest;
- xii. to not hear further from a Councillor or a member of the public;
- xiii. to exclude a Councillor or member of the public for disorderly conduct;
- xiv. to temporarily suspend the meeting;
- xv. to suspend a particular Standing Order (unless it reflects mandatory statutory requirements);
- xvi. to adjourn the meeting; or
- xvii. to close a meeting.

12. Questions

- a A Councillor may seek an answer to a question concerning any business of the Council provided notice of the question has been given to the Proper Officer by noon on the day of the meeting.
- b Questions not related to items of business on the agenda for a meeting shall only be asked during the 10 minutes of the meeting set aside for such questions.
- c Every question shall be put and answered without discussion.
- d A person has a right not to answer a question at the meeting but shall provide an answer within a reasonable time

13. Management Information

See also Standing Order 24.

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

14. Handling confidential or sensitive information

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

- b Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest. Any Councillor, officer or contractor found disclosing such information may be the subject of an internal or external investigation.

15. Draft minutes

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

“The Chair 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 their view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.”
- e Upon a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

16. Code of Conduct and dispensations

See also Standing Order 3(u) above.

- a All Councillors and non-Councillors with voting rights shall observe the Code of Conduct adopted by the council.
- b All Councillors shall undertake training in the Code of Conduct within 6 months of the delivery of their Declaration of Acceptance of Office and additional training as appropriate
- c Unless they have been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which they have a disclosable pecuniary interest. They may return to the meeting after it has considered the matter in which they had the interest.
- d Unless they have been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which they have another interest if so required by the Council’s code of conduct. They may return to the meeting after it has considered the matter in which they had the interest.

- e **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- 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 A dispensation request shall confirm:
 - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
 - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
 - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
 - iv. an explanation as to why the dispensation is sought.
- h Subject to Standing Orders 16(e) and 16(g) above, dispensations requests shall be considered at the beginning of the meeting of the Council, or Committee or a Sub-committee for which the dispensation is required.
- I A dispensation may be granted in accordance with Standing Order 16(f) above if having regard to all relevant circumstances the following applies:**
 - i. **without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business or**
 - ii. **granting the dispensation is in the interests of persons living in the council's area or**
 - iii. **it is otherwise appropriate to grant a dispensation.**

17. **Canvassing of and recommendations by Councillors**

- i. 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 an appointment. The Proper Officer shall disclose the requirements of this Standing Order to every candidate.
- ii. 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 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.
- iii. This Standing Order shall apply to tenders as if the person making the tender were a candidate for an appointment.

18. Code of Conduct complaints

- a Upon notification by the Unitary Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Proper Officer shall, subject to Standing Order 13, report this to the Council.
- b Where the notification in Standing Order 18(a) above relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chair of Council of this fact, and the Chair shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Council has agreed what action, if any, to take in accordance with Standing Order 18(d) below. The Council may:
- c
- i. provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;
 - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter.
- d **Upon notification by the Unitary Council that a Councillor or non-Councillor with voting rights has breached the Council's Code of Conduct, the Council shall consider what, if any, action to take. Such action excludes disqualification or suspension from office.**

19. Proper Officer

- a The Proper Officer shall be either (i) the Clerk or (ii) other staff member(s) nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent.
- b The Proper Officer shall:
- i. **At least three clear days before a meeting of the Council, a Committee or a Sub-committee:**
 - **serve on councillors by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (provided the councillor has consented to service by email), and**
 - **Provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**

See Standing Order 3(b) for the meaning of clear days for a meeting of a full council and Standing Order 3(c) for the meaning of clear days for a meeting of a committee;
 - ii. subject to Standing Order 10 above, include on the agenda all motions in the order received unless a Councillor has given written notice at least 5 days before

- the meeting confirming their withdrawal of it;
- iii. **convene a meeting of Full Council for the election of a new Chair of the Council, occasioned by a casual vacancy in their office;**
- iv. **facilitate inspection of the minute book by local government electors;**
- v. **receive and retain copies of byelaws made by other local authorities;**
- vi. retain Acceptance of Office forms from Councillors;
- vii. ensure that Councillors are aware of their responsibilities to ensure that their entries on the Unitary Council's online Register of Interests for Town and Parish Councils are kept up to date;
- viii. assist with responding to requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the Council's policies and procedures relating to the same;
- ix. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- x. manage the organisation, storage of, access to and destruction of information held by the Council in paper and electronic form;
- xi. arrange for legal deeds to be executed. *See also Standing Order 27 below.*
- xii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations;
- xiii. record every planning application notified to the Council and the Council's response to the local planning authority;
- xiv. refer a planning application received by the Council to the Chair or in their absence the Vice-Chair of the Planning Committee within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of Planning Committee;
- xv. manage access to information about the Council via the publication scheme; and
- xvi. retain custody of the seal of the Council which shall not be used without a resolution to that effect. *See also Standing Order 27 below.*

20. Responsible Financial Officer

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

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.
- c The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to

summarise:

- i. the Council's receipts and payments for each quarter;
 - ii. the Council's aggregate receipts and payments for the year to date;
 - iii. the balances held at the end of the quarter being reported and which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
- 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. The Annual Return of the Council, which is subject to External Audit, including the annual governance statement, shall be presented to Council for consideration and formal approval before 30 June.

22. Financial controls and procurement

- a The Council shall consider and approve Financial Regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
- i. the keeping of accounting records and systems of internal controls;
 - ii. the assessment and management of financial risks faced by the Council;
 - iii. the work of the independent Internal Auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
 - iv. the inspection and copying by Councillors and local electors of the Council's accounts and/or orders of payments; and
 - v. whether contracts with an estimated value below **£25,000** due to special circumstances are exempt from a tendering process or procurement exercise
- b Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds in Standing Order 22(f) is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity**

unless it proposes to use an existing list of approved suppliers (framework agreement).

- d Subject to additional requirements in the Financial Regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
- i. a specification for the goods, materials, services or the execution of works shall be drawn up;
 - ii. an invitation to tender shall be drawn up to confirm (i) the council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
 - iii. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
 - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
 - v. tenders shall be opened by the Proper Officer in the presence of at least one Councillor after the deadline for submission of tenders has passed;
 - vi. tenders are to be reported to and considered by the appropriate meeting of the Council or a Committee or Sub-committee with delegated responsibility.
- e Neither the Council, nor a Committee or a Sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- f **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £189,330 for a public service or supply contract or in excess of £4,733,252 for a public works contract; or £663,540 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.**
- g **A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £378,660 for a supply, services or design contract; or in excess of £4,733,252 for a works contract; or £663,540 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.**

23. Handling staff matters

- a Policies and procedures relating to staff are set out in an Employees Handbook produced in consultation with the Council's Employment Law Advisers. A matter personal to a member of staff that is being considered by a meeting of Council or relevant Committee or Sub-committee is subject to Standing Order 14 above.
- b Any persons responsible for all or part of the management of staff shall treat the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters as confidential and secure.
- c The Council shall keep all written records relating to employees secure. All paper records shall be secured and locked and electronic records shall be password protected and encrypted.
- d Only persons with line management responsibilities shall have access to staff records referred to in Standing Orders 23(b) and (c) above if so justified.
- e Access and means of access by keys and/or computer passwords to records of employment referred to in Standing Orders 23(b) and (c) above shall be provided only to the Chair of the Council or relevant Committee or Sub-committee.

24. Responsibilities to provide information

See also Standing Order 25 below.

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

25. Responsibilities under data protection legislation

Below is not an exclusive list. See also Standing Order 13.

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

- f **The Council shall maintain a written record of its processing activities.**
- g Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the Chair of the Council or relevant Committee as necessary. The Council or said committee shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000.

26. Relations with the press/media

- a Requests from the press or other media for an oral or written comment or statement from the Council, its Councillors or staff shall be handled in accordance with the Council's policy in respect of dealing with the press and/or other media.

27. Execution and sealing of legal deeds

See also Standing Orders 19(b)(xi) and (xvi) above.

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

28. Communicating with Unitary Councillors

- a An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the Ward Councillor(s) of Wiltshire Council.
- b Unless the Council determines otherwise, a copy of each letter sent to the Unitary Council shall be sent to the Ward Councillors(s) representing the area of the Council.

29. Inspection of documents

Subject to Standing Orders to the contrary or in respect of matters which are confidential, a Councillor may, for the purpose of their official duties (but not otherwise), inspect any document in the possession of the Council or a Committee or a Sub-committee, and request a copy for the same purpose. The minutes of meetings of the Council, its Committees or Sub-committees shall be available for inspection by Councillors.

30. Restrictions on Councillor activities

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

31. Variation, revocation and suspension of Standing Orders generally

- a All or part of a Standing Order, except one that incorporates mandatory statutory requirements, may be suspended by resolution in relation to the consideration of an

item on the agenda for a meeting.

- b A motion to add to or vary or revoke one or more of the Council's Standing Orders, except one that incorporates mandatory statutory requirements, shall be proposed by a special motion, the written notice by at least two-thirds of Councillors to be given to the Proper Officer in accordance with Standing Order 10 above.
- c The Proper Officer shall provide a copy of the Council's Standing Orders to a Councillor as soon as possible after they have delivered their Acceptance of Office form.
- d The decision of the Chair of a meeting as to the application of Standing Orders at the meeting shall be final but may be subject to scrutiny as to interpretation at a subsequent meeting

32. Call-in procedure

- a Committee meetings normally take place on Monday evenings. In normal circumstances the minutes of a committee meeting will be circulated by the close of business on the Wednesday. The minutes will be circulated by e-mail to all Councillors unless they specifically request to receive them by post.
- b Councillors then have 5 days to invoke the call-in process.
- c If the minutes are not circulated by the end of business on Wednesday the 5 day call-in period will commence from the end of business day on which they are circulated.
- d A decision can only be called in by Councillors who are not members of the Committee that took the decision.
- e A call-in must be in writing (including via email) and have the support of 2 Councillors.
- f The decision that has been called in will then be considered at the next ordinary meeting of the Full Council.

Adopted by Full Council on 16th May 2022 , Amended and updated 21st June 2022



MARLBOROUGH TOWN COUNCIL

FINANCIAL REGULATIONS

Preface

Any reference to 'Council' or 'the Council' means Marlborough Town Council.

Any reference to Clerk or RFO means the Town Clerk or an authorised officer.

In some cases, delegated authority has been given to the relevant committee, usually the Finance & Policy Committee

These Financial Regulations (based on the National Association of Local Councils Model of 2014) are part of a suite of documents which also include:

Standing Orders

Scheme of Delegation

Code of Conduct

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These Financial Regulations were adopted by the Council at its Meeting held on 22nd May 2017

1. GENERAL

- 1.1. These financial regulations govern the conduct of financial management by the council its committees, sub-committees or any group it chooses to establish for a specific purpose, and may only be amended or varied by resolution of the council. Financial regulations are one of the council's four 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 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.
- 1.9. The accounting records determined by the RFO shall be sufficient to show and explain the council's transactions and to enable the RFO to ensure that any income and expenditure account and statement of balances, or record of receipts and payments and additional information, as the case may be, or management information prepared for the council from time to time comply with the Accounts and Audit Regulations.
- 1.10. 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.
- 1.11. The accounting control systems determined by the RFO shall include:
- procedures to ensure that the financial transactions of the council are recorded as soon as reasonably practicable and as accurately and reasonably as possible;
 - procedures to enable the prevention and detection of inaccuracies and fraud and the ability to reconstruct any lost records;
 - identification of the duties of officers dealing with financial transactions and division of responsibilities of those officers in relation to significant transactions;
 - procedures to ensure that uncollectable amounts, including any bad debts are not submitted to the council for approval to be written off except with the approval of the RFO and that the approvals are shown in the accounting records; and
 - measures to ensure that risk is properly managed.
- 1.12. 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

Adopted by Marlborough Town Council 20th May 2019. Amended and updated 21st June 2022

- addressing recommendations in any report from the internal or external auditors, shall be a matter for the Full Council only.

1.13. 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 £10,000; 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.

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

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

2. ACCOUNTING AND AUDIT (INTERNAL AND EXTERNAL)

- 2.1. All accounting procedures and financial records of the council shall be determined by the RFO in accordance with the Accounts and Audit Regulations, appropriate Guidance and proper practices.
- 2.2. On a regular basis, at least once in each year and at each financial year end, a member other than the Chair (or a cheque signatory) shall be appointed to verify bank reconciliations (for all accounts) produced by the RFO. The member shall sign 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 Finance & Policy Committee.
- 2.3. The RFO shall complete the annual statement of accounts, annual report, and any related documents of the council contained in the Annual Return (as specified in proper practices) as soon as practicable after the end of the financial year and having certified the accounts shall submit them and report thereon to the council within the timescales set by the Accounts and Audit Regulations.
- 2.4. The council shall ensure that there is an adequate and effective system of internal audit of its accounting records, and of its system of internal control in accordance with proper practices. Any officer or member of the council shall make available such documents and records as appear to the council to be necessary for the purpose of the audit and shall, as directed by the

council, supply the RFO, internal auditor, or external auditor with such information and explanation as the council considers necessary for that purpose.

- 2.5. The internal auditor shall be appointed by and shall carry out the work in relation to internal controls required by the council in accordance with proper practices.
- 2.6. The internal auditor shall:
- be competent and independent of the financial operations of the council;
 - report to council in writing, or in person, on a regular basis with a minimum of one annual written report during each financial year;
 - to demonstrate competence, objectivity and independence, be free from any actual or perceived conflicts of interest, including those arising from family relationships; and
 - have no involvement in the financial decision making, management or control of the council.
- 2.7. Internal or external auditors may not under any circumstances:
- perform any operational duties for the council;
 - initiate or approve accounting transactions; or
 - direct the activities of any council employee, except to the extent that such employees have been appropriately assigned to assist the internal auditor.
- 2.8. For the avoidance of doubt, in relation to internal audit the terms 'independent' and 'independence' shall have the same meaning as is described in proper practices.
- 2.9. The RFO shall make arrangements for the exercise of electors' rights in relation to the accounts including the opportunity to inspect the accounts, books, and vouchers and display or publish any notices and statements of account required by Audit Commission Act 1998, or any superseding legislation, and the Accounts and Audit Regulations.
- 2.10. The RFO shall, without undue delay, bring to the attention of all councillors any correspondence or report from internal or external auditors.

3. ANNUAL ESTIMATES (BUDGET) AND FORWARD PLANNING

- 3.1. The Council shall regard its future forecast of revenue and capital receipts and payments. Having regard to the forecast, it shall thereafter formulate and submit proposals for the following financial year to the council not later than the end of January each year including any proposals for revising the forecast.
- 3.2. The RFO must each year, by no later than the end of December, prepare detailed estimates of all receipts and payments including the use of reserves and all sources of funding for the following financial year in the form of a budget to be considered by each committee and then the council.

- 3.3. The council shall consider annual budget proposals in relation to the council's forecast of revenue and capital receipts and payments including recommendations for the use of reserves and sources of funding and update the forecast accordingly.
- 3.4. The council shall fix the precept (council tax requirement), and relevant basic amount of council tax to be levied for the ensuing financial year not later than by the end of January each year. The RFO shall issue the precept to the billing authority and shall supply each member with a copy of the approved annual budget.
- 3.5. The approved annual budget shall form the basis of financial control for the ensuing year.

4. BUDGETARY CONTROL AND AUTHORITY TO SPEND

- 4.1. Expenditure on revenue items may be authorised up to the amounts included for that class of expenditure in the approved budget and as set out in the Scheme of Delegation. Otherwise, authority is to be determined by:
 - the council for all individual items over £10,000;
 - the Clerk as, in conjunction with the Chair of the Council or Chair of the appropriate committee, for items above £3,000.

Such authority is to be evidenced by a Minute or by an authorisation slip duly signed by the Clerk, and where necessary also by the appropriate Chair.

Contracts may not be disaggregated to avoid controls imposed by these regulations.

- 4.2. No expenditure may be authorised that will exceed the amount provided in the revenue budget for that class of expenditure other than by resolution of Full Council and/or the Finance & Policy committee. During the budget year and with the approval of Finance & Policy 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').
- 4.3. Unspent provisions in the revenue or capital budgets for completed projects shall not be carried forward to a subsequent year.
- 4.4. The salary budgets are to be reviewed at least annually prior to the setting of the precept for the following financial year and such review shall be evidenced by a hard copy schedule signed by the Clerk and the Chair of the Council or relevant committee. The RFO will inform committees of any changes impacting on their budget requirement for the coming year in good time.
- 4.5. In cases of extreme risk to the delivery of council services, the clerk may authorise revenue expenditure on behalf of the council which in the clerk's judgement it is necessary to carry out. Such expenditure includes repair, replacement or other work, whether or not there is any budgetary provision for the expenditure, subject to a limit of £3,000. The Clerk shall report such action to the Chair as soon as possible and to the council as soon as practicable thereafter.

- 4.6. No expenditure shall be authorised in relation to any capital project and no contract entered into or tender accepted involving capital expenditure unless the council is satisfied that the necessary funds are available and the requisite borrowing approval has been obtained.
- 4.7. All capital works shall be administered in accordance with the council's standing orders and financial regulations relating to contracts.
- 4.8. The RFO shall regularly provide the council with a statement of receipts and payments to date under each 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 to enable decision making for precept and at the year end.
- 4.9. Changes in earmarked reserves shall be approved by council as part of the budgetary control process.

5. BANKING ARRANGEMENTS AND AUTHORISATION OF PAYMENTS

- 5.1. The council's banking arrangements, including the bank mandate, shall be made by the RFO and approved by the council; banking arrangements may not be delegated to a committee. They shall be regularly reviewed for safety and efficiency.
- 5.2. A detailed list of all payments shall be submitted to the next meeting of the Finance and Policy Committee. Personal payments (including salaries, wages, expenses and any payment made in relation to the termination of a contract of employment) may be summarised to remove public access to any personal information.
- 5.3. All invoices for payment shall be examined, verified and certified by the RFO to confirm that the work, goods or services to which each invoice relates has been received, carried out, examined and represents expenditure previously approved by the council.
- 5.4. The RFO shall examine invoices for arithmetical accuracy and analyse them to the appropriate expenditure heading. The RFO shall take all steps to pay all invoices submitted, and which are in order.
- 5.5. The Clerk/RFO shall have delegated authority to authorise only the payments as set out in the Scheme of Delegation and should pay particular attention when authorising the following:
 - a) Where a payment is necessary to avoid a charge to interest under the Late Payment of Commercial Debts (Interest) Act 1998, and the due date for payment is before the next scheduled Meeting of council, where the Clerk/RFO certifies that there is no dispute or other reason to delay payment, provided that a list of such payments shall be submitted to the next appropriate meeting of the Finance & Policy Committee;
 - b) An expenditure item authorised under 5.6 below (continuing contracts and obligations) provided that a list of such payments shall be submitted to the next appropriate meeting of the Finance and Policy Committee;

Adopted by Marlborough Town Council 20th May 2019. Amended and updated 21st June 2022

- c) fund transfers within the councils banking arrangements provided that a list of such payments shall be submitted to the next appropriate meeting of the Finance & Policy Committee.
- 5.6. In respect of grants a duly authorised committee shall approve expenditure within any limits set by council and in accordance with any Policy statement approved by council. Any Revenue or Capital Grant in excess of £5,000 shall before payment, be subject to ratification by resolution of the council.
- 5.7. 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.
- 5.8. 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.

6. INSTRUCTIONS FOR THE MAKING OF PAYMENTS

- 6.1. The council will make safe and efficient arrangements for the making of its payments.
- 6.2. Following authorisation under Financial Regulation 5 above, the council, a duly delegated committee or, if so delegated, the Clerk or RFO shall give instruction that a payment shall be made.
- 6.3. All payments shall be effected by cheque or other instructions to the council's bankers, or otherwise, in accordance with a resolution of Council or Finance & Policy Committee.
- 6.4. Cheques or orders for payment drawn on the bank account in accordance with the schedule as presented to council or committee shall be signed by two of four members of the council appearing on a bank mandate and countersigned by the Clerk (or an authorised officer), in accordance with a resolution instructing that payment. 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 order for payment with the counterfoil and the invoice or similar documentation, the signatories shall each also initial the cheque counterfoil or voucher.
- 6.6. If thought appropriate by the council, annual payment for utility supplies (energy, telephone and water) and any National Non-Domestic Rates may be made by variable Direct Debit provided that the instructions are signed by two members and any payments are reported to council as made. The approval of the use of a variable Direct Debit shall be renewed by resolution of the council at least every two years.
- 6.7. If thought appropriate by the council, payment for certain items (principally salaries) may be made by Banker's Standing Order provided that the instructions are signed, or otherwise evidenced by two members are retained and any payments are reported to council as made.

Adopted by Marlborough Town Council 20th May 2019. Amended and updated 21st June 2022

The approval of the use of a Banker's Standing Order shall be renewed by resolution of the council at least annually.

- 6.8. If thought appropriate by the council, payment for certain items may be made by BACS or CHAPS methods provided that the instructions for each payment are signed, or otherwise evidenced, by two authorised bank signatories and an authorised officer are retained and any payments are reported to council as made. The approval of the use of BACS or CHAPS shall be renewed by resolution of the council at least annually.
- 6.9. If thought appropriate by the council payment for certain items may be made by internet banking transfer provided evidence is retained by showing which members approved the payment.
- 6.10. Where a computer requires two authorised banking signatories and authorised officers 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 handed to and retained by the Chair of the Council in a sealed dated envelope. This envelope may not be opened other than in the presence of two other councillors. After the envelope has been opened, in any circumstances, the PIN and / or passwords shall be changed as soon as practicable. The fact that the sealed envelope has been opened, in whatever circumstances, shall be reported to all 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.
- 6.11. 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.
- 6.12. Regular back-up copies of financial records on any computer shall be made and shall be stored securely away from the computer in question and preferably off site.
- 6.13. All internet financial business shall be undertaken only on authorised council office computer systems and authorised officers shall ensure that anti-virus, anti-spyware and firewall software with automatic updates are in place.
- 6.14. Where internet banking arrangements are made with any bank, the Clerk/RFO or authorised officer shall be appointed as the Service Administrator. The Bank Mandate approved by the council shall identify a number of councillors who will be authorised to approve transactions on those accounts. The bank mandate will state clearly the amounts of payments that can be instructed by the use of the Service Administrator alone, or by the Service Administrator with a stated number of approvals.
- 6.15. 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.
- 6.16. Changes to account details for suppliers, which are used for internet banking may only be changed on written hard copy notification by the supplier and supported by hard copy authority for change signed by the Clerk/RFO or authorised officer. A programme of regular checks of standing data with suppliers will be followed.

Adopted by Marlborough Town Council 20th May 2019. Amended and updated 21st June 2022

- 6.17. Any Debit Card issued for use will be specifically restricted to the Clerk/RFO or authorised officer and will also be restricted to a single transaction maximum value of £500 unless authorised by council or finance committee in writing before any order is placed.
- 6.18. A pre-paid debit card may be issued to employees with varying limits. These limits will be set by the council or Finance & Policy Committee. Transactions and purchases made will be reported to the Finance & Policy Committee and authority for topping-up shall be at the discretion of that relevant committee or the council.
- 6.19. Any corporate credit card or trade card account opened by the council will be specifically restricted to use by the Clerk/RFO or an authorised officer and shall be subject to automatic payment in full at each month-end. Personal credit or debit cards of members of staff shall not be used under any circumstances without the authority of the Town Clerk.
- 6.20. The RFO may provide petty cash to officers for the purpose of defraying operational and other expenses. Vouchers for payments made shall be forwarded to the RFO with a claim for reimbursement.
- a) The RFO shall maintain a petty cash float of £250 for the purpose of defraying operational and other expenses. Vouchers for payments made from petty cash shall be kept to substantiate the payment.
 - b) Income received must not be paid into the petty cash float but must be separately banked, as provided elsewhere in these regulations.
 - c) Payments to maintain the petty cash float shall be shown separately on the schedule of payments presented to council under 5.2 above.
 - d) Consideration may be given to using an imprest system

7. PAYMENT OF SALARIES

- 7.1. As an employer, the council shall make arrangements to meet fully the statutory requirements placed on all employers by PAYE and National Insurance legislation. The payment of all salaries shall be made in accordance with payroll records and the rules of PAYE and National Insurance currently operating, and salary rates shall be as agreed by council, or duly delegated committee.
- 7.2. Payment of salaries and payment of deductions from salary such as may be required to be made for tax, national insurance and pension contributions, or similar statutory or discretionary deductions including overtime payments must be made in accordance with the payroll records and on the appropriate dates stipulated in employment contracts, provided that each payment is reported to the next available Finance and Policy 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 Finance & Policy Committee.

Adopted by Marlborough Town Council 20th May 2019. Amended and updated 21st June 2022

- 7.4. Each and every payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a separate confidential record (confidential cash book). This confidential record is not open to inspection or review (under the Freedom of Information Act 2000 or otherwise) other than:
- a) by any councillor who can demonstrate a need to know;
 - b) by the internal auditor;
 - c) by the external auditor; or
 - d) by any person authorised under Audit Commission Act 1998, or any superseding legislation.
- 7.5. The total of such payments in each calendar month shall be reported with all other payments as made as may be required under these Financial Regulations, to ensure that only payments due for the period have actually been paid.
- 7.6. An effective system of personal performance management should be maintained for the senior officers.
- 7.7. Any termination payments shall be supported by a clear business case and reported to the council. Termination payments shall only be authorised by council.
- 7.8. Before employing interim staff the council must consider a full business case.

8. LOANS AND INVESTMENTS

- 8.1. All borrowings shall be effected in the name of Full 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. The council will arrange with the council's Banks and Investment providers for the sending of a copy of each statement of account to the Clerk/RFO or authorised officer.
- 8.3. All loans and investments shall be negotiated in the name of the Council and shall be for a set period in accordance with council policy.
- 8.4. The council shall consider the need for an Investment Strategy and Policy which, if drawn up, shall be in accordance with relevant regulations, proper practices and guidance. Any Strategy and Policy shall be reviewed by the council at least annually.
- 8.5. All investments of money under the control of the council shall be in the name of the council.
- 8.6. All investment certificates and other documents relating thereto shall be retained in the custody of the Clerk/RFO within the council offices.

Adopted by Marlborough Town Council 20th May 2019. Amended and updated 21st June 2022

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

9. INCOME

- 9.1. The collection of all sums due to the council shall be the responsibility of and under the supervision of the Clerk/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, notified to the RFO and the RFO shall be responsible for the collection of all accounts due to the council.
- 9.3. The council will review all fees and charges at least annually, following a report of the 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 Financial 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 or authorised officer shall promptly complete any VAT Return that is required. Any repayment claim due in accordance with VAT Act 1994 section 33 shall be made at least annually coinciding with the financial year end.
- 9.9. Where any significant sums of cash received by the council, the RFO shall take such steps as are agreed by the council to ensure that more than one person is present when the cash is counted in the first instance, that there is a reconciliation to some form of control such as ticket issues, and that appropriate care is taken in the security and safety of individuals banking such cash.
- 9.10. Any income arising which is the property of a charitable trust shall be paid into a charitable bank account. Instructions for the payment of funds due from the charitable trust to the council (to meet expenditure already incurred by the authority) will be given by the Managing Trustees of the charity meeting separately from any council meeting (see also Regulation 16 below)].

10. ORDERS FOR WORK, GOODS AND SERVICES

- 10.1. An official order or letter shall be issued for all work, goods and services unless a formal contract is to be prepared or an official order would be inappropriate. Copies of orders shall be retained.

Adopted by Marlborough Town Council 20th May 2019. Amended and updated 21st June 2022

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

11. CONTRACTS

- 11.1. Procedures as to contracts are laid down as follows:
- a. Every contract shall comply with these financial regulations, and no exceptions shall be made otherwise than in an emergency provided that this regulation need not apply to contracts which relate to items (i) to (vi) below:
 - i. for the supply of gas, electricity, water, sewerage and telephone services;
 - ii. for specialist services such as are provided by solicitors, accountants, surveyors and planning consultants (such services should be reviewed regularly) ;
 - 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 Clerk/RFO shall act after consultation with the Chair and Vice Chair 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 Regulations¹

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

- 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 2014/24/EU (which may change from time to time)²
- d. When applications are made to waive financial regulations relating to contracts to enable a price to be negotiated without competition the reason shall be embodied in a recommendation to the council.
- e. Such invitation to tender shall state the general nature of the intended contract and the Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the Clerk in the ordinary course of post. Each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract.
- f. All sealed tenders shall be opened at the same time on the prescribed date by the 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 21 and shall refer to the terms of the Bribery Act 2010.
- h. When it is to enter into a contract of less than £25,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Clerk or RFO shall obtain 3 quotations (priced descriptions of the proposed supply); where the value is below £3,000 and above £100 the Clerk or RFO shall strive to obtain 3 estimates. Otherwise, Regulation 10.3 above shall apply.
- i. The council shall not be obliged to accept the lowest or any tender, quote or estimate.
- 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 CONTRACTS FOR BUILDING OR OTHER CONSTRUCTION WORKS

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

² Thresholds currently applicable are:

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

Adopted by Marlborough Town Council 20th May 2019. Amended and updated 21st June 2022

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 variation (within a margin of 5%) to a contract or addition to or omission from a contract must be approved by the council and Clerk to the contractor in writing, the council being informed where the final cost is likely to exceed the financial provision.

13. STORES AND EQUIPMENT

Stocks shall be kept at the minimum levels consistent with operational requirements and the Clerk/RFO or authorised officer shall be responsible for periodic checks of stocks and stores at least annually

14. ASSETS, PROPERTIES AND ESTATES

- 14.1. The Clerk shall ensure original documents (Title Deeds and Land Registry Certificates of properties held by the council) are lodged securely with copies kept in the council offices. The RFO shall ensure a record is maintained of all properties held by the council, recording the location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held in accordance with Accounts and Audit Regulations.
- 14.2. No tangible moveable property shall be purchased or otherwise acquired, sold, leased or otherwise disposed of, without the authority of the council, together with any other consents required by law, save where the estimated value of any one item of tangible movable property does not exceed £1,000.
- 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.
- 14.4. No real property (interests in land) shall be purchased or acquired without the authority of the full council. In each case, a report in writing shall be provided to council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case.
- 14.5. The RFO shall ensure that an accurate Register of Assets and Investments is kept up to date. The continued existence of tangible assets shown in the Register shall be verified at least annually, possibly in conjunction with a health and safety inspection of assets.

15. INSURANCE

- 15.1. Following the annual risk assessment (per Financial Regulation 17), the RFO shall effect all insurances and negotiate all claims on the council's insurers.

Adopted by Marlborough Town Council 20th May 2019. Amended and updated 21st June 2022

- 15.2. The RFO shall keep a record of all insurances effected by the council and the property and risks covered thereby and annually review it.
- 15.3. The RFO shall be notified of any loss liability or damage or of any event likely to lead to a claim, and shall report these to council at the next available meeting.
- 15.4. All members and employees of the council shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined by the council.

16. CHARITIES

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

17. RISK MANAGEMENT

- 17.1. The council is responsible for putting in place arrangements for the management of risk. The 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 agreed and adopted by the Council at least annually.
- 17.2. When considering any new activity, the Clerk shall prepare a draft risk assessment including risk management proposals for consideration and adoption by the council.

18. SUSPENSION AND REVISION OF FINANCIAL REGULATIONS

- 18.1. It shall be the duty of the council to review the Financial Regulations within 2 years of a newly elected council. The Clerk shall make arrangements to monitor changes in legislation or proper practices and shall advise the council of any requirement for a consequential amendment to these financial regulations.
- 18.2. 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 the council.

This table shows expressions of interest received by 20 May – any updates received after this date will be tabled at the meeting

Outside Body	Town Council Representative/s 2023-24	Nominal expression of interest for 2024-25
Wiltshire Council Operational Flood Working Group	James Sheppard Vacancy	
Wiltshire Area Localism and Planning Alliance	Mervyn Hall Lisa Farrell	
Transition Marlborough	Susannah O'Brien	
Marlborough Area Neighbourhood Plan Steering Group		
Emergency Planning Working Party/Snow Warden	Kym-Marie Cleasby Kelvyn Shantry	
Local Highway & Footpath Improvements Group	Mervyn Hall Kelvyn Shantry	Mervyn Hall Kelvyn Shantry
Marlborough Business Network	Kelyvn Shantry	Kelvyn Shantry
Wiltshire Association of Local Councils	Town Clerk	
The Richmond Fellowship	Jane Davies	
Marlborough Area Board	The Town Mayor Vacancy	
Marlborough and District Link Scheme	Caroline Thomas	Caroline Thomas
Marlborough Fire Station Liaison	Mark Luson	
2293 Air Training Corps	Caroline Thomas Lisa Farrell	Caroline Thomas
Kennet Community Transport	Kym-Marie Cleasby	
Marlborough Sports Forum	Caroline Thomas Lisa Farrell	Caroline Thomas
Local Youth Network	Lisa Farrell, Jane Davies, Caroline Thomas, Town Clerk	Caroline Thomas
Lansdowne Monument	Vacancy	
Stonebridge Management Committee	Kelvyn Shantry Susannah O'Brien	Kelvyn Shantry
Marlborough Community Support Forum	Kym-Marie Cleasby, Jane Davies, Lisa Farrell	Kym-Marie Cleasby
Marlborough Children and Young Peoples Partnership Forum (Youth Council)	Lisa Farrell Town Clerk	
Allotment Association	Mark Luson Mark Cooper	

Tree Officer	Susannah O'Brien	
Community Speedwatch	Emily Trow	
The Merchants House Trustees	Andrew Ross James Sheppard	
Museum Committee	The Town Mayor, James Sheppard, Mark Cooper	
Patients Participation Group	Lisa Farrell Kelvyn Shantry	Kelvyn Shantry
24/7&WC Bus strategy liaison	Nick Fogg	
WC Health and Wellbeing Group	Jane Davies Lisa Farrell	
Jubilee Centre	Jane Davies	

APPENDIX 5 - ASSET REGISTER

Too large a file size to include.
Available to view on request.

Marlborough Town Council



Risk Management Scheme

AUTHOR: Town Clerk

RESPONSIBILITY: Marlborough Town Council

DATE ADOPTED: 15 May 2023

REVIEW DATE: April 2026 or as required annually

- i. The purpose of the Risk Management Scheme is to ensure that Marlborough Town Council is fully aware of its risks and has in place a strategy to manage these risks.
- ii. This Risk Management Scheme aims to ensure that Marlborough Town Council protects its employees, assets, liabilities, reputation, and community against potential losses. Marlborough Town Council recognises that it has a responsibility to manage internal and external risk and is committed to the implementation of a risk management strategy to protect the council.
- iii. The Risk Management Scheme is an essential feature of good governance. The Scheme recognises that risk management applies to all aspects of the Council's work.
- iv. The Risk Management Scheme will be reviewed on an annual basis, or as needed should circumstances change or give rise to the need to re-assess the Council's control measures. To this end the Council recognises the Risk Management scheme is both to record, as well as act as a working document that should be used to enable continuous improvement in respect of safeguarding Marlborough Town Council's concerns and assets.
- v. A six-point matrix system, as outlined below, is used to assess, and rate the risks as identified.

		Impact					
		Incidental	Minor	Moderate	Major	Severe	Catastrophic
Likelihood	Highly unlikely	1	2	3	4	5	6
	Very unlikely	2	4	6	8	10	12
	Unlikely	3	6	9	12	15	18
	Likely	4	8	12	16	20	24
	Very likely	5	10	15	20	25	30
	Highly likely	6	12	18	24	30	36



	Risk	Likelihood	Impact	Rating	Control	Post Control Rating		Actions	Action Review date
1	Lack of protection of physical assets	Likely	Moderate	12	Buildings and assets insured (Long term 3-year agreement with – Zurich) Regular maintenance and servicing of vehicles and tools	8		Insurance renewed as required	April for June 2025
2	Damage to or loss of Council property (buildings, furniture, equipment)	Likely	Moderate	12	Material damage and all risks insurance in place. Vehicle insurance in place. Insured Asset register in place; reviewed annually or as needed Remedial work executed as soon as reasonable possible to ensure integrity of buildings and assets maintained Fire/Security Alarms Regular maintenance arrangements and checks	8		Insurance renewed as required Review /amend Asset register	April 2025, or as needed
3	Legal liability as a consequence of property ownership	Likely	Moderate	12	Insurance cover in place for all existing properties (owned and leasehold) New Assured Shorthold Tenancies for residential properties and in line with latest legislation in 2017 External Property Management professionals	4		Annual building visual inspection by Council (Town Clerk and Chair Property) in addition to agent inspections to ensure familiarity with property condition	September 2024

					Timely remedial work in response to regular building inspections			
4	Lack of proper registration with HMLR	Unlikely	Minor	6	Gapping exercise with mapping of land and property assets Statutory Declaration	4	Update land and property asset register, and statutory declaration	January 2025
5	Inadequate insurance cover for shared assets (Stonebridge Meadow – in partnership with Action for the River Kennet)	Unlikely	Moderate	6	Day to day activities overseen by a Management Committee. Public Liability Insurance of £10m held by each partner.	4	Copy of up-to-date certificate held on file	Received
6	Inadequate insurance cover for new buildings and those taken as Community Asset Transfers or leases	Unlikely	Moderate	6	Insurance valuations taken of all new acquisitions and included on Insurance Policy. All added to insured asset register. Building Surveys undertaken for new acquisitions; added to policy as required	4	Property valuations to be updated	June 2022

7	Inadequate security of buildings and equipment	Very Unlikely	Major	8	Intruder alarms on Town Hall and Workshop buildings Panic button installed for lone office worker in reception area CCTV in Town Hall and Offices and at Community & Youth Centre (plus improved external lighting) and George Lane Toilet Block; regular professional checks/servicing on CCTV and alarms Insignia properly safe protected as recommended by insurers Staff procedures when vacating buildings monitored, and managed Cash level minimal and kept secure in safe	4		Annually checked
8	Inadequate maintenance of buildings and corporate properties	Very unlikely	Moderate	6	Annual property inspections Statutory electrical tests/ smoke and carbon monoxide alarms fitted and emergency lighting tests. EPC reports made Surveyor's and asbestos reports Schedule of dilapidations made on exit of commercial tenants. Qualified tradesmen commissioned for maintenance	3		

					(also dealt with via professional property agents)			
9	Signs / Notice boards in bad repair, or bins overloaded	Unlikely	Minor	4	Ground staff check daily/ weekly; timely remedial work or replacement when damaged. Bins emptied routinely.	2		
10	Vehicles – unsafe – employee or third-party litigation	Likely	Moderate	12	DVLA and legal requirements met (MOT/servicing/ Insurance/tax). Daily checks by council drivers and recorded; defects reported to Grounds Manager / Town Clerk and addressed. Suitability of vehicles assessed and managed as part of asset management plan; annual budget consideration required.			

FINANCIAL								
	Risk(s)	Likelihood	Impact	Rating	Control	Post Control Rating	Actions	Action Review date
1	Banking - Inadequate funds in place and lack of transparency in expenditure	Highly unlikely	Moderate	3	<p>Monies held by High Street Bank and CCLA (dealing with local authorities)</p> <p>Financial Regulations in place with amendments as necessary; reviewed and adopted annually by FC.</p> <p>Regular budget reporting in place (to all F&P committee meetings)</p> <p>Expenditure over £500 posted on website</p> <p>All Annual Returns and Audits posted on website</p> <p>Background to setting of precept published as part of the Annual Report.</p>	2	Review investment policy	July 2024
2	Precept setting - Lack of forward planning, budgetary controls and precept setting mechanisms	Highly unlikely	Major	4	<p>Financial Regulations in place sound quarterly budgeting reporting, with requirements for all committees to submit requirements to F&P/FTC to an agreed timetable.</p> <p>RFO and Chair of F&P work closely to monitor financial</p>	3		

					position over each fiscal / democratic year			
3	Non-compliance with borrowing restrictions	Highly unlikely	Moderate	3	Budget line in place for any new borrowing and proper process followed via MLUCH and PWLB	2		
4	Loss of cash through theft or dishonesty	Very unlikely	Moderate	6	Clear financial procedures Adequate insurance (Fidelity Guarantee) for staff and Cllrs Internal checks Receipts used. Use of cash kept to minimum; electronic banking where possible	3		
5	Poor financial controls and records	Highly unlikely	Major	4	Financial Regulations in place Internal (including 2 interim audits) and external audit. 3 signatures on cheques Proper recording of grant awards Monthly reconciliation prepared by Office Manager for signature by Cllr(s)/Town Clerk/RFO Monthly budget monitoring by RFO. Quarterly reporting to F&P Committee Use of cash kept to minimum; electronic banking where possible	4		

					3-4 months General Reserves to cover any unforeseen deficit OMEGA system backed up regularly (cloud stored data)			
6	Non-compliance with HMRC Regulations	Very unlikely	Moderate	6	VAT payments and claims calculated by accounts system VAT partial exemption to be calculated annually	3		
7	Election costs – too high and can vary (Council cannot control vacancies or election request.	Likely	Moderate	12	Election costs included in precept and relevant EMR; ensure sufficient funds	4	Review funds needed annually as part of budgeting process.	Sept/Oct
8	Grants - Inappropriate use or illegal use of precept (LGA s137)	Unlikely	Minor	6	Grant criteria published. Maintain s137 expenditure record/ account if required RFO to monitor	2		

INFORMATION MANAGEMENT

	Risk(s)	Likelihood	Impact	Rating	Control	Post Control Rating	Actions	Action Review date
1	Lack of proper document control, timely reporting via in the Minutes and safe keeping	Very unlikely	moderate	6	All minutes approved by Council or Committee. Minutes made available to press and public via website www.marlborough-tc.gov.uk All committee minutes posted online within days of meetings Deeds, leases cemetery records kept in appropriate fire safe. Proper list of legal documents retained. Some original legal documents in safe keeping of council solicitors Off-site back up of computer Regular back up of Omega accounting system	3		
2	GDPR breach	Likely	moderate	9	GDPR training for relevant staff PCs managed locked of secured when left/ turned off when not is use Information managed to reduce risk	6	Refresher training all office staff; updated July 2023.	July 2026

3	Loss of records through theft, fire, damage, or corruption	Unlikely	Major	12	<p>Ensure security of Council office and mitigate risks posed by fire and theft. (e.g. cemetery records stored in metal fire resistant safe, security checks, good pc protocol, routine fire alarm and H&S checks).</p> <p>Ensure adequate backups and insurance.</p> <p>Ensure provision of anti-virus software (via provider).</p>	8		
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HEALTH AND SAFETY

	Risk(s)	Likelihood	Impact	Rating	Control	Post Control Rating	Actions	Action Review date
1	Noncompliance with H&S Legislation	Likely	Moderate	12	Services of H&S Adviser– <i>WorkNest</i> in place Council Policy Statement in place Proper training programme in place H&S schedule of actions Monitor H&S via Management team meetings First Aid trained staff	9		

COUNCILLOR PROPRIETY

	Risk(s)	Likelihood	Impact	Rating	Control	Post Control Rating	Actions	Action Review date
1	Failure to register Members' interests Councillors benefitting from being on the Council Council becomes dominated by one or two individuals or clique's form Breach of Confidentiality	3	3	9	NALC Code of Conduct adopted 2012 puts emphasis on Members to declare interests. It is an offence not to comply with rules. Clear Standing Orders regarding conduct of meetings Transparency in Council expenditure Transparency of Council decisions; democratic process, as defined in SO's is upheld and monitored by Town Clerk. Complaints procedure in place. Standing Orders sets this out at para 13	6	Need to monitor on ongoing basis to ensure credibility and integrity of Council	

EMPLOYER LIABILITY								
	Risk(s)	Likelihood	Impact	Rating	Control	Post Control Rating	Actions	Action Review date
1	Non-compliance with Employment Law Non-compliance with H&S regulations Non-compliance with Inland Revenue requirements	Very unlikely	Major	8	Services of Employment & H&S Advisors – WorkNest Staffing Sub Committee handles staffing issues Employees Handbook Membership of SLCC and WALC Staff training – regularly / and as needed Internal Audit checks Health and Safety practices monitored Employer and Public liability insurance in place	6	Town Clerk, Ground Manager to do refresher relevant H&S training; completed July 2023 (IOSH)	August 2026 or as needed Insurance reviewed in 2025

BIUSINESS RECOVERY / CONTINUITY								
	Risk(s)	Likelihood	Impact	Rating	Control	Post Control Rating	Actions	Action Review date
1	Council unable to operate due to loss of key staff or records	Very unlikely	Moderate	6	Clear office procedures Clear budgetary procedures Up to date job descriptions Monitoring of leave and sickness Off-site back up of computers Business Continuity insurance in place Employment Advice from <i>WorkNest</i> Back up of computers Succession planning	3	Review staff structure and roles (SSC) to ensure sufficient progression in structure e.g. Senior Caretaker? Complete.	As required

COMPLIANCE AND LAW

	Risk(s)	Likelihood	Impact	Rating	Control	Post Control Rating	Actions	Action Review date
1	Noncompliance (in particular) to H&S Equal Opportunities Human rights Disability and Discrimination Employment Law Freedom of Information Act General Data Protection Regulation (GDPR)	Unlikely	Moderate	9	<p>Advice from <i>Ellis Whittam</i> on H&S and Employment Law Clear policies and procedures around statutory obligations FOI Publication Scheme Proper processes being put in place and external DPO appointed in 2018</p> <p>Refresher training for staff and Councillors every 4 years of as needed</p>	6	<p>Audit training of staff and Cllrs; arrange refresher training on GDPR</p> <p>H&S training for key staff</p> <p>July 2023 - complete</p>	July 2026

OTHER LIABILITY

	Risk(s)	Likelihood	Impact	Rating	Control	Post Control Rating	Actions	Action Review date
1	Damage to third party property or individual Legal liability due to service or amenity provided (incl. burial grounds, The Common, Priory Gardens) Old Victorian Cemetery	Unlikely	Major	12	Public liability insurance (£10m) Regular checks of amenities/facilities ROSPA/insurers checks of play areas and regular checks of equipment at Town Hall. 3-yearly tree surveys undertaken Some safety measures put in place on at risk graves H&S procedures in place for volunteers Ensure sufficient budget allocation to support measures	8		

Full Town Council Meetings 7-9pm

Monday 13 May 2024 – Annual Town Council & Mayor Making

Tuesday 28 May 2024 (Annual Governance matters)

Monday 24 June 2024 (AGAR)

Monday 2 September 2024

Monday 4 November 2024

Monday 9 December 2024 (Budget / Precept)

Monday 20 January 2025

Monday 24 March 2025

Monday 28 April 2025 – Annual Town Meeting (6-7pm)

Monday 12 May 2025 – Annual Town Council & Mayor Making

Planning Meetings 7-9pm

Monday 7 May 2024

Monday 20 May 2024

Monday 10 June 2024

Monday 15 July 2024

Monday 29 July 2024

Monday 19 August 2024

Monday 9 September 2024

Monday 30 September 2024

Monday 21 October 2024

Monday 11 November 2024 (Budget)

Monday 2 December 2024

Monday 6 January 2025

Monday 3 February 2025

Monday 24 February 2025

Monday 17 March 2025

Monday 14 April 2025

Tuesday 6 May 2025 (Due to Bank Holiday)

Finance & Policy Meetings 7-9pm

Monday 8 July 2024

Monday 28 October 2024

Monday 18 November 2024 (Budget & Precept)

Monday 27 January 2025

Tuesday 22 April 2025

(to coincide with qtr. finance reporting)

Amenities & Open Spaces 7-9pm

Monday 17 June 2024

Monday 7 October 2024 (Budget)

Monday 13 January 2025

Monday 31 March 2025

Property 7-9pm

Monday 22 July 2024

Monday 14 October 2024 (Budget)

Monday 17 February 2025

Monday 7 April 2025

Staffing 6.30-7.30pm

Monday 3 June 2024 (Budget or developments)

Monday 25 November 2024

Monday 10 March 2025

Month No: 12

Committee Report

	Actual Year To Date	Current Annual	Variance Annual	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
Finance & Policy							
101 ADMINISTRATION							
1010 INCOME-MISCELLANEOUS	30,499	0	(30,499)			0.0%	
1176 PRECEPT RECEIVED	827,301	827,301	0			100.0%	
1190 BANK INTEREST	8,401	750	(7,651)			1120.2%	
1191 MARKET INCOME	2,485	1,500	(985)			165.7%	
	868,686	829,551	(39,135)			104.7%	0
ADMINISTRATION :- Income							
4001 SALARIES/NI/SUPERAN	528,499	514,699	(13,800)		(13,800)	102.7%	
4005 ELLIS WHITTAM	3,259	3,300	42		42	98.7%	
4009 TRAVEL	79	400	321		321	19.7%	
4010 STAFF MOBILE PHONES	3,160	3,300	140		140	95.8%	
4011 BUSINESS RATES	32,245	32,905	660		660	98.0%	
4016 Climate Emergency Response	2,376	0	(2,376)		(2,376)	0.0%	1,896
4018 EMERGENCY FUND	400	0	(400)		(400)	0.0%	400
4022 PETTY CASH	240	500	260		260	48.0%	
4023 STATIONERY/PUBLICS.	952	1,100	148		148	86.6%	
4024 SUBSCRIPTIONS	4,183	5,200	1,017		1,017	80.4%	
4025 INSURANCE	14,006	16,000	1,995		1,995	87.5%	
4026 PHOTOCOPIER	4,580	5,000	420		420	91.6%	
4028 POSTAGE	50	600	550		550	8.4%	
4029 NEWSLETTER	0	1,000	1,000		1,000	0.0%	
4038 MAINTENANCE	1,000	1,500	500		500	66.7%	
4039 PERSONNEL CLOTHING	1,310	1,300	(10)		(10)	100.8%	
4041 TRAINING STAFF	1,300	4,000	2,700		2,700	32.5%	
4046 TOURISM	9,539	5,000	(4,539)		(4,539)	190.8%	6,085
4054 LEGAL	6,062	14,000	7,938		7,938	43.3%	
4055 PROFESSIONAL	11,780	10,000	(1,780)		(1,780)	117.8%	4,525
4057 AUDIT FEE	3,580	4,000	420		420	89.5%	
4059 BANK CHARGES	223	500	277		277	44.5%	
4063 OFFICE GENERAL	500	500	0		0	100.0%	
4064 ARCHIVE STORAGE	418	460	42		42	90.9%	
4067 CCTV	5,000	3,000	(2,000)		(2,000)	166.7%	1,737
4071 OFFICE EQUIPMENT	116	1,200	1,084		1,084	9.7%	
4072 EQUIPMENT	550	3,300	2,750		2,750	16.7%	
4075 SOFTWARE & FEES	9,510	9,200	(310)		(310)	103.4%	
4076 HEALTH & SAFETY	122	500	378		378	24.5%	
4153 EVENTS	21,517	2,000	(19,517)		(19,517)	1075.9%	15,000
4154 SWITCH ON EVENT	7,652	6,000	(1,652)		(1,652)	127.5%	
4228 WEBSITE/BROADBAND	2,628	2,200	(428)		(428)	119.5%	

Month No: 12

Committee Report

	Actual Year To Date	Current Annual	Variance Annual	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
4301 FIRE EXTINGUISHERS	998	1,550	552		552	64.4%	
4308 IT EQUIPMENT LEASE	859	5,000	4,141		4,141	17.2%	
4309 IT SUPPORT PACKAGE	21	2,500	2,479		2,479	0.8%	
4317 HERITAGE PROJECT	0	1,000	1,000		1,000	0.0%	
ADMINISTRATION :- Indirect Expenditure	678,714	662,714	(16,000)	0	(16,000)	102.4%	29,642
Net Income over Expenditure	189,973	166,837	(23,136)				
6000 plus Transfer from EMR	29,642						
Movement to/(from) Gen Reserve	219,615						
102 SECTION 137							
4152 REMEMBRANCE DAY	1,699	2,000	301		301	84.9%	
SECTION 137 :- Indirect Expenditure	1,699	2,000	301	0	301	84.9%	0
Net Expenditure	(1,699)	(2,000)	(301)				
103 OTHER GRANTS							
4061 CHRISTMAS LIGHTS	12,969	15,000	2,031		2,031	86.5%	
4151 GRANTS	6,752	7,000	248		248	96.5%	
OTHER GRANTS :- Indirect Expenditure	19,721	22,000	2,279	0	2,279	89.6%	0
Net Expenditure	(19,721)	(22,000)	(2,279)				
104 MAYORAL							
4100 MAYORS ALLOWANCE	3,400	3,400	0		0	100.0%	
4101 MAYORS TRAVEL	212	300	88		88	70.7%	
4102 MAYOR MAKING EXPS	1,246	2,000	754		754	62.3%	
MAYORAL :- Indirect Expenditure	4,858	5,700	842	0	842	85.2%	0
Net Expenditure	(4,858)	(5,700)	(842)				
105 MEMBERS							
4078 TRAINING-COUNCILLORS	50	750	700		700	6.7%	
4103 MEMBERS TRAVEL	0	200	200		200	0.0%	
MEMBERS :- Indirect Expenditure	50	950	900	0	900	5.3%	0
Net Expenditure	(50)	(950)	(900)				

Month No: 12

Committee Report

	Actual Year To Date	Current Annual	Variance Annual	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
106 CIVIC							
4105 CIVIC HOSPITALITY	1,127	1,500	373		373	75.2%	
4110 TOWN CRIER/MACE BEAR	680	1,200	520		520	56.7%	
4113 INSIGNIA FUNDS	229	1,000	771		771	22.9%	
CIVIC :- Indirect Expenditure	2,036	3,700	1,664	0	1,664	55.0%	0
Net Expenditure	(2,036)	(3,700)	(1,664)				
107 UTILITIES							
4012 WATER/SEWERAGE CHGS	2,221	4,400	2,179		2,179	50.5%	
4014 ELECTRICITY	21,970	30,396	8,426		8,426	72.3%	
4015 GAS	19,210	35,222	16,012		16,012	54.5%	
4020 TELEPHONE	8,470	7,000	(1,470)		(1,470)	121.0%	
UTILITIES :- Indirect Expenditure	51,871	77,018	25,147	0	25,147	67.3%	0
Net Expenditure	(51,871)	(77,018)	(25,147)				
Finance & Policy :- Income	868,686	829,551	(39,135)			104.7%	
Expenditure	758,949	774,082	15,133	0	15,133	98.0%	
Net Income over Expenditure	109,738	55,469	(54,269)				
plus Transfer from EMR	29,642						
Movement to/(from) Gen Reserve	139,380						
Amenities & Open Spaces							
202 CEMETERY							
1101 INCOME-CEMETERY	25,474	14,437	(11,037)			176.5%	
CEMETERY :- Income	25,474	14,437	(11,037)			176.5%	0
4036 OLD CEMETERY	667	500	(167)		(167)	133.3%	
CEMETERY :- Indirect Expenditure	667	500	(167)	0	(167)	133.3%	0
Net Income over Expenditure	24,808	13,937	(10,871)				
203 ALLOTMENTS							
1100 INCOME-ALLOTMENTS	1,851	1,265	(586)			146.3%	
ALLOTMENTS :- Income	1,851	1,265	(586)			146.3%	0
4006 ST JOHNS TRUST	250	250	0		0	100.0%	
ALLOTMENTS :- Indirect Expenditure	250	250	0	0	0	100.0%	0
Net Income over Expenditure	1,601	1,015	(586)				

Month No: 12

Committee Report

	Actual Year To Date	Current Annual	Variance Annual	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
<u>204 WORKSHOP</u>							
4027 INTRUDER ALARM	1,379	2,000	621		621	68.9%	
4031 BIODIVERSITY PLAN	0	5,000	5,000		5,000	0.0%	
4042 PERSONAL PROTECTIVE EQUIPMENT	372	500	128		128	74.4%	
4043 PICK-UP LEASE	545	600	55		55	90.8%	
4044 VEHICLE TAX/INS.	320	350	30		30	91.4%	
4045 VEHICLE PETROL/DERV	7,137	6,000	(1,137)		(1,137)	118.9%	
4047 WORKSHOP TOOLS ETC	1,705	2,000	295		295	85.2%	
4048 VEHICLE MAINTENANCE	7,694	12,000	4,306		4,306	64.1%	
4050 WORKSHOP MISC	149	200	51		51	74.7%	
4315 REFUSE COLLECTION	4,980	3,000	(1,980)		(1,980)	166.0%	
4320 MOWER	3,584	4,200	616		616	85.3%	
4323 MISTUBISHI LEASE	2,259	2,259	(0)		(0)	100.0%	
4332 WESSEX MOWER LEASE	6,685	7,000	315		315	95.5%	
4339 ISEKI TRACTOR LEASE 2023	10,497	10,000	(497)		(497)	105.0%	
WORKSHOP :- Indirect Expenditure	47,304	55,109	7,805	0	7,805	85.8%	0
Net Expenditure	(47,304)	(55,109)	(7,805)				
<u>210 OPEN SPACES</u>							
1102 INCOME-GOLF CLUB							
1103 INCOME OPEN SPACES	4,676	8,250	3,574			56.7%	
1106 INCOME - SHOWMENS GUILD	2,300	2,300	0			100.0%	
1111 INCOME - RUGBY CLUB							
OPEN SPACES :- Income	28,179	33,628	5,449			83.8%	0
4038 MAINTENANCE	14,641	7,200	(7,441)		(7,441)	203.3%	10,201
4220 OPEN SPACES PLANTS	5,135	4,800	(335)		(335)	107.0%	
4223 PLAY EQUIP/MAINT/REPLACEMENT	2,689	2,500	(189)		(189)	107.5%	925
4314 AOS PROJECTS	19,134	10,000	(9,134)		(9,134)	191.3%	
4318 TREE SURVEY & WORKS	5,420	15,000	9,580		9,580	36.1%	
4324 RTV VEHICLE	221	3,500	3,279		3,279	6.3%	
4325 STONEBRIDGE MEADOWS	472	1,000	528		528	47.2%	
4327 ISEKI TRACTOR TG6490	5,268	7,000	1,732		1,732	75.3%	
4330 MULTI PURPOSE MOWER	2,334	3,100	766		766	75.3%	
4331 FRONT LOADER/BACK HOE LEASE	2,620	3,200	580		580	81.9%	
4335 FREES AVENUE TREES	273	1,000	727		727	27.3%	
4337 SKATE PARK LIGHTING	0	500	500		500	0.0%	
4401 NEW WORKSHOP	59,458	0	(59,458)		(59,458)	0.0%	59,458
OPEN SPACES :- Indirect Expenditure	117,663	58,800	(58,863)	0	(58,863)	200.1%	70,583
Net Income over Expenditure	(89,484)	(25,172)	64,312				
6000 plus Transfer from EMR	70,583						
Movement to/(from) Gen Reserve	(18,901)						

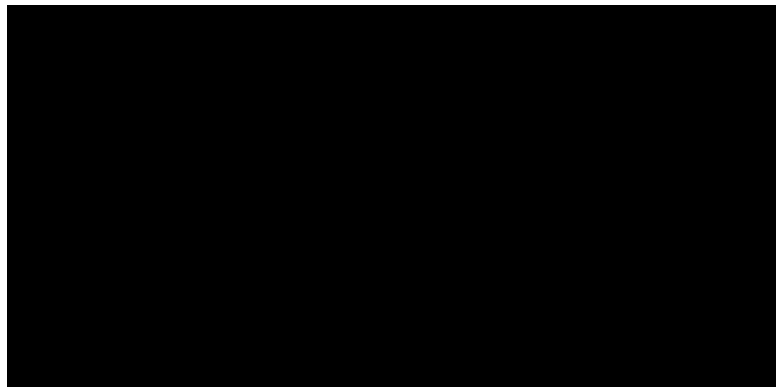
Month No: 12

Committee Report

	Actual Year To Date	Current Annual	Variance Annual	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
Amenities & Open Spaces :- Income	55,504	49,330	(6,174)			112.5%	
Expenditure	165,885	114,659	(51,226)	0	(51,226)	144.7%	
Net Income over Expenditure	(110,380)	(65,329)	45,051				
plus Transfer from EMR	70,583						
Movement to/(from) Gen Reserve	(39,797)						

Properties110 CORPORATE PROPERTIES

1000 INCOME-HIGH ST SHOP
1002 INCOME-HIGH ST FLAT2
1003 INCOME-1 KINGSBURY
1004 INCOME-1A KINGSBURY
1005 INCOME-2A KINGSBURY
1006 INCOME-3 KINGSBURY
1007 INCOME-REC GND COT 1
1008 INCOME-REC GND COT 2
1011 INCOME - 3A KINGSBURY ST
1012 INCOME - 3B KINGSBURY ST



CORPORATE PROPERTIES :- Income	91,317	95,690	4,373			95.4%	0
4062 MTCE/ELEC CORP. PROPS.	39,570	15,000	(24,570)		(24,570)	263.8%	24,347
4066 MARKETING	0	250	250		250	0.0%	
4070 Defibs	741	750	9		9	98.8%	
CORPORATE PROPERTIES :- Indirect Expenditure	40,311	16,000	(24,311)	0	(24,311)	251.9%	24,347
Net Income over Expenditure	51,006	79,690	28,684				
6000 plus Transfer from EMR	24,347						
Movement to/(from) Gen Reserve	75,354						

201 TOWN HALL

1050 INCOME-TOWN HALL	31,060	20,000	(11,060)			155.3%	
1112 Income Toilets	179	500	321			35.8%	
TOWN HALL :- Income	31,239	20,500	(10,739)			152.4%	0
4019 CLEANING MATERIALS	849	800	(49)		(49)	106.1%	
4030 INTRUDER ALARM	904	2,000	1,096		1,096	45.2%	
4035 SANITARY DISPOSAL	1,462	1,600	138		138	91.4%	
4037 LIFT MAINTENANCE	2,897	3,100	203		203	93.4%	

Month No: 12

Committee Report

	Actual Year To Date	Current Annual	Variance Annual	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
4038 MAINTENANCE	44,534	40,000	(4,534)		(4,534)	111.3%	13,725
4300 BOILER MAINTENANCE	849	900	51		51	94.3%	
4304 LICENCES/PERFORMING	1,423	3,000	1,577		1,577	47.4%	
4305 BROADBAND	0	2,100	2,100		2,100	0.0%	
4315 REFUSE COLLECTION	1,601	1,100	(501)		(501)	145.6%	
4998 MARKETING	0	200	200		200	0.0%	
4999 PUBLIC TOILETS	8,640	7,000	(1,640)		(1,640)	123.4%	
TOWN HALL :- Indirect Expenditure	63,159	61,800	(1,359)	0	(1,359)	102.2%	13,725
Net Income over Expenditure	(31,920)	(41,300)	(9,380)				
6000 plus Transfer from EMR	13,725						
Movement to/(from) Gen Reserve	(18,195)						
<u>205 PUBLIC TOILETS</u>							
1112 Income Toilets	2,518	4,000	1,482			62.9%	
PUBLIC TOILETS :- Income	2,518	4,000	1,482			62.9%	0
4306 COOPERS CORNER	327	800	473		473	40.9%	
4313 PUBLIC TOILETS	11,500	16,600	5,100		5,100	69.3%	
PUBLIC TOILETS :- Indirect Expenditure	11,827	17,400	5,573	0	5,573	68.0%	0
Net Income over Expenditure	(9,309)	(13,400)	(4,091)				
<u>206 MC and YC</u>							
1329 MY & MC INCOME	8,808	7,700	(1,108)			114.4%	
MC and YC :- Income	8,808	7,700	(1,108)			114.4%	0
4019 CLEANING MATERIALS	239	500	261		261	47.8%	
4030 INTRUDER ALARM	1,463	2,000	537		537	73.2%	
4035 SANITARY DISPOSAL	533	750	217		217	71.1%	
4037 LIFT MAINTENANCE	293	850	557		557	34.5%	
4072 EQUIPMENT	337	500	163		163	67.4%	
4304 LICENCES/PERFORMING	411	720	309		309	57.0%	
4329 MC and YC	6,870	1,000	(5,870)		(5,870)	687.0%	
MC and YC :- Indirect Expenditure	10,145	6,320	(3,825)	0	(3,825)	160.5%	0
Net Income over Expenditure	(1,337)	1,380	2,717				
Properties :- Income	133,882	127,890	(5,992)			104.7%	
Expenditure	125,442	101,520	(23,922)	0	(23,922)	123.6%	
Net Income over Expenditure	8,440	26,370	17,930				
plus Transfer from EMR	38,072						
Movement to/(from) Gen Reserve	46,512						

Planning

Month No: 12

Committee Report

	Actual Year To Date	Current Annual	Variance Annual	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
300 PLANNING							
4017 HIGHWAYS	1,346	0	(1,346)		(1,346)	0.0%	1,346
4120 STREET FURNITURE	3,184	2,000	(1,184)		(1,184)	159.2%	410
4400 LHFIG	3,690	7,500	3,810		3,810	49.2%	
PLANNING :- Indirect Expenditure	8,220	9,500	1,280	0	1,280	86.5%	1,756
Net Expenditure	(8,220)	(9,500)	(1,280)				
6000 plus Transfer from EMR	1,756						
Movement to/(from) Gen Reserve	(6,464)						
Planning :- Income	0	0	0			0.0%	
Expenditure	8,220	9,500	1,280	0	1,280	86.5%	
Net Income over Expenditure	(8,220)	(9,500)	(1,280)				
plus Transfer from EMR	1,756						
Movement to/(from) Gen Reserve	(6,464)						
Reserves							
900 RESERVES							
1901 CIL GRANT RECEIVED	26,248	0	(26,248)			0.0%	
RESERVES :- Income	26,248	0	(26,248)				0
Net Income	26,248	0	(26,248)				
Reserves :- Income	26,248	0	(26,248)			0.0%	
Expenditure	0	0	0	0	0	0.0%	
Movement to/(from) Gen Reserve	26,248						
Grand Totals:- Income	1,084,321	1,006,771	(77,550)			107.7%	
Expenditure	1,058,495	999,761	(58,734)	0	(58,734)	105.9%	
Net Income over Expenditure	25,826	7,010	(18,816)				
plus Transfer from EMR	140,054						
Movement to/(from) Gen Reserve	165,879						

31st March 2023

31st March 2024

Current Assets		
11,591	OTHER DEBTORS	1,944
22,902	VAT CONTROL ACCOUNT	22,109
1,114,214	CURRENT & ACTIVE ACCOUNT	1,159,854
131,512	CCLA Deposit Fund	131,512
1,280,220		1,315,419
1,280,220	Total Assets	1,315,419
Current Liabilities		
18,618	CREDITORS	26,355
1,207	RECEIPTS IN ADVANCE	1,772
19,825		28,127
1,260,394	Total Assets Less Current Liabilities	1,287,292
Represented By		
418,147	GENERAL RESERVE	528,474
842,248	Earmarked Reserves	758,818
1,260,394		1,287,292

The above statement represents fairly the financial position of the authority as at 31st March 2024 and reflects its Income and Expenditure during the year.

Signed :
Chairman _____ Date : _____

Signed :
Responsible
Financial
Officer _____ Date : _____