



FOLKESTONE TOWN COUNCIL



001

Date of Publication: 3rd May 2022

AGENDA

Meeting: **Annual Council Meeting**
Date: **10th May 2022**
Time: **7.00 p.m.**
Place: **Town Council Chamber, 1/2 Guildhall Street, Folkestone**

To: **Town Councillors**

YOU ARE HEREBY SUMMONED to attend the Annual Meeting of the Folkestone Town Council on the date and at the time and place shown above. The meeting will be open to the press and public.

A handwritten signature in blue ink that reads 'J L Childs'.

J L Childs
Town Clerk

Prayers

TOWN MAYOR 2021/22

The Town Mayor will reflect on the past 12 months.

1. **ELECTION OF TOWN MAYOR 2022/23 AND ACCEPTANCE OF DECLARATION OF OFFICE**
2. **ELECTION OF DEPUTY TOWN MAYOR 2022/23 AND ACCEPTANCE OF DECLARATION OF OFFICE**
3. **APOLOGIES FOR ABSENCE**
4. **DECLARATIONS OF INTEREST**
To receive any declarations of either personal or prejudicial interest that Members may wish to make.
5. **APPOINTMENT OF TOWN MAYOR'S**
 - a. **CHAPLAIN 2022/23**
 - b. **ESCORT 2022/23**
 - c. **CADET 2022/23**
6. **MINUTES**
To receive the Minutes of the Town Council meeting held on 17th March 2022 and to ask the Town Mayor to sign them as a correct record.
7. **TOWN MAYOR'S ANNOUNCEMENTS**
Town Councillors are requested to note dates of forthcoming Civic Events:

Normandy Veterans Day	6 June 2022
William Harvey Sunday	12 June 2022
Armed Forces Day (Folkestone)	25 June 2022
Town Sunday	26 June 2022
Blessing of the Fisheries	26 June 2022
Canada Day	1 July 2022
VJ Day	15 August 2022
Battle of Britain Day	15 September 2022
Dedication of Garden of Remembrance	6 November 2022
Remembrance Sunday	13 November 2022
Machine Gun Corps	11 November 2022
Holocaust Memorial Day	27 January 2023
8. **APPOINTMENTS TO COMMITTEES AND SUB COMMITTEES**
A schedule setting out proposals for the Council's Committees for the municipal year 2022/23 is attached. Committees will appoint their Chairs and Vice Chairs at their first meeting, review the terms of reference and make proposals to appoint members to working groups.
9. **APPOINTMENTS TO OUTSIDE BODIES 2022/23**
The Town Council is asked to appoint Councillors to the following outside bodies:
 - i) Kent Association of Local Councils (two Councillors)
 - ii) John Bowley and Sherwood Almshouses Charity (three Councillors)
 - iii) Folkestone Municipal Charity (four Councillors and the Mayor)
 - iv) Folkestone Town Team (one Councillor)
 - v) Folkestone Twinning Association (one Councillor)
 - vi) Folkestone CLLD (Mayor)

10. APPOINTMENT OF CHEQUE SIGNATORIES

To authorise the signatories on cheque payments as follows:

- Town Mayor, Deputy Town Mayor and Past Mayors
- Chairman and Vice Chairman of Finance & General Purposes Committee
- Chairman and Vice Chairman of Planning Committee
- Chairman and Vice Chairman of Community Services Committee
- Chairman and Vice Chairman of Climate & Environment Committee

11. POLICY REVIEW

In line with NALC guidance, Council's policies require re-adoption annually.

1. Standing Orders (no amendments) are attached for adoption.
2. Financial Regulations (no amendments) are attached for adoption.
3. Other policies requiring re-adoption can be found on our website:

http://www.folkestone-tc.gov.uk/Policies_and_Procedures_29769.aspx

12. SCHEDULE OF MEETINGS FOR THE MUNICIPAL YEAR 2022/23

The approved schedule of provisional Council and Committee meeting dates for 2022/23 is attached for information.

13. TIME AND DATE OF THE NEXT MEETINGS OF FOLKESTONE TOWN COUNCIL

Annual Town Meeting – Tuesday 17 May 2022 at 7 p.m.

Full Council AGAR Meeting – 16 June 2022 at 6.30 pm

Ordinary Full Council Meeting – 22 September 2022 at 7 p.m.

Folkestone Town Council

MINUTES of the Full Council Meeting of the Folkestone Town Council held at the Town Council Offices on Thursday, 17th March 2022 at 7 p.m.

PRESENT: Councillors Ann Berry, Paul Bingham, Peter Gane, Jonathan Graham, Nicola Keen, Michelle Keutenius, David Horton, Dylan Jeffrey, Mary Lawes, Connor McConville, Jackie Meade, Tim Prater, Belinda Walker and Richard Wallace.

ABSENT: Councillor Danny Brook

In attendance: Jennifer Childs (Town Clerk), Georgina Wilson (Executive Assistant)

1831. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Abena Akuffo-Kelly, Ray Field and Roger West.

RESOLVED: That the apologies be approved.

Proposed: Councillor Michelle Keutenius

Seconded: Councillor Paul Bingham

Voting: F: 14, Ag: 0, Ab: 0

1832. DECLARATIONS OF INTEREST

Councillors Ann Berry, Paul Bingham, Jackie Meade and Nicola Keen declared a personal interest in regard to the nomination for Freedom of Entry of the Town.

Councillors Paul Bingham, Dylan Jeffrey, Jackie Meade, Mary Lawes, Nicola Keen, Michelle Keutenius, Tim Prater and Belinda Walker declared a personal interest in regard to the Town Grants having supported some of them through ward grants or as twin or triple hatted Councillors.

1833. MINUTES

The Full Council was asked to receive the Minutes of an Ordinary Meeting of the Council held on 13th January 2022 and to authorise the Town Mayor to sign them as a correct record.

RESOLVED: That the Minutes of the Ordinary Council meeting held on 13th January 2022 be received and signed as a correct record.

Proposed: Councillor Jonathan Graham

Seconded: Councillor Ann Berry

Voting: F: 14, Ag: 0, Ab: 0

1834. TOWN GRANTS

Councillors had no questions to ask of the applicants who attended the meeting but thanked them for their applications. Decisions were made later in the meeting.

1835. PUBLIC QUESTIONS

There were no public questions.

1836. MAYORS COMMUNICATIONS AND ANNOUCEMENTS

The Mayor reported on the events that she had attended since the last Council meeting and thanked the organisers of these events. The Mayor also thanked the Deputy Mayor, Councillor Nicola Keen for attending some events at short notice on her behalf due to having to isolate with covid.

1837. TOWN MAYOR'S AWARDS

The Town Mayor reported that the recipients of the award had been invited to an afternoon tea where the Mayor can show her appreciation.

1838. MINUTES OF THE PLANNING COMMITTEE

RESOLVED: That the Minutes of the Planning Committee Meeting held on 27th January 2022 be received and signed as a correct record.

Proposed: Councillor Jonathan Graham

Seconded: Councillor Jackie Meade

Voting: F:14, Ag: 0, Ab: 0

1839. MINUTES OF THE FINANCE AND GENERAL PURPOSES COMMITTEE

RESOLVED: That the Minutes of the Finance and General Purposes Committee Meeting held on 16th December 2021 be received and signed as a correct record.

Proposed: Councillor Connor McConville

Seconded: Councillor Mary Lawes

Voting: F:14, Ag: 0, Ab: 0

1840. MINUTES OF THE COMMUNITY SERVICES COMMITTEE

RESOLVED: That the Minutes of the Community Services Committee Meeting held on 12th October 2021 be received and signed as a correct record.

Proposed: Councillor Nicola Keen

Seconded: Councillor Peter Gane

Voting: F:14, Ag: 0, Ab: 0

1841. MINUTES OF THE CLIMATE AND ENVIRONMENT COMMITTEE

RESOLVED: That the Minutes of the Climate and Environment Committee Meeting held on 14th October 2021 be received and signed as a correct record.

Proposed: Councillor Belinda Walker

Seconded: Councillor Connor McConville

Voting: F:14, Ag: 0, Ab: 0

1842. MATTERS AND RESOLUTIONS FROM COMMITTEES

RESOLVED: To move the reserve of £1,030 from Lunches for Children to Christmas Gifts for Children.

Proposed: Councillor Michelle Keutenius

Seconded: Councillor Nicola Keen

Voting: F:14, Ag: 0, Ab: 0

1843. GRANT SCHEME REVIEW

RESOLVED: To receive and note report C/22/305 and adopt option 1 to maintain the status quo and continue the practice of considering Town Grants in line with the current guidance at Full Council meetings, therefore the first round of grant applications for the 2022/23 financial year will be September 2022.

Proposed: Councillor David Horton

Seconded: Councillor Paul Bingham

Voting: F:8, Ag:6, Ab:0

Proposed: To receive and note report C/22/305 and adopt option 2 to reinstate the Grants Committee.

Proposed: Councillor Tim Prater

Seconded: Councillor Dylan Jeffrey

This motion was lost.

1844. TREASURY MANAGEMENT REPORT

RESOLVED: To receive and note report C/22/307 and adopt the Investment Policy for the 2022/23 financial year.

Proposed: Councillor Jonathan Graham

Seconded: Councillor David Horton

Voting: F:14, Ag: 0, Ab: 0

1845. GOVERNANCE AND ACCOUNTABILITY RISK ASSESSMENT AND INSURANCE REVIEW

RESOLVED: To receive and note report C/22/308, adopt the Governance and Accountability Risk Assessment 2022/23, and approve the Insurance Review.

Proposed: Councillor Mary Lawes

Seconded: Councillor Jonathan Graham

Voting: F:14, Ag: 0, Ab: 0

1846. COUNTY COUNCILLORS REPORT

The County Councillors Report was duly noted and the Mayor thanked Councillors Mead and Jeffrey for preparing the report.

1847. NOTICE OF MOTION

Councillor Jonathan Graham read out his motion in relation to the title of address for the Mayor and their escort being decided in accordance with how the individual Mayor and their partner wish to be addressed. Councillor Tim Prater suggested that it should be Council's policy to have a simplified address.

Councillor Jonathan Graham requested a recorded vote.

RESOLVED: That the custom and practice of Folkestone Town Council is for the formal term of address for the Mayoralty to be "Mayor" and "Consort" respectively, subject to any overriding wishes of a specific Mayor or Consort.

Proposed: Councillor Jonathan Graham
 Seconded: Councillor Connor McConville
 Voting: F:7, Ag: 1, Ab: 6

Belinda Walker	For
Connor McConville	For
David Horton	For
Jonathan Graham	For
Mary Lawes	For
Peter Gane	For
Ann Berry	Against
Jackie Meade	Abstention
Paul Bingham	Abstention
Richard Wallace	Abstention
Tim Prater	For
Dylan Jeffrey	Abstention
Nicola Keen	Abstention
Michelle Keutenius	Abstention

1848. TOWN MAYOR ELECT 2022/23

Councillors considered the nominations for Mayor Elect for the 2022/23 municipal year.

Proposed: That Councillor Abena Akuffo-Kelly be nominated Mayor Elect for the 2022/23 municipal year.

Proposed: Councillor David Horton
 Seconded: Councillor Jonathan Graham

Councillor David Horton spoke in support of his nomination of the Town Mayor Elect and Councillor Jonathan Graham spoke in support of the motion.

Proposed: That Councillor Nicola Keen be nominated Mayor Elect for the 2022/23 municipal year.

Proposed: Councillor Ann Berry
Seconded: Councillor Mary Lawes

Councillor Ann Berry spoke in support of her nomination of the Town Mayor Elect and Councillor Mary Lawes spoke in support of the motion.

Councillor Michelle Keutenius requested a recorded vote.

Belinda Walker	AA
Connor McConville	AA
David Horton	AA
Jonathan Graham	AA
Mary Lawes	NK
Peter Gane	NK
Ann Berry	NK
Jackie Meade	NK
Paul Bingham	NK
Richard Wallace	NK
Tim Prater	NK
Dylan Jeffrey	NK
Nicola Keen	NK
Michelle Keutenius	Abstention

Voting: F: Councillor Keen 9, F: Councillor Akuffo Kelly 4, Ag: 0, Ab: 1

RESOLVED: That Councillor Nicola Keen be Town Mayor Elect for the ensuing municipal year 2022/23

EXCLUSION OF PRESS AND PUBLIC

The press and public are to be excluded for the remainder of this meeting under Section 1, sub-section 2, of the Public Bodies (Admission to Meetings) Act 1960 as publicity would be prejudicial to the public interest by reason of the confidential nature of the business.

Proposed: Councillor Michelle Keutenius
Seconded: Councillor Ann Berry
Voting: F:14, Ag: 0, Ab: 0

1849. TOWN GRANT SCORES

RESOLVED: To amend the award to the Remembrance Line to £2,500

Proposed: Councillor Connor McConville
Seconded: Councillor Jonathan Graham
Voting: F: 13, Ag: 0, Ab: 1

RESOLVED: To approve all remaining grants as set out in the exempt table (subject to the above resolution) enbloc.

Proposed: Councillor Paul Bingham
Seconded: Councillor Jackie Meade
Voting: F: 14, Ag: 0, Ab: 0

1850. FREEDOM OF ENTRY TO THE TOWN

RESOLVED: To receive and note Exempt Report C/22/306. To approve the nomination to award Freedom of Entry to the Town and release funding for a Freedom Scroll and Frame together with a small event.

Proposed: Councillor Peter Gane
Seconded: Councillor Michelle Keutenius
Voting: F:14, Ag: 0, Ab: 0

1851. DATE AND TIME OF NEXT MEETING

Annual Statutory Meeting – Tuesday, 10th May 2022 (provisional)
Annual Town Assembly – Tuesday, 17th May 2022 (provisional)

The meeting ended at 8.10pm

.....Town Mayor

FOLKESTONE TOWN COUNCIL

APPOINTMENTS TO COMMITTEES SUB-COMMITTEES AND PANELS 2021/22 – 2022/23

Chairman (Bold)

Vice Chairman (Italics)

Community Services Committee

1	Cllr Abena Akuffo-Kelly (Lab)
2	Cllr Ann Berry (Con)
3	Cllr Paul Bingham (Lab)
4	Cllr Peter Gane (Con)
5	Cllr Nicola Keen (Lab)
6	Cllr Roger West (Con)

Community Services Committee

1	Cllr Nicola Keen (Lab)
2	Cllr Paul Bingham (Lab)
3	Cllr Michelle Keutenius (Lab)
4	Cllr Ann Berry (Con)
5	Cllr Roger West (Con)
6	Cllr Peter Gane (Con)

Planning Committee

1	Cllr Paul Bingham (Lab)
2	Cllr Jonathan Graham (Brkthr)
3	Cllr Mary Lawes (Fdn)
4	Cllr Jackie Meade (Lab)
5	Cllr Nicola Keen (Lab)
6	Cllr Richard Wallace (Con)
7	Cllr Roger West (Con)

Planning Committee

1	Cllr Jackie Meade (Lab)
2	Cllr Nicola Keen (Lab)
3	Cllr Paul Bingham (Lab)
4	Cllr Roger West (Con)
5	Cllr Richard Wallace (Con)
6	Cllr Jonathan Graham (Brkthr)

Finance & General Purposes Committee

1	Cllr Danny Brook (Con)
2	Cllr Ray Field (Ind)
3	Cllr Peter Gane (Con)
4	Cllr David Horton (Lab)
5	Cllr Dylan Jeffrey (Con)
6	Cllr Michelle Keutenius (Lab)
7	Cllr Mary Lawes (Fdn)
8	Cllr Connor McConville (Lab)
9	Cllr Tim Prater (Lib Dems)
10	Cllr Belinda Walker (Lab)

Finance & General Purposes Committee

1	Cllr Belinda Walker (Lab)
2	Cllr David Horton (Lab)
3	Cllr Abena Akuffo-Kelly (Lab)
4	Cllr Connor McConville (Lab)
5	Cllr Peter Gane (Con)
6	Cllr Dylan Jeffrey (Con)
7	Cllr Danny Brook (Con)
8	Cllr Mary Lawes (Fdn)
9	Cllr Ray Field (Ind)
10	Cllr Tim Prater (Lib Dems)
11	Cllr Jonathan Graham (Brkthr)

Personnel Sub-Committee

1	Cllr Peter Gane (Con)
2	Cllr Mary Lawes (Fdn)
3	Cllr Connor McConville (Lab)
4	Cllr Belinda Walker (Lab)

Personnel Sub-Committee

1	Cllr Belinda Walker (Lab)
2	Cllr Connor McConville (Lab)
3	Cllr Peter Gane (Con)
4	Cllr Mary Lawes (Fdn)

Climate & Environment Committee	
1	Cllr Abena Akuffo-Kelly (Lab)
2	Cllr Ann Berry (Con)
3	Cllr Danny Brook (Con)
4	Cllr Ray Field (Ind)
5	Cllr David Horton (Lab)
6	Cllr Connor McConville (Lab)
7	Cllr Jackie Meade (Lab)
8	Cllr Tim Prater (Lib Dems)
9	Cllr Belinda Walker (Lab)
10	Cllr Richard Wallace (Con)

Climate & Environment Committee	
1	Cllr Jackie Meade (Lab)
2	Cllr Michelle Keutenius (Lab)
3	Cllr David Horton (Lab)
4	Cllr Abena Akuffo-Kelly (Lab)
5	Cllr Ann Berry (Con)
6	Cllr Richard Wallace (Con)
7	Cllr Danny Brook (Con)
8	Cllr Ray Field (Ind)
9	Cllr Tim Prater (Lib Dems)

Citizenship Awards Panel	
1	Town Mayor
2	Deputy Town Mayor
3	Past Mayor

Citizenship Awards Panel	
1	Town Mayor
2	Deputy Town Mayor
3	Past Mayor

Grievance Panel	
1	Cllr Ann Berry (Con)
2	Cllr Jonathan Graham (Brkthr)
3	Cllr Ray Field (Ind)

Grievance Panel	
1	Cllr Abena Akuffo-Kelly (Lab)
2	Cllr Ann Berry (Con)
3	Cllr Ray Field (Ind)

Political Balance for 36 seats excludes Citizen Awards & Grievance Panels

Labour = 16 seats

Conservatives = 12 seats

Liberal Democrats/Foundation/Breakthrough/Independent = 2 seats each

NB Personnel Sub-Committee members must be members of Finance & General Purposes Committee



STANDING ORDERS



GOVERNING BODY: FOLKESTONE TOWN COUNCIL
TOWN HALL, 1-2 GUILDHALL STREET, FOLKESTONE, CT20 1DY

TABLE OF CONTENTS

1.	Rules of debate at meetings	3
2.	Disorderly conduct at meetings	5
3.	Meetings generally	5
4.	Committees and sub-committees	8
5.	Ordinary council meetings	9
6.	Extraordinary meetings of the council and committees and sub-committees	11
7.	Previous resolutions	12
8.	Voting on appointments	12
9.	Motions for a meeting that require written notice to be given to the Proper Officer	12
10.	Motions at a meeting that do not require written notice	13
11.	Management of Information	14
12.	Draft Minutes	14
13.	Code of conduct and dispensations	15
14.	Code of conduct complaints	16
15.	Proper Officer	17
16.	Responsible Financial Officer	18
17.	Accounts and accounting statements	18
18.	Financial controls and procurement	19
19.	Handling staff matters	21
20.	Requests for information	22
21.	Responsibilities under Data Protection Legislation	22
22.	Relations with the press/media	22
23.	Execution and sealing of legal deeds	22
24.	Communicating with District and County or Unitary councillors	23
25.	Restrictions on councillor activities	23
26.	Standing orders generally	23

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 Mayor/Chairman 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 Mayor/Chairman 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 (as amended) becomes the substantive motion upon which further amendment(s) may be moved.
 - g An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the Mayor/Chairman of the meeting, is expressed in writing to the Mayor/Chairman.
 - h A councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
 - i If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the Mayor/Chairman.
 - j Subject to standing order 1(k) below, only one amendment shall be moved and debated at a time, the order of which shall be directed by the Mayor/Chairman of the meeting.
 - k One or more amendments may be discussed together if the Mayor/Chairman of the meeting considers this expedient, but each amendment shall be voted upon separately.
 - l A councillor may not move more than one amendment to an original or substantive motion.

- m The mover of 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 Mayor/Chairman of the meeting, a councillor may speak once in the debate on a motion except:
 - i. to speak on an amendment moved by another councillor;
 - ii. to move or speak on another amendment if the motion has been amended since he last spoke;
 - iii. to make a point of order;
 - iv. to give a personal explanation; or
 - v. in exercise of a right of reply.
- p During the debate of a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.
- q A point of order shall be decided by the Mayor/Chairman of the meeting and his decision shall be final.
- r When a motion is under debate, no other motion shall be moved except:
 - i. to amend the motion;
 - ii. to proceed to the next business;
 - iii. to adjourn the debate;
 - iv. to put the motion to a vote;
 - v. to ask a person to be no longer heard or to leave the meeting;
 - vi. to refer a motion to a committee or sub-committee for consideration;
 - vii. to exclude the public and press;
 - viii. to adjourn the meeting; or
 - ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory requirements.
- s Before an original or substantive motion is put to the vote, the Mayor/Chairman of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of

reply.

- t Excluding motions moved under standing order 1(r) above, the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed (3) minutes without the consent of the Mayor/Chairman of the meeting.

2. Disorderly conduct at meetings

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the Mayor/Chairman of the meeting shall request such person(s) to moderate or improve their conduct.
- b If person(s) disregard the request of the Mayor/Chairman of the meeting to moderate or improve their conduct, any councillor or the Mayor/Chairman of the meeting may move that the person be no longer heard or excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- c If a resolution made under standing order 2(b) above is ignored, the Mayor/Chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

3. Meetings generally

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

- a **Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.**
- b **The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**
- c **The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice.**

- □ d **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of 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 a meeting in accordance with standing order 3(e) above shall not exceed (15) minutes unless directed by the Mayor/Chairman of the meeting.
- g Subject to standing order 3(f) above, a member of the public shall not speak for more than (3) minutes.
- h In accordance with standing order 3(e) above, a question shall be in writing, signed and delivered not less than seven clear days (excluding weekends and public holidays) before the meeting to the Town Clerk. The question shall not require a response at the meeting nor start a debate on the question. The Mayor/Chairman of the meeting may direct that a written or oral response be given.
- i A person shall stand when requesting to speak and when speaking (except when a person has a disability or is likely to suffer discomfort). The Mayor/Chairman of the meeting may at any time permit a person to be seated when speaking.
- j A person who speaks at a meeting shall direct his comments to the Mayor/Chairman of the meeting.
- k Only one person is permitted to speak at a time. If more than one person wants to speak, the Mayor/Chairman 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 Mayor of the Council may in his absence be done by, to or before the Deputy Mayor of the Council (if any).
- p The Mayor/Chairman, if present, shall preside at a meeting. If the Mayor/Chairman is absent from a meeting, the Deputy Mayor/Vice-Chairman, if present, shall preside. If both the Mayor/Chairman and the Deputy Mayor/Vice-Chairman 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 Mayor/Chairman of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote.
See standing orders 5(i) and (j) below for the different rules that apply in the election of the Mayor/Chairman 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 his vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.

- 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 his 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/committee are present and in no case shall the quorum of a meeting be less than three.**

See standing order 4d(viii) below for the quorum of a committee or sub-committee meeting.

□□□

- 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 shall not exceed a period of (3) hours.

4. Committees and sub-committees

- a **Unless the council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**
- b **The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the council.**
- c **Unless the council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-**

councillors.

- d The council may appoint standing committees or other committees as may be necessary, and:
- i. shall determine their terms of reference;
 - ii. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of full council;
 - iii. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
 - iv. shall, subject to standing orders 4(b) and (c) above, appoint and determine the terms of office of members of such a committee;
 - v. may, subject to standing orders 4(b) and (c) above, 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 (7) days before the meeting that they are unable to attend;
 - vi. shall, after it has appointed the members of a standing committee, appoint the Chairman of the standing committee;
 - vii. shall permit a committee other than a standing committee, to appoint its own Chairman at the first meeting of the committee;
 - viii. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which shall be no less than three;
 - ix. shall determine if the public may participate at a meeting of a committee;
 - x. 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;
 - xi. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
 - xii. may dissolve a committee.

5. Ordinary council meetings

- a **In an election year, the annual meeting of the council shall be held on or within 14 days following the day on which the new councillors elected take office.**
- b **In a year which is not an election year, the annual meeting of a council shall be held on such day in May as the council may direct.**
- 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 Mayor and Deputy Mayor of the Council.**
- f **The Mayor of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the council.**
- g **The Deputy Mayor of the Council, if any, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Deputy Mayor of the Council at the next annual meeting of the council.**
- h **In an election year, if the current Mayor of the Council has not been re-elected as a member of the council, he shall preside at the meeting until a successor Mayor of the Council has been elected. The current Mayor of the Council shall not have an original vote in respect of the election of the new Mayor 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 Mayor of the Council has been re-elected as a member of the council, he shall preside at the meeting until a new Mayor of the Council has been elected. He may exercise an original vote in respect of the election of the new Mayor of the Council and must give a casting vote in the case of an equality of votes.**
- j Following the election of the Mayor and Deputy Mayor of the Council at the annual meeting of the council, the business of the annual meeting shall generally include:
 - i. **In an election year, delivery by the Mayor of the Council, Deputy Mayor 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 Mayor and Deputy Mayor of the Council of his acceptance of office form unless the council resolves for this to be done at a later date;**
 - ii. Confirmation of the accuracy of the minutes of the last meeting of the council;
 - iii. Receipt of the minutes of the last meeting of a committee;
 - iv. Consideration of the recommendations made by a committee;
 - v. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;

- vi. Review of the terms of reference for committees;
 - vii. Appointment of members to existing committees;
 - viii. Appointment of any new committees in accordance with standing order 4 above;
 - ix. Review and adoption of appropriate standing orders and financial regulations;
 - x. Review of arrangements, including any charters and agency agreements, with other local authorities and review of contributions made to expenditure incurred by other local authorities;
 - xi. Review of representation on or work with external bodies and arrangements for reporting back;
 - xii. In an election year, to make arrangements with a view to the council becoming eligible to exercise the general power of competence in the future;
 - xiii. Review of inventory of land and assets including buildings and office equipment;
 - xiv. Confirmation of arrangements for insurance cover in respect of all insured risks;
 - xv. Review of the council's and/or staff subscriptions to other bodies;
 - xvi. Review of the council's complaints procedure;
 - xvii. Review of the council's policies, procedures and practices in respect of its obligations under the Freedom of Information and Data Protection Legislation (*see also standing orders 11, 20 and 21*);
 - xviii. Review of the council's policy for dealing with the press/media;
 - xix. Review of the Council's employment policies and procedures;
 - xx. Review of the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the general power of competence.
 - xxi. Determining the time and place of ordinary meetings of the full council up to and including the next annual meeting of full council.
6. Extraordinary meetings of the council and committees and sub-committees
- a **The Mayor of the Council may convene an extraordinary meeting of the council at any time.**
 - b **If the Mayor of the Council does not or refuses to call an extraordinary meeting of the council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the council. The public notice giving the time, place and agenda for such a meeting must be signed by the two councillors.**

- c The Chairman of a committee [or a sub-committee] may convene an extraordinary meeting of the committee [or the sub-committee] at any time.
- d If the Chairman of a committee [or a sub-committee] does not or refuses to call an extraordinary meeting within (7) days of having been requested by to do so by (2) members of the committee [or the sub-committee], any (2) members of the committee [and the sub-committee] may convene an extraordinary meeting of a committee [and a sub-committee].

7. Previous resolutions

- a A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least (6) councillors to be given to the Proper Officer in accordance with standing order 9 below, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.
- b When a motion moved pursuant to standing order 7(a) above has been disposed of, no similar motion may be moved within a further six months.

8. Voting on appointments

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

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

- a A motion shall relate to the responsibilities of the meeting which it is tabled for and in any event shall relate to the performance of the council's statutory functions, powers and obligations or an issue which specifically affects the council's area or its residents.
- b No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least (7) clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.

- c The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9(b) above, correct obvious grammatical or typographical errors in the wording of the motion.
 - d If the Proper Officer considers the wording of a motion received in accordance with standing order 9(b) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer so that it can be understood at least (5) clear days before the meeting.
 - e If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the Mayor/Chairman of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
 - f The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
 - g Motions received shall be recorded in a book for that purpose and numbered in the order that they are received.
 - h Motions rejected shall be recorded in a book for that purpose with an explanation by the Proper Officer for their rejection.
10. Motions at a meeting that do not require written notice
- a The following motions may be moved at a meeting without written notice to the Proper Officer;
 - i. to correct an inaccuracy in the draft minutes of a meeting;
 - ii. to move to a vote;
 - iii. to defer consideration of a motion;
 - iv. to refer a motion to a particular committee or sub-committee;
 - v. to appoint a person to preside at a meeting;
 - vi. to change the order of business on 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.

11. Management of Information

See also standing order 20.

- 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.**

12. Draft Minutes

- a If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- b There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 10(a)(i).
- c The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d If the chairman of the meeting does not consider the minutes to be an

accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:

“The chairman of this meeting does not believe that the minutes of the meeting of the () held on [date] in respect of () were a correct record but his view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.”



e **If the Council’s gross annual income or expenditure (whichever is higher) does not exceed £25,000, it shall publish draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place.**

f Subject to the publication of draft minutes in accordance with standing order 12(e) and standing order 20(a) and following a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

13. Code of conduct 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 Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.

c Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has another interest if so required by the council’s code of conduct. He may return to the meeting after it has considered the matter in which he had the interest.

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

e A decision as to whether to grant a dispensation shall be made by the Proper Officer and that decision is final.

- f 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.

- g Subject to standing orders 13(d) and (f) above, dispensations requests shall be considered by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required.

- h A dispensation may be granted in accordance with standing order 13(e) 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.**

- 14. Code of conduct complaints
 - a Upon notification by the District or County 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 11 above, report this to the council.

 - b Where the notification in standing order 14(a) above relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Mayor of Council of this fact, and the Mayor shall nominate the Finance Officer 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 14(d) below.

 - c The council may:
 - i. provide information or evidence where such disclosure is necessary to

- progress an investigation of the complaint or is required by law;
 - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
 - d **Upon notification by the District or County Council that a councillor or non-councillor with voting rights has breached the council's code of conduct, the council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.**

15. Proper Officer

- a The Proper Officer shall be either (i) the Town Clerk or (ii) the Finance Officer when the Town Clerk 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) above for the meaning of clear days for a meeting of a full council and standing order 3(c) above for a meeting of a committee.

- ii. subject to standing order 9 above, include on the agenda all motions in the order received unless a councillor has given written notice at least (5) days before the meeting confirming his withdrawal of it;
- iii. **convene a meeting of full council for the election of a new Mayor of the Council, occasioned by a casual vacancy in his office;**
- iv. **facilitate inspection of the minute book by local government electors;**
- v. **receive and retain copies of byelaws made by other local authorities;**
- vi. retain acceptance of office forms from councillors;
- vii. retain a copy of every councillor's register of interests;
- viii. assist with responding to requests made under the Freedom of Information Act legislation and rights exercisable under the General Data Protection Regulations, in accordance with the council's policies and procedures;

- ix. receive and send general correspondence and notices on behalf of the council except where there is a resolution to the contrary;
 - x. assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980);
 - xi. arrange for legal deeds to be executed; *See also standing order 23 below.*
 - xii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the council in accordance with the council's financial regulations;
 - xiii. record every planning application notified to the council and the council's response to the local planning authority in a book for such purpose;
 - xiv. refer a planning application received by the council to the Chairman or in his absence the Vice-Chairman 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 22 below.*
16. Responsible Financial Officer
- a The Finance Officer shall undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.
17. 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 the Finance & General Purposes Committee a statement to summarise:
 - i. the council's payments made during the period being reported;

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

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

- d As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide the Finance & General Purposes Committee with a statement to summarise:
 - i. the council's payments during the period being reported;
 - ii. the council's aggregate receipts and payments for the year;
 - iii. the balances held at the end of year; and
 - iv. 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. The completed annual return of the council, which is subject to external audit, including the annual governance statement, shall be presented to the Finance & General Purposes Committee for consideration and formal approval before 30 June.

18. 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 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 18(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 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 £181,302 for a public service or supply contract or in excess of £4,551,413 for a public works 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 £363,424 for a supply, services or design contract; or in excess of £4,551,413 for a works contract; or £820,370 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.

19. Handling staff matters

- a A matter personal to a member of staff that is being considered by a meeting of council or (personnel) sub-committee is subject to standing order 11 above.
- b Subject to the council's policy regarding absences from work, the council's most senior member of staff shall notify the Chairman of the (personnel) sub-committee or, if he is not available, the Vice-Chairman of the (personnel) sub-committee] of absence occasioned by illness or other reason at its next meeting.
- c The Personnel Sub-committee shall upon a resolution conduct an annual appraisal of the Town Clerk, the appraisal shall be reported in writing.
- d Subject to the council's policy regarding the handling of grievance matters, the council's most senior employee shall contact the Chairman of the (personnel) sub-committee or in his absence, the Vice-Chairman in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the (personnel) sub-committee.
- e Subject to the council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by the Town Clerk relates to the Mayor or any Councillor, this shall be communicated to a member of the (Grievance Panel), which shall be reported back and progressed by resolution of the (Grievance Panel).
- f Any persons responsible for all or part of the management of staff shall treat the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters as strictly confidential and secure.
- g In accordance with standing order 11(a), persons with line management responsibilities shall have access to staff records referred to in standing order 19(f).

20. Requests for information

See also standing order 21.

- 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 **If gross annual income or expenditure (whichever is the higher) exceeds £200,000 The Council, shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.**

21. Responsibilities under Data Protection Legislation

(Below is not an exclusive list).

See also standing order 11.

- 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 his 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.**

22. 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.

23. Execution and sealing of legal deeds

See also standing orders 15(b)(xii) and (xvii) above.

- a A legal deed shall not be executed on behalf of the council unless authorised by a resolution.

- b Subject to standing order 23(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 counter sign the deed as witnesses.**

24. Communicating with District and County or Unitary councillors

- a An invitation to attend a meeting of the council shall be sent, together with the agenda, to the ward councillor(s) of the District and County Council representing the area of the council.
- b Unless the council determines otherwise, a copy of each letter sent to the District and County Council shall be sent to the ward councillor(s) representing the area of the council.

25. Restrictions on councillor activities

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

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

FOLKESTONE TOWN COUNCIL

MODEL FINANCIAL REGULATIONS 2019 FOR ENGLAND

1. General	2
2. Accounting and audit (internal and external)	5
3. Annual estimates (budget) and forward planning	6
4. Budgetary control and authority to spend	7
5. Banking arrangements and authorisation of payments	8
6. Instructions for the making of payments	10
7. Payment of salaries	13
8. Loans and investments	14
9. Income	15
10. Orders for work, goods and services	16
11. Contracts	16
12. [Payments under contracts for building or other construction works]	18
13. [Stores and equipment]	19
14. Assets, properties and estates	19
15. Insurance	20
16. [Charities]	21
17. Risk management	21
18. Suspension and revision of Financial Regulations	21

These Financial Regulations were adopted by the council at its meeting held on 5th September 2019.

1. General

1.1. These financial regulations govern the conduct of financial management by the council and may only be amended or varied by resolution of the council. Financial regulations are one of the council's three governing policy documents providing procedural guidance for members and officers. Financial regulations must be observed in conjunction with the council's standing orders¹ 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 Town Clerk has been appointed as RFO for this council and these regulations apply accordingly.

1.9. The RFO;

- acts under the policy direction of the council;

¹ Model Standing Orders for Councils (2018 Edition) is available from NALC (©NALC 2018)

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

1.10. The accounting records determined by the Town Clerk shall be sufficient to show and explain the council's transactions and to enable the Town Clerk 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.

1.11. The accounting records determined by the Town Clerk shall in particular contain:

- entries from day to day of all sums of money received and expended by the council and the matters to which the income and expenditure or receipts and payments account relate;
- a record of the assets and liabilities of the council; and
- wherever relevant, a record of the council's income and expenditure in relation to claims made, or to be made, for any contribution, grant or subsidy.

1.12. The accounting control systems determined by the Town Clerk 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 Town Clerk and that the approvals are shown in the accounting records; and
- measures to ensure that risk is properly managed.

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

- setting the final budget or the precept (council tax requirement);

- approving accounting statements;
- approving an annual governance statement;
- borrowing;
- writing off bad debts;
- declaring eligibility for the General Power of Competence; and
- addressing recommendations in any report from the internal or external auditors, shall be a matter for the full council only.

1.14. In addition, the council must:

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

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

In these financial regulations the term ‘proper practice’ or ‘proper practices’ shall refer to guidance issued in *Governance and Accountability for 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 Town Clerk in accordance with the Accounts and Audit Regulations, appropriate guidance and proper practices.

2.2. On a regular basis, at the end of each quarter, and at each financial year end, a member other than the Chairman or a cheque signatory shall verify bank reconciliations produced by the Town Clerk. The member shall sign the reconciliations as evidence of verification. This activity shall on conclusion be reported and noted by the Finance & General Purposes Committee.

2.3. The Town Clerk 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 Town Clerk, 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
- has 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 Town Clerk 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 Town Clerk shall, without undue delay, bring to the attention of all councillors any correspondence or report from internal or external auditors.

3. Annual estimates (budget) and forward planning

3.1. Each committee shall review its three-year forecast of revenue and capital receipts and payments. Having regard to the forecast, it shall thereafter formulate and submit proposals, no later than the end of November each year, for the following financial year including any proposals for revising the forecast. These proposals will then be considered by the Finance & General Purposes Committee.

3.2. The Town Clerk must each year, by no later than the end of October, prepare detailed estimates of all receipts and payments including the use of reserves and all sources of funding for the following financial year in the form of a budget to be considered by the Finance & General Purposes Committee.

3.3. The council shall consider annual budget proposals in relation to the council's three year forecast of revenue and capital receipts and payments including recommendations for the use of reserves and sources of funding and update the forecast accordingly.

3.4. The council shall fix the precept (council tax requirement), and relevant basic amount of council tax to be levied for the ensuing financial year not later than by the end of January each year. The Town Clerk 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. This authority is to be determined by the Town Clerk.

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

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

4.2. No expenditure may be authorised that will exceed the amount provided in the revenue budget for that class of expenditure other than by resolution of the council or duly delegated committee, or by the Clerk following confirmation of third party funding or grant. During the budget year and with the approval of council having considered fully the implications for public services, unspent and available amounts may be moved to other budget headings ('virement') or to an earmarked reserve as appropriate.

4.3. Unspent provisions in the revenue or capital budgets for completed projects shall not be carried forward to a subsequent year.

4.4. The salary budgets are to be reviewed at least annually in October for the following financial year and such review shall be evidenced by a hard copy schedule signed by the Town Clerk and the Chairman of the Personnel Sub-Committee. The Town Clerk will inform committees of any changes impacting on their budget requirement for the coming year in good time.

4.5. In cases of extreme risk to the delivery of council services, the Town Clerk may authorise revenue expenditure on behalf of the council which in 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 £2,500. The Town Clerk shall report such action to the chairman of Finance & General Purposes Committee and 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 Town Clerk shall regularly provide the Finance & General Purposes Committee 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 at least at the end of each financial quarter and shall show explanations of material variances. For this purpose "material" shall be in excess of [£100] or [15%] of the budget.

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

5. Banking arrangements and authorisation of payments

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

5.2. The Town Clerk shall prepare a schedule of payments forming part of the Agenda for the Meeting of the Finance & General Purposes committee. The committee shall review the schedule for compliance and, having satisfied itself shall authorise approval by a resolution. The approved schedule shall be ruled off and initialled by the Chairman of the Meeting. A detailed list of all payments shall be disclosed within or as an attachment to the minutes of the meeting at which payment was authorised. Personal payments (including salaries, wages, expenses and any payment made in relation to the termination of a contract of employment) may be summarised to remove public access to any personal information.

5.3. All invoices for payment shall be examined, verified and certified by the Town Clerk 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 Town Clerk shall examine invoices for arithmetical accuracy and analyse them to the appropriate expenditure heading. The Town Clerk shall take all steps to pay all invoices submitted, and which are in order.

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

- a) If a payment is necessary to avoid a charge to interest under the Late Payment of Commercial Debts (Interest) Act 1998, and the due date for payment is before the next scheduled Meeting of Finance & General Purposes Committee, and where the Town Clerk certify that there is no dispute or other reason to delay payment, provided that a list of such payments shall be submitted to the next appropriate meeting of Finance & General Purposes 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 council [or finance committee]; or
- c) fund transfers within the councils banking arrangements up to the sum of £10,000, provided that a list of such payments shall be submitted to the next appropriate meeting of the Finance & General Purposes Committee.

5.6. For each financial year the Town Clerk shall draw up a list of due payments which arise on a regular basis as the result of a continuing contract, statutory duty, or obligation (such as but not exclusively) Salaries, PAYE and NI, Superannuation Fund and regular maintenance contracts and the like for which council [,or a duly authorised committee,] may authorise payment for the year provided that the requirements of regulation 4.1 (Budgetary Controls) are adhered to, provided also that a list of such payments shall be submitted to the next appropriate meeting of council [or Finance Committee].

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

5.8. In respect of grants a duly authorised committee shall approve expenditure within any limits set by council and in accordance with any policy statement approved by council. Any Revenue or Capital Grant in excess of £2,500 shall before payment, be subject to ratification by resolution of the council.

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

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

6. Instructions for the making of payments

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

6.2. Following authorisation under Financial Regulation 5 above, the council, a duly delegated committee or, if so delegated, the Town Clerk shall give instruction that a payment shall be made.

6.3. All payments shall be affected by electronic payment, cheque or other instructions to the council's bankers, or otherwise, in accordance with a resolution of council [or duly delegated committee].

6.4. Cheques or orders for payment drawn on the bank account in accordance with the schedule as presented to council or committee shall be signed by two members of council and countersigned by the Town Clerk, 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.

6.6. Cheques or orders for payment shall not normally be presented for signature other than at a council or committee meeting (including immediately before or after such a meeting). Any signatures obtained away from such meetings shall be reported to the council [or Finance Committee] at the next convenient meeting.

6.7. If thought appropriate by the council, payment for utility supplies (energy, telephone and water) and any National Non-Domestic Rates may be made by variable direct debit provided that the instructions are signed by two 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.

6.8. If thought appropriate by the council, payment for certain items (principally salaries) may be made by banker's standing order provided that the instructions are signed, or otherwise evidenced

by two members are retained and any payments are reported to council as made. The approval of the use of a banker's standing order shall be renewed by resolution of the council at least every two years.

6.9. If thought appropriate by the council, payment for certain items may be made by BACS or CHAPS methods provided that the instructions for each payment are signed, or otherwise evidenced, by two authorised bank signatories, are retained and any payments are reported to council as made. The approval of the use of BACS or CHAPS shall be renewed by resolution of the council at least every two years.

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

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 the records on any computer shall be made and shall be stored securely away from the computer in question, and preferably off site.

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

6.14. Where internet banking arrangements are made with any bank, the Town Clerk and Finance Officer shall be appointed as the Service Administrators. The bank mandate approved by the council shall identify a number of councillors who will be authorised to approve transactions on those accounts. 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 Town Clerk. A programme of regular checks of standing data with suppliers will be followed.

6.17. Any Debit Card issued for use will be specifically restricted to the Town Clerk and will also be restricted to a single transaction maximum value of £2,500 unless authorised by council or the Finance & General Purposes 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 Finance & General Purposes Committee. Transactions and purchases made will be reported to the committee and authority for topping-up shall be at the discretion of the committee.

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

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

- a) The Town Clerk shall maintain a petty cash float of £500 for the purpose of defraying operational and other expenses. Vouchers for payments made from petty cash shall be kept to substantiate the payment.
- b) Income received must not be paid into the petty cash float but must be separately banked, as provided elsewhere in these regulations.
- c) Payments to maintain the petty cash float shall be shown separately on the schedule of payments presented to council under 5.2 above.

7. Payment of salaries

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

7.2. Payment of salaries and payment of deductions from salary such as may be required to be made for tax, national insurance and pension contributions, or similar statutory or discretionary deductions must be made in accordance with the payroll records and on the appropriate dates stipulated in employment contracts, provided that each payment is reported to the next available council meeting, as set out in these regulations 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 personnel sub-committee.

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

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

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

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

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

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

8. Loans and investments

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

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

8.3. The council will arrange with the council's banks and investment providers for the sending of a copy of each statement of account to the Chairman of the council at the same time as one is issued to the Town Clerk.

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

8.5. The council shall consider the need for an Investment Strategy and Policy which, if drawn up, shall be in accordance with relevant regulations, proper practices and guidance. Any Strategy and Policy shall be reviewed by the council at least annually.

8.6. All investments of money under the control of the council shall be in the name of the council.

8.7. All investment certificates and other documents relating thereto shall be retained in the custody of the Town Clerk.

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

9. Income

9.1. The collection of all sums due to the council shall be the responsibility of and under the supervision of the Town Clerk.

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 Town Clerk and the Town Clerk shall be responsible for the collection of all accounts due to the council.

9.3. The council will review all fees and charges at least annually, following a report of the Town Clerk.

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

9.5. All sums received on behalf of the council shall be banked intact as directed by the Town Clerk. In all cases, all receipts shall be deposited with the council's bankers with such frequency as the Town Clerk 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 Town Clerk shall promptly complete any VAT Return that is required. Any repayment claim due in accordance with VAT Act 1994 section 33 shall be made at least annually coinciding with the financial year end.

9.9. Where any significant sums of cash are regularly received by the council, the Town Clerk 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.

10.2. Order books shall be controlled by the Town Clerk.

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

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

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

11. Contracts

11.1. Procedures as to contracts are laid down as follows:

a) Every contract shall comply with these financial regulations, and no exceptions shall be made otherwise than in an emergency provided that this regulation 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 legal professionals acting in disputes;

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 £1000 (in excess of this sum the Town Clerk shall act after consultation with the Chairman and Vice Chairman of council); and

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

b) Where the council intends to procure or award a public supply contract, public service contract or public works contract as defined by The Public Contracts Regulations 2015 (“the Regulations”) which is valued at £25,000 or more, the council shall comply with the relevant requirements of the Regulations².

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)³.

d) When applications are made to waive financial regulations relating to contracts to enable a price to be negotiated without competition the reason shall be embodied in a recommendation to the council.

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

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

² 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

³ Thresholds currently applicable are:

a) For public supply and public service contracts 209,000 Euros (£181,302)
b) For public works contracts 5,225,000 Euros (£4,551,413)

g) Any invitation to tender issued under this regulation shall be subject to Standing Orders[],⁴[insert reference of the council's relevant standing order] 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 Town Clerk or FO shall obtain 3 quotations (priced descriptions of the proposed supply); where the value is below [£3,000] and above [£500] the Town Clerk or FO 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 Town Clerk 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 Town Clerk shall maintain a record of all such payments. In any case where it is estimated that the total cost of work carried out under a contract, excluding agreed variations, will exceed the contract sum of 5% or more a report shall be submitted to the council.

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

13. Stores and equipment

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

⁴ Based on NALC's Model Standing Order 18d ©NALC 2018

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

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

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

14. Assets, properties and estates

14.1. The Town Clerk shall make appropriate arrangements for the custody of all title deeds and Land Registry Certificates of properties held by the council. The Town Clerk shall ensure a record is maintained of all properties held by the council, recording the location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held in accordance with 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 [£250].

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

14.4. No real property (interests in land) shall be purchased or acquired without the authority of the full council. In each case a report in writing shall be provided to council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).

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

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

15. Insurance

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

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

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

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

15.5. All appropriate members and employees of the council shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined [annually] by the council, or duly delegated committee.

16. Charities

16.1. Where the council is sole managing trustee of a charitable body the Town Clerk 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 Town Clerk 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 Town Clerk and Finance Officer shall prepare, for approval by the council, risk management policy statements in respect of all activities of the council. Risk policy statements and consequential risk management arrangements shall be reviewed by the council at least annually.

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

18. Suspension and revision of Financial Regulations

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

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

The Model Financial Regulations templates were produced by the National Association of Local Councils (NALC) in July 2019 for the purpose of its member councils and county associations. Every effort has been made to ensure that the contents of this document are correct at time of publication. NALC cannot accept responsibility for errors, omissions and changes to information subsequent to publication.

FOLKESTONE TOWN COUNCIL
SCHEDULE OF MEETING DATES 2022/23

(Please note that all meeting dates are provisional and may be subject to change or cancellation)

	Planning Committee (Thursday)	Community Services Committee (Tuesday)	Climate & Environment Committee	Finance & General Purposes Committee (Thursday)	Personnel Sub-Committee (5.00pm)	Full Council
April 2022	28	5	7	21	21	
May 2022	26					Tuesday 10 (Annual Council) Tuesday 17 (Town Assembly)
June 2022	30	7	9	16		16 (AGAR Meeting)
July 2022	28					
August 2022	25					
September 2022	29			1	1	22
October 2022	27	4	6	20		
November 2022	24					17
December 2022	20*			15 (Budget Meeting)		
January 2023	26					11 (Precept Meeting)
February 2023	23	7	9	16	16	
March 2023	30					16
April 2023	27	4	6	20	20	
May 2023	25					Tuesday 9 (Annual Council) Tuesday 16 (Town Assembly)

* changed to Tuesday