

HAVERHILL TOWN COUNCIL MEETING

Tuesday 24th September 2013 at 7.00pm in The Studio, Haverhill Arts Centre, High Street, Haverhill, CB9 8AR



Present: **Chair:** Town Councillor: R André
 Town Councillors: M Byrne, E Goody,
 P Hanlon, M Martin,
 B McLatchy, D Roach,
 and C Turner

Also present: 20 members of the public

MINUTES

ACTION

1. **Apologies for Absence**
Apologies for absence had been received from Cllrs Ager, Carr, French, Russo Samuels, G Stroud and J Stroud.
2. **Declaration of Interests**
No councillor declared an interest in items on the agenda.
3. **To Confirm the Minutes of the Meeting held 23rd July 2013**
The minutes of the meeting held on 3rd September 2013 were agreed.

4. **To deal with any urgent matters arising from the minutes not covered by this agenda**
The Town Clerk reported that Cllr Byrne had been unable to attend the Borough Council Sustainable Development Working Party (SDWP) on 18th September at which the draft Vision 2031 submission had been agreed without amendment. He said that instead he would attend the Full Borough Council on 30 Sept to make representations regarding our Vision 2031 submission. He further reported that the SDWP had rejected Cambridgeshire County Council's proposal to consider a rail link – one of the comments in our Vision 2031 response – and would like to include that in his address to the Borough Council meeting.

Cllr Byrne said she was furious at the SDWP and at the Chair and Borough Councillor Karen Richardson. Cllr Byrne said she should be questioned about the decision, and about how she sees her role in representing Haverhill.

Cllr Turner said he agreed with Cllr Byrne and supported the Clerk's attendance at the next Borough Council meeting.

The Clerk reported that a detailed breakdown of the Council's reserves was now available on the website, in addition to the summary that was already available.

The Clerk also reported that a meeting had been arranged to consider how best to make Leiston Community Centre more accessible to mobility scooters.

The Clerk advised the Council that the Borough Council had confirmed that the problems of litter and goalmouth fires at Puddlebrook Playing Fields had been addressed.

5. Inspector Peter Ferrie

Inspector Ferrie updated Town Councillors on the latest crime statistics from 1st April 2013 to date. These showed an increase compared with the three-year average in the following types of crime:

- Domestic burglary
- Robbery
- Drug offences

And a decrease in:

- Violence against the person
- Sexual offences
- Acquisitive crime
- Other burglaries
- Vehicle crime
- Criminal damage/arson
- All other offences
- Total recorded crime

Anti-social behaviour reports had also decreased.

Insp Ferrie said he considered that the three increases were linked to drugs. Action had been taken to address this, including drug seizures, and property acquired from the recent spate of 'creeper' burglaries had been recovered. A Haverhill male had recently been arrested and was awaiting trial. There had been no reports of domestic burglary since 26th August.

Insp Ferrie said that work was ongoing in relation to drug dealing, and he appealed to the public for information. He advised however that the scale of offences was not as high as in other similar towns, and that he was determined to prevent this.

Insp Ferrie also reported on the SNT priorities – speeding and parking in the High Street, and issues in the area of Clayhive Drive and surrounding streets.

Cllr Byrne said she regretted that the SNT meeting had not included rough sleeping in Duddery Hill in its priorities. It had been a problem for at least three months and allotment holders were now fearful. She asked Insp Ferrie to put pressure on the relevant agencies. She also asked how sex offenders were monitored if they came to live locally, and whether they were allocated to Haverhill or came out of choice. Insp Ferrie said this was undertaken by the Public Protection Unit and that the local Police were notified. He said he did not know how they might come to be in Haverhill.

Insp Ferrie expressed concern about the rough sleepers and about the theft of food from the allotments.

Cllr Roach asked how many speed checks had been undertaken recently. Insp Ferrie reported that several officers had been out recently and that the priorities were High Street and Wrating Road. Cllr Roach said that the other approach roads were also a problem and asked whether the Traffic Unit could be invited to help. Insp Ferrie said he would do this, but explained that the Unit had been reduced and focused on the A12 and A14.

Cllr Turner asked who was responsible for enforcing against dog fouling, littering and dog attacks. Insp Ferrie said that the Borough Council dealt with dog fouling and littering, but that the Police would look to prosecute in the case of attacks.

Cllr Hanlon said that the drug problem had a knock-on impact on Anti-Social Behaviour.

The Mayor thanked Inspector Ferrie for his attendance and report, and said he was pleased to hear of his successes.

6. Summer Bash 2013

The Mayor joined local businessman David Doughty in presenting the proceeds of fundraising at the Summer Bash 2013 to charities.

The Clerk reported that £2,500 was presented to LAMP'H, and £750 each to REACH Community Projects and Haverhill Scouts & Guides. The final accounts for the event were still being finalised and a further amount would be available for services to the elderly.

David Doughty said that he planned a two-day event for 2014, at Haverhill Rovers on the Saturday and with the Town Council at the Recreation Ground on the Sunday.

Cllr Hanlon offered his thanks to David and his team.

The Mayor encouraged David in his ambitions for the 2014 event.

7. Haverhill Town Pastors

Captain Andrew Payne and Ian Levitt presented an update on the work of the Town Pastors. Andrew circulated statistics showing the types and numbers of incidents addressed. He said these suggested that the night-time economy may have been quieter of late, but stressed the importance of the Pastors' presence at particular moments, for example when first aid is needed.

Ian Levitt outlined a specific example highlighting the community effort involved in dealing with incidents. This one, involving a young lady having seizures, involved a first responder, two pastors, a special constable and a Police officer. Ian also highlighted the fact that the first responder was able to attend within 10 minutes, whilst the ambulance took 45 minutes to arrive. This incident was spotted as a result of the pastors being observant and offering help.

Ian also referred to the case of a 17 year old who had drunk half a bottle of vodka, and was placed in the recovery position. The parents were called once the immediate danger to health had passed.

Andrew reminded councillors that the pastors might be the only people out and about in town on a Friday night, but that they were assisted by CCTV and radios in communicating with other services.

Andrew said that despite the nature of the examples given, Haverhill was a very good town by comparison with most.

Cllr Martin asked how the pastors dealt with cases of homelessness. Andrew said that space blankets were offered, along with important contact details. The pastors would also try to follow up any cases identified, and would like to see more involvement by statutory agencies.

Cllr Goody said that the pastors' work helped to avoid the possibility of a young person getting a criminal record, and he thanked them for their efforts. Andrew said that Ian also worked at the prison and saw the links.

Cllr McLatchy said that the pastors' provided reassurance to parents. Andrew and Ian remarked that they are often thanked by parents.

The Mayor said he was humbled by the service given by the pastors, by the supporting team, and by the obvious dedication and training required. He offered his thanks.

Andrew said that he would not be requesting Town Council funding at this time, but may make an approach early in the next financial year. The Clerk advised that this would be taken into account in the budget-setting process.

The Mayor, with the agreement of the Council, adjourned the meeting at 7.40pm for the public forum.

County Councillor Tony Brown asked what the Town Council policy was on zero hours employment contracts. He said he was against them for a multitude of reasons. The Town Clerk said that casual contracts were issued but that there were no zero hours contracts in place. He undertook to respond more fully in writing.

Chris Wheatley asked about the number of homeless people in Haverhill, and what provision was made. The Clerk said he understood the level to be generally very low, in spite of the specific issue on Duddery Hall at the moment. He added that the practice of 'sofa surfing' had been reported as being common. The Mayor said that the Police had a role to play in identifying homelessness. Cllr Byrne added that there is a hostel in Bury St Edmunds, and said that it had been alleged that not all of the seven people seen at the allotments on Duddery Hill were homeless. Cllr Goody said that there is provision at the Gangle.

A member of the public expressed concern that the statutory agencies were not sufficiently involved, but that homelessness may also be a choice in some

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cases. Others could be attracted by existing cases of rough sleeping.

Borough Councillor Gordon Cox asked whether the ownership of the land at Duddery Hill could be investigated. Cllr Byrne said that it was owned by Wisdom. The Clerk said he would take the matter up with Wisdom, but that there may also be a need for the involvement of Borough Council Housing and Planning services.

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A member of the public asked whether the Town Council could lobby for a dog warden for Haverhill, even if only part-time. The Clerk said he would write to the Borough Council, and encouraged the public to report issues. The same member of the public referred to a poster campaign which declared that there is “no such thing as the poo fairy”.

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Cllr Hanlon said that reporting the time of issues would encourage the dog warden to attend at the right time.

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Cllr Turner said that a ‘101’ call made had resulted in a request for a description of the dog and not its owner.

There being no further matters raised by the public, the Mayor resumed the meeting with the agreement of the Council at 8.15pm.

8. Adoption of Committee Reports

Finance Committee

The Council moved the adoption of the minutes of the Finance Committee meeting held on 3rd September 2013.

Planning Committee

The Council moved the adoption of the minutes of the Planning Committee meeting held on 10th September 2013.

Leisure & Community Committee

The Council moved the adoption of the minutes of the Leisure & Community Committee meeting held on 17th September 2013.

9. Former Magistrates Court/Police Station

The Clerk updated members on the proposal to take on the former Magistrates Court/Police Station site from Suffolk County Council (SCC). SCC had issued draft heads of terms for a lease document, and these were with the solicitor for consideration. The Town Council aimed to get a full lease agreement drafted and agreed in October. In the meantime a surveyor was in place to provide a condition survey, maintenance plan and valuation.

Discussions were due to take place soon with Havebury and a builder's supplier with a view to a community project that could provide building materials at no cost to help with the refurbishment.

Cllr Byrne thanked the Clerk for his work, and said that SCC should be reminded that the site should be gifted as had happened with other properties. The Clerk said this would form part of the negotiation.

Cllr Turner asked whether the site could be available for use for emergency homelessness. The Mayor said this should be raised at Finance Committee.

10. ONE Haverhill

The Clerk reported on the ONE Haverhill Board meeting held on 17th September 2013, which had received updates on ONE Haverhill activities, including:

- Youth Steering Group – Karen Chapple had been appointed as Youth Co-ordinator, with some priorities and activities set. The Mayor had proposed expanding these to ensure direct youth involvement in the decisions and work towards the creation of a youth hub and this had been agreed. Karen would attend the next Board meeting
- NCB Core Group – the group had passed most of its Community Budget work from the pilot stage to delivery groups – the Youth Steering Group for youth provision, the Town Council and Volunteer Centre for community wardens. Funding had been given by DCLG to enable two members of the core group plus Cllr Gower to act as ‘mentors’ for the Community Budget in other areas. The Clerk had not offered to act in this capacity due to the time commitment. However he had visited Frome Town Council to offer guidance to the Clerk there and was happy to undertake similar work elsewhere where time permits. Work towards establishing the Town Centre Masterplan as phase 2 of the Community Budget was progressing. This would sit beneath the Vision 2031 document and would be driven by ONE Haverhill with support from SEBC planners. At the meeting the Board had agreed that this would be phase 2
- Holding meetings in public – Cllr Tony Brown had put a proposal that Board meetings be held in public, and this was deferred for a full vote of all members by email. The Clerk asked the Town Council to consider whether its delegates should vote in support of its current position, i.e. that meetings should be open to the public and that there should be public participation
- The ‘Head’ sculpture – Cllr Rushbrook and an SEBC officer attended the Board meeting to request ONE Haverhill’s help in maintaining the promotional material to be displayed in the sculpture. They had been told they could come back when there was a clear idea of the commitment involved
- Cllr Tony Brown had presented a paper on the Corn Exchange. He was looking to set up a Trust to run the building as a heritage centre and sought ONE Haverhill’s support. During the discussion the Clerk said that if a robust and sustainable business case could be put together by the Trust for the refurbishment and running costs, he would bring the matter back to the Town Council to ask whether councillors would consider purchasing the building and leasing it to the Trust. No commitment had been given to purchase the building.
- The officer delegate from SCC had asked the Board to consider whether Council officers present – including the Town Clerk – should be allowed to vote. There was a concern that officers may be put in a compromising position from a political perspective. The Clerk asked Town Councillors to offer their view ahead of a vote by Board members.

Cllr Byrne said that Board meetings should be open to the public, and proposed this as the Town Council’s position. She added that it would not be good for Haverhill to lose the Clerk’s vote on the Board, and further proposed that the Town Council should seek to maintain his

vote.

The Mayor said that officers could abstain from voting if they felt in any way compromised on a given issue.

Cllr Turner said he agreed that there should be transparency and that officers could abstain. He said he had confidence in the Clerk.

Cllr Goody said that he echoed previous comments, and that the public could be excluded if there were sensitive matters for discussion.

Cllr McLatchy said she agreed with Cllr Byrne.

Cllr Roach said it was ludicrous to preclude the expert opinion of officers from voting.

Town Councillors agreed that ONE Haverhill Board meetings should be open to the public, and that the Town Clerk's vote on the Board should be maintained.

11. Review of Standing Orders and Financial Regulations

The Clerk introduced a review of the Town Council's Standing Orders and Financial Regulations. He advised that the draft revised documents took account of:

- Last year's changes to the committee structure – the merger of Leisure & Arts and Community First
- The replacement of the Power of Well Being with the General Power of Competence – the requirement remained basically the same, that the Council should reaffirm the power at the first annual meeting after a full Town Council election
- The adoption of the new model Suffolk Code of Conduct – the key change was that the old version refers to the role of the Council's Personnel Committee in dealing with complaints, whereas the new code had complaints referred to the Monitoring Officer.
- A request to increase the maximum petty cash float from £200 to £400. The float would normally be kept at £200 but there were occasions (such as at outdoor events) when greater flexibility is required to make small purchases urgently. This was probably only three or four times a year, but at present the Council was hamstrung in an emergency

Other minor amendments had been made to reflect current legislation and previous typographical errors.

Councillors agreed the revised Standing Orders and Financial Regulations as appended to these minutes.

12. To authorise payments.

Councillors authorised the following cheque lists:-

Date	Cheque Numbers	Value
23.07.13	008931 – 008957	£15,562.19
30.07.13	008958 – 008977	£10,985.73
30.07.13	008978 - 008979	£4,145.00

06.08.13	008980 – 008998	£9,377.36
13.08.13	008999 – 009015	£48,108.62
21.08.13	009016 – 009034	£6,700.95
03.09.13	009035 – 009060	£22,878.44

13. To receive urgent correspondence

The Town Clerk reported an email received from Cllr Gordon Cox requesting consideration of a second town clock to be installed in Queens Street adjacent to Queens Square, in addition to that agreed for installation in the Jubilee Walk area.

Cllr Hanlon said a second clock would be a waste of taxpayers' money, and that it was not too far to walk from Queens Street to the church or the Cangle to see the nearest clock.

Cllr McLatchy asked how many clocks were needed.

Cllr Byrne said that most people had mobile phones, and that she would rather see the effort put into a single clock that would be feature of the town centre.

Councillors agreed that no further action was needed in relation to this request.

Councillors also agreed that the Clerk should look into the arrangements for the Remembrance Sunday service, and whether this could be at the traditional time of 11.00am.

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13. Closure

The meeting was closed at 8.41pm.

Standing Orders for Haverhill Town Council
Revised 24 September 2013

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1 Meetings


Mandatory for full Council meetings	●
Mandatory for committee meetings	●
Mandatory for 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 suitable premises are available free of charge or at a reasonable cost.**
- b **When calculating the 3 clear days for notice of a meeting to councillors and the public, 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 shall not count.**
- c **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.**
- d Subject to standing order 1(c) above, members of the public are permitted to make representations, answer questions and give evidence in respect of any item of business included in the agenda. The period of time which is designated for public participation shall not exceed 30 minutes.
- e Subject to standing order 1(d) above, each member of the public is entitled to speak once only in respect of business itemised on the agenda and shall not speak for more than 2 minutes.
- f In accordance with standing order 1(d) above, a question asked by a member of the public during a public participation session at a meeting shall not require a response or debate.
- g In accordance with standing order 1(f) above, the Chair may direct that a response to a question posed by a member of the public be referred to a Councillor for an oral


response or to an employee for a written or oral response.


- h** A record of a public participation session at a meeting shall be included in the minutes of that meeting.
- i** A person shall raise his hand when requesting to speak.
- j** Any person speaking at a meeting shall address his comments to the Chair.
- k** Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chair shall direct the order of speaking.
-  **l** **Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's prior written consent.**

-  **m** **In accordance with standing order 1(c) above, the press shall be provided reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**



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n Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chair may in his absence be done by, to or before the Vice-Chair (if any).
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o The Chair, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice-Chair, if present, shall preside. If both the Chair and the Vice-Chair are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.
- 


p Subject to standing order 1 (w) below, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.
- 


q The Chair 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 also standing orders 2 (w) and (x) below.*)
- 


r Unless standing orders provide otherwise, voting on any question shall be by a show of hands. At the request of a Councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave 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.
- 


s The minutes of a meeting shall record the names of councillors present and absent.

t If prior to a meeting, a Councillor has submitted reasons for his absence at the meeting which is then approved by a resolution, such resolution shall be recorded in the minutes of the meeting at which the approval was given.

 **u** The code of conduct adopted by the Council shall apply to councillors in respect of the entire meeting.

 **v** An interest arising from the code of conduct adopted by the Council, the existence and nature of which is required to be disclosed by a Councillor at a meeting shall be recorded in the minutes. (*See also standing orders 7 and 8 below.*)

 **w** No business may be transacted at a meeting unless at least one third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than 3.

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

y Meetings shall not exceed a period of 2 hours.

2 Ordinary Council meetings

See also standing order 1 above

- a** In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the new councillors elected take office.
- b** In a year which is not an election year, the annual meeting of a Council shall be held on such day in May as the Council may direct.
- c** If no other time is fixed, the annual meeting of the Council shall take place at ~~6~~7pm.
- d** In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council directs.
- e** The election of the Chair and Vice-Chair of the Council shall be the first business completed at the annual meeting of the Council.
- f** The Chair of the Council, unless s/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 Vice-Chair of the Council, if any, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the Council.
- h** In an election year, if the current Chair of the Council has not been re-elected as a member of the Council, s/he shall preside at the meeting until a successor Chair of the Council has been elected. The current Chair of the Council shall not have an original vote in respect of the election of the new Chair of the Council but must give a casting vote in the case of an equality of votes.
- i** In an election year, if the current Chair of the Council has been re-elected as a member of the Council, s/he shall preside at the meeting until a new Chair of the Council has been elected. He may exercise an original vote in

respect of the election of the new Chair of the Council and must give a casting vote in the case of an equality of votes.

- j Following the election of the Chair of the Council and Vice-Chair of the Council at the annual meeting of the Council, the order of business shall be as follows.
- i. In an election year, delivery by councillors of their declarations of acceptance of office.
 - ii. Confirmation of the accuracy of the minutes of the last meeting of the Council and to receive and note minutes of recommendations made by committees.
 - iii. Review of delegation arrangements to committees, sub-committees, employees and other local authorities.
 - iv. Review of the terms of references for committees.
 - v. Receipt of nominations to existing committees.
 - vi. Appointment of any new committees, confirmation of the terms of reference, the number of members and receipt of nominations to them.
 - vii. Review and adoption of appropriate standing orders and financial regulations.
 - viii. Review of arrangements, including any charters, with other local authorities and review of contributions made to expenditure incurred by other local authorities.
 - ix. Review of representation on or work with external bodies and arrangements for reporting back.
 - x. In a year of elections, to review and make arrangements to reaffirm eligibility to exercise the General Power of Competence.
 - xi. Review of inventory of land and assets including buildings and office equipment.
 - xii. Review and confirmation of arrangements for insurance cover in respect of all insured risks.
 - xiii. Review of the Council's and/or employees' memberships of other bodies.
 - xiv. Review of the Council's complaints procedure.
 - xv. Reviewing the Council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998.
 - xvi. Reviewing the Council's policy for dealing with the press/media
 - xvii. Setting the dates, times and place of ordinary meetings of the full Council for the year ahead.

3 Proper Officer

- a The Council's Proper Officer shall be either (i) the clerk or such other employee as may be nominated by the Council from time to time or (ii) such other employee appointed by the Council to undertake the role of the Proper Officer during the Proper Officer's absence. The Proper Officer and the employee appointed to act as such during the Proper Officer's absence shall fulfil the duties assigned to the Proper Officer in standing orders.
- b The Council's Proper Officer shall do the following.
 - i. **Sign and serve on councillors by delivery or post at their residences a summons confirming the time, date, venue and the agenda of a meeting of the Council and a meeting of a committee and sub-committee at least 3 clear days before the meeting.**
 - ii. **Give public notice of the time, date, venue and agenda at least 3 clear days before a meeting of the Council or a meeting of a committee or a sub-committee (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**
 - iii. Subject to standing orders 4(a)–(e) below, include in the agenda all motions in the order received unless a councillor has given written notice at least 7 days before the meeting confirming her/his withdrawal of it.
 - iv. **Convene a meeting of full Council for the election of a new Chair of the Council, occasioned by a casual vacancy in her/his office, in accordance with standing order 3(b)i above.**
 - v. Make available for inspection the minutes of meetings.
 - vi. **Receive and retain copies of byelaws made by other local authorities.**
 - vii. **Receive and retain declarations of acceptance of office from councillors.**
 - viii. Retain a copy of every councillor's register of interests and any changes to it and keep copies of the same available for inspection.
 - ix. Keep proper records required before and after meetings;
 - x. Process all requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the Council's procedures relating to the same.
 - xi. Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
 - xii. Manage the organisation, storage of and access to information held by the Council in paper and electronic form.

- xiii. Arrange for legal deeds to be signed by 2 councillors and witnessed (*See also model standing orders 14(a) and (b).*)
- xiv. Arrange for the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations.
- xv. Record every planning application notified to the Council and the Council's response to the local planning authority;
- xvi. In consultation with the Chair and Vice-Chair of the Planning Committee determine planning applications requiring consideration before the next Planning Committee meeting or facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Planning Committee.
- xvii. Action or undertake activity or responsibilities instructed by resolution or contained in standing orders.

4 Motions requiring written notice

- a In accordance with standing order 3(b)(iii) above, no motion may be moved at a meeting unless it is included in the agenda and the mover has given written notice of its wording to the Council's Proper Officer at least 7 clear days before the next meeting.
- b The Proper Officer may, before including a motion in the agenda received in accordance with standing order 4(a) above, correct obvious grammatical or typographical errors in the wording of the motion.
- c If the Proper Officer considers the wording of a motion received in accordance with standing order 4(a) 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 in clear and certain language at least 7 clear days before the meeting.
- d If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the Chair of the forthcoming meeting or, as the case may be, the Councillors who have convened the meeting, to consider whether the motion shall be included or rejected in the agenda.
- e Having consulted the Chair or councillors pursuant to standing order 4(d) above, the decision of the Proper Officer as to whether or not to include the motion in the agenda shall be final.

- f Notice of every motion received in accordance with the Council's standing orders shall be numbered in the order received and shall be entered in a book, which shall be open to inspection by all councillors.
- g Every motion rejected in accordance with the Council's standing orders shall be duly recorded with a note by the Proper Officer giving reasons for its rejection in a book for that purpose, which shall be open to inspection by all councillors.
- h Every motion and resolution shall relate to the Council's statutory functions, powers and lawful obligations or shall relate to an issue which specifically affects the Council's area or its residents.

5 Motions not requiring written notice

- a Motions in respect of the following matters may be moved without written notice.
 - i. To appoint a person to preside at a meeting.
 - ii. To approve the absences of councillors.
 - iii. To approve the accuracy of the minutes of the previous meeting.
 - iv. To correct an inaccuracy in the minutes of the previous meeting.
 - v. To dispose of business, if any, remaining from the last meeting.
 - vi. To alter the order of business on the agenda for reasons of urgency or expedience.
 - vii. To proceed to the next business on the agenda.
 - viii. To close or adjourn debate.
 - ix. To refer by formal delegation a matter to a committee or to a sub-committee or an employee.
 - x. To appoint a committee or sub-committee or any councillors thereto.
 - xi. To receive nominations to a committee or sub-committee.
 - xii. To dissolve a committee or sub-committee.
 - xiii. To note the minutes of a meeting of a committee or sub-committee.
 - xiv. To consider a report and/or recommendations made by a committee or a sub-committee or an employee.
 - xv. To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant.
 - xvi. To authorise legal deeds to be signed by two councillors and witnessed.
(*See standing orders 14(a) and (b) below.*)
 - xvii. To authorise the payment of monies.
 - xviii. To amend a motion relevant to the original or substantive motion under

consideration which shall not have the effect of nullifying it.

- xix. To extend the time limit for speeches.
 - xx. To exclude the press and public for all or part of a meeting.
 - xxi. To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct.
 - xxii. To give the consent of the Council if such consent is required by standing orders.
 - xxiii. To suspend any standing order except those which are mandatory by law.**
 - xxiv. To adjourn the meeting.
 - xxv. To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
 - xxvi. To answer questions from councillors.
- b If a motion falls within the terms of reference of a committee or sub-committee or within the delegated powers conferred on an employee, a referral of the same may be made to such committee or sub-committee or employee provided that the Chair may direct for it to be dealt with at the present meeting for reasons of urgency or expedience.

6 Rules of debate

- a Motions included in an agenda shall be considered in the order that they appear on the agenda unless the order is changed at the Chair's direction for reasons of expedience.
- b Subject to standing orders 4(a)–(e) above, a motion shall not be considered unless it has been proposed.
- c Subject to standing order 3(b)(iii) above, a motion included in an agenda not moved by the councillor who tabled it, may be treated as withdrawn.
- d A motion to amend an original or substantive motion shall not be considered unless proper notice has been given after the original or substantive motion has been proposed and notice of such amendment, shall, if required by the Chair, be reduced to writing and handed to the Chair who shall determine the order in which they are considered.

- e A Councillor may move amendments to her/his own motion. If a motion has already been seconded, an amendment to it shall be with the consent of the seconder.
- f Any amendment to a motion shall be either:
 - i. to leave out words;
 - ii. to add words;
 - iii. to leave out words and add other words.
- g A proposed or carried amendment to a motion shall not have the effect of rescinding the original or substantive motion under consideration.
- h Only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chair. No further amendment to a motion shall be moved until the previous amendment has been disposed of.
- i Subject to Standing Order 6(h) above, one or more amendments may be discussed together if the Chair considers this expedient but shall be voted upon separately.
- j Pursuant to standing order 6(h) above, the number of amendments to an original or substantive motion, which may be moved by a councillor, is limited to one.
- k If an amendment is not carried, other amendments shall be moved in the order directed by the Chair.
- l If an amendment is carried, the original motion, as amended, shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved.
- m The mover of a motion or the mover of an amendment shall have a right of reply, not exceeding 3 minutes.
- n Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply in respect of the substantive motion at the very end of debate and immediately before it is put to the vote.
- o Subject to standing orders 6(m) and (n) above, a councillor may not speak further in respect of any one motion except to speak once on an amendment moved by another councillor or to make a point of order or to give a personal

explanation.

- 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 irregularity in the meeting he is concerned by.
- q A point of order shall be decided by the Chair and his decision shall be final.
- r With the consent of the meeting, a motion or amendment may be withdrawn by the proposer. A councillor shall not speak upon the said motion or amendment unless permission for the withdrawal of the motion or amendment has been refused.
- s Subject to standing order 6(o) above, when a councillor's motion is under debate no other motion shall be moved except:
 - i. to amend the motion;
 - ii. to proceed to the next business;
 - iii. to adjourn the debate;
 - iv. to put the motion to a vote;
 - v. to ask a person to be silent or for her/him to leave the meeting;
 - vi. to refer a motion to a committee or sub-committee for consideration;
 - vii. to exclude the public and press;
 - viii. to adjourn the meeting;
 - ix. to suspend any standing order, except those which are mandatory.
- t In respect of standing order 6(s)(iv) above, the Chair shall first be satisfied that the motion has been sufficiently debated before it is put to the vote. The Chair shall call upon the mover of the motion under debate to exercise or waive her/his right of reply and shall put the motion to the vote after that right has been exercised or waived. The adjournment of a debate or of the meeting shall not prejudice the mover's right of reply at the resumption.

7 Code of conduct

See also standing orders 1(u)–(v) above

- a **All councillors shall observe the code of conduct adopted by the Council.**
- b All councillors shall undertake training in the code of conduct within 6 months of the delivery of their declaration of acceptance of office.
- c **Councillors may exercise the rights contained in standing order 7(d) below only if members of the public are permitted to (i) make representations, (ii) answer questions and (iii) give evidence relating to the business being transacted.**
- d **Councillors with a pecuniary interest in relation to any item of business being transacted at a meeting may (i) make representations, (ii) answer questions and (iii) give evidence relating to the business being transacted but must, thereafter, leave the room or chamber.**

8 Questions

- a A councillor may seek an answer to a question concerning any business of the Council provided 3 clear days notice of the question has been given to the Proper Officer.
- b Questions not related to items of business on the agenda for a meeting shall only be asked during the part of the meeting set aside for such questions.
- c Every question shall be put and answered without discussion.

9 Minutes

- a If a copy of the draft minutes of a preceding meeting has been circulated to councillors no later than the day of service of the summons to attend the scheduled meeting they shall be taken as read.
- b No discussion of the draft minutes of a preceding meeting shall take place except in relation to their accuracy. A motion to correct an inaccuracy in the minutes shall be raised in accordance with standing order 5(a)(iv) above.

- c Minutes, including any amendment to correct their accuracy, shall be confirmed by resolution and shall be signed by the Chair of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d If the Chair of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, s/he shall sign the minutes and include a paragraph in the following terms or to the same effect:

“The Chair of this meeting does not believe that the minutes of the meeting of the () held on [date] in respect of () were a correct record but his view was not upheld by the majority of the () and the minutes are confirmed as an accurate record of the proceedings.”
- e Upon a resolution which confirms the accuracy of the minutes of a meeting, any previous draft minutes or recordings of the meeting shall be destroyed.

10 Disorderly conduct

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly.
- b If, in the opinion of the Chair, there has been a breach of standing order 10(a) above, the Chair shall express that opinion and thereafter any councillor (including the Chair) may move that the person be silenced or excluded from the meeting, and the motion, if seconded, shall be put forthwith and without discussion.
- c If a resolution made in accordance with standing order 10(b) above, is disobeyed, the Chair may take such further steps as may reasonably be necessary to enforce it and/or he may adjourn the meeting.

11 Rescission of previous resolutions

- a A resolution (whether affirmative or negative) of the Council shall not be reversed within 6 months except either by a special motion, the written notice whereof bears the names of at least 8 councillors of the Council, or by a motion moved in

pursuance of the report or recommendation of a committee.

- b When a special motion or any other motion moved pursuant to standing order 11(a) above has been disposed of, no similar motion may be moved within a further 6 months.

12 Voting on appointments

- a Where more than 2 persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. Any tie may be settled by the Chair's casting vote.

13 Expenditure

- a Any expenditure incurred by the Council shall be in accordance with the Council's financial regulations.
- b **The Council's financial regulations shall be reviewed once a year.**
- c **The Council's financial regulations may make provision for the authorisation of the payment of money in exercise of any of the Council's functions to be delegated to a committee, sub-committee or to an employee.**

14 Execution and sealing of legal deeds

See also standing order 5(a)(xvi) above

- a A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.
- b **In accordance with a resolution made under standing order 14(a) above, any two members of the Council, may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.**

15 Committees

See also standing order 1 above

- a The Council may, at its annual meeting, appoint standing committees and may at any other time appoint such other committees as may be necessary, and:
 - i. shall determine their terms of reference;
 - ii. may permit committees to determine the dates of their meetings;
 - iii. shall appoint and determine the term of office of councillor or non-councillor members of such a committee (unless the appointment of non-councillors is prohibited by law) so as to hold office no later than the next annual meeting;
 - iv. an ordinary member of a committee who has been replaced at a meeting by a substitute member (in accordance with standing order 15(a)(iv) above) shall not be permitted to participate in debate or vote on business at that meeting and may only speak during any public participation session during the meeting;
 - v. may in accordance with standing orders, dissolve a committee at any time.

16 Sub-committees

See also standing order 1 above

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

17 Extraordinary meetings

See also standing order 1 above

- a **The Chair of the Council may convene an extraordinary meeting of the Council at any time.**
- b **If the Chair of the Council does not or refuses to call an extraordinary meeting of the Council within 7 days of having been requested to do so by two councillors, those two councillors may convene an extraordinary meeting of the Council. The statutory public notice giving the time, venue**

and agenda for such a meeting must be signed by the two councillors.

- c The Chair of a committee (or a sub-committee) may convene an extraordinary meeting of the committee or sub-committee at any time.
- d If the Chair of a committee (or a sub-committee) does not or refuses to call an extraordinary meeting within 7 days of having been requested by to do so by 3 councillors, those 3 councillors may convene an extraordinary meeting of a committee (or a sub-committee). The statutory public notice giving the time, venue and agenda for such a meeting must be signed by 3 councillors.

18 Advisory committees

See also standing order 1 above

- a The Council may appoint advisory committees comprised of a number of councillors and non-councillors.
- b Advisory committees and any sub-committees may consist wholly of persons who are non-councillors.

19 Accounts and Financial Statement

- a All payments by the Council shall be authorised, approved and paid in accordance with the Council's financial regulations, which shall be reviewed at least annually.
- b The Responsible Financial Officer shall supply to each councillor as soon as practicable after 1st of each month a statement summarising the Council's receipts and payments for the month and the balances held at the end of the previous month. This statement should include a comparison with the budget for the financial year. A Financial Statement prepared on the appropriate accounting basis (receipts and payments, or income and expenditure) for a year to 31 March shall be presented to each councillor before the end of the following month of May. The Statement of Accounts of the Council (which is subject to external audit), including the annual governance statement, shall be presented to Council for formal approval before 30 June.

20 Estimates/precepts

- a **The Council shall approve written estimates for the coming financial year** at its meeting before the end of February.
- b Any committee desiring to incur expenditure shall give the Proper Officer a written estimate of the expenditure recommended for the coming year no later than December.

21 Canvassing of and recommendations by councillors

- a Canvassing councillors or the members of a committee or sub-committee, directly or indirectly, for appointment to or by the Council shall disqualify the candidate from such an appointment. The Proper Officer shall disclose the requirements of this standing order to every candidate.
- b A councillor or a member of a committee or sub-committee shall not solicit a person for appointment to or by the Council or recommend a person for such appointment or for promotion; but, nevertheless, any such person may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
- c This standing order shall apply to tenders as if the person making the tender were a candidate for an appointment.

22 Inspection of documents

- a Subject to standing orders to the contrary or in respect of matters which are confidential, a councillor may, for the purpose of her/his official duties (but not otherwise), inspect any document in the possession of the Council or a committee or a sub-committee, and request a copy for the same purpose. The minutes of meetings of the Council, its committees or sub-committees shall be available for inspection by councillors.

23 Unauthorised activities

- a Unless authorised by a resolution, no individual councillor shall in the name or on

behalf of the Council, a committee or a sub-committee:

- i. inspect any land and/or premises which the Council has a right or duty to inspect; or
- ii. issue orders, instructions or directions.

24 Confidential business

- a Councillors shall not disclose information given in confidence or which they believe, or ought to be aware is of a confidential nature.
- b A councillor in breach of the provisions of standing order 24(a) above may be removed from a committee or a sub-committee by a resolution of the Council.

25 General Power of Competence

- a **Before exercising the General Power of Competence, a meeting of the full Council shall have passed a resolution to confirm it has satisfied the prescribed statutory criteria required to qualify as an eligible parish council.**
- b **The Council's period of eligibility begins on the date that the resolution under standing order 25 (a) above was made and expires on the day before the annual meeting of the Council that takes place in a year of ordinary elections.**
- c **After the expiry of its preceding period of eligibility, the Council continues to be an eligible council solely for the purpose of completing any activity undertaken in the exercise of the Power which was not completed before the expiry of the Council's preceding period of eligibility referred to in standing order 25(b) above.**

26 Matters affecting council employees

- a If a meeting considers any matter personal to a Council employee, it shall not be considered until the meeting has decided whether or not the press and public shall be excluded pursuant to standing order 1(c) above.
- b Subject to the Council's policy regarding absences from work, the Council's most

senior employee shall notify the Chair of any absence occasioned by illness or urgency.

- c The Chair shall conduct a review of the performance and/or appraisal of the Town Clerk and shall keep a written record of it. The review and/or appraisal shall be reported back and shall be subject to approval by resolution by Council.
- d Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior employee (or other employees) shall contact the Chair of the Personnel committee in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Personnel committee.
- e Subject to the Council's policy regarding the handling of grievance and disciplinary matters, if an informal or formal grievance matter raised by the employee relates to the Chair or Vice-Chair of the Personnel committee, this shall be communicated to another member of the Personnel committee and progressed by resolution of the Personnel committee.
- f Any persons responsible for all or part of the management of Council employees shall keep written records of all meetings relating to their performance, and capabilities, grievance and disciplinary matters.
- g The Council shall keep written records relating to employees secure. All paper records shall be secured under lock and electronic records shall be password protected.
- h Records documenting reasons for an employee's absence due to ill health or details of a medical condition shall be made available only to those persons with responsibility for the same.
- i Only persons with line management responsibilities shall have access to employee records referred to in standing orders 26(g) and (h) above if so justified.
- j Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 26(g) and (h) above shall be provided only to the Town Clerk and/or the Chair of the Council.

27 Freedom of Information Act 2000

- a All requests for information held by the Council shall be processed in accordance with the Council's policy in respect of handling requests under the Freedom of Information Act 2000.
- b Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the Chair of the Council. The Council shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000 including exercising the powers of the Proper Officer in respect of Freedom of Information requests set out under standing order 3(b)(x) above.

28 Relations with the press/media

- a All requests from the press or other media for an oral or written statement or comment from the Council shall be processed in accordance with the Council's policy in respect of dealing with the press and/or other media.
- b In accordance with the Council's policy in respect to dealing with the press and/or other media, councillors shall not, in their official capacity, provide oral or written statements or written articles to the press or other media.

29 Liaison 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 councillor of the District and County or Unitary Council representing its electoral ward.

30 Financial matters

- 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 accounting records and systems of internal control;

- ii. the assessment and management of financial risks faced by the Council;
 - iii. the work of the Internal Auditor and the receipt of regular reports from the Internal Auditor, which shall be required at least annually;
 - iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments;
 - v. procurement policies (subject to standing order 30(b) below) including the setting of values for different procedures where the contract has an estimated value of less than £60,000.
- b **Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £60,000 shall be procured on the basis of a formal tender as summarised in standing order 30(c) below.**
- c Any formal tender process shall comprise the following steps:
- i. a public notice of intention to place a contract to be placed in a local newspaper;
 - ii. a specification of the goods, materials, services and the execution of works shall be drawn up;
 - iii. tenders are to be sent, in a sealed marked envelope, to the Proper Officer by a stated date and time;
 - iv. tenders submitted are to be opened, after the stated closing date and time, by the Proper Officer and at least one member of the Council;
 - v. tenders are then to be assessed and reported to the appropriate meeting of Council or Committee.
- d Neither the Council, nor any committee, is bound to accept the lowest tender, estimate or quote.
- e **Where the value of a contract is likely to exceed £138,893 (or other threshold specified by the Office of Government Commerce from time to time) the Council must consider whether the Public Contracts Regulations 2006 (SI No.5, as amended) and the Utilities Contracts Regulations 2006 (SI No. 6, as amended) apply to the contract and, if either of those Regulations apply, the Council must comply with EU procurement rules.**

31 Allegations of breaches of the code of conduct

- a On receipt of a notification that there has been an alleged breach of the code of conduct the Proper Officer shall refer it to the Monitoring Officer.

- g References in standing order 31 to a notification shall be taken to refer to a communication of any kind which relates to a breach or an alleged breach of the code of conduct by a councillor.

32 Variation, revocation and suspension of standing orders

- a Any or every part of the standing orders, except those which are mandatory by law, may be suspended by resolution in relation to any specific item of business.

33 Standing orders to be given to councillors

- a The Proper Officer shall provide a copy of the Council's standing orders to a councillor upon delivery of his declaration of acceptance of office.
- b The Chair's decision as to the application of standing orders at meetings shall be final.
- c A councillor's failure to observe standing orders more than 3 times in one meeting may result in him being excluded from the meeting in accordance with standing orders.

Haverhill Town Council - Financial Regulations

These Financial Regulations were adopted by the Council at its Meeting held on 25th March 2003 and last revised 24th September 2013

1. General

1.1 These Financial Regulations shall govern the conduct of the financial transactions of the Council and may only be amended or varied by resolution of the Council.

1.2 The Responsible Financial Officer shall be appointed by Council in May each year.

1.3 The Responsible Financial Officer (Responsible Financial Officer) under the policy direction of the Finance Committee shall be responsible for the proper administration of the Council's financial affairs.

1.4 The Responsible Financial Officer shall be responsible for the production of financial management information.

2. Annual Estimates

2.1 Each Committee shall formulate and submit proposals to the Finance Committee in respect of revenue services and capital projects for inclusion in the rolling capital programme not later than the end of December each year.

2.2 Detailed estimates of income and expenditure on revenue services, and receipts and payments on capital account, shall be prepared each year by the Responsible Financial Officer.

2.3 The Finance Committee shall review the estimates and submit them to the Council not later than the end of February in each financial year and shall recommend the precept to be levied for the ensuing financial year. The Responsible Financial Officer shall supply each member with a copy of the approved estimates.

2.4 The annual capital and revenue budgets shall form the basis of financial control for the ensuing year.

2.5 The Council shall prepare and have regard to a three year forecast of Revenue and Capital Receipts and Payments which shall be prepared at the same time as the annual Budget or Estimates.

3. Budgetary Control

3.1 Expenditure on the revenue account may be incurred up to the amounts included in each approved Committee budget.

- 3.2 No expenditure may be incurred which cannot be met from the amount provided in the appropriate Committee revenue budget unless a virement has been approved by the Finance Committee or the Council.
- 3.3 The Responsible Financial Officer shall monthly provide the Council with a statement of income and expenditure to date under each head of the approved annual revenue and capital budgets.
- 3.4 The Responsible Financial Officer may incur expenditure on behalf of the Council which is necessary to carry out any repair replacement or other work which is of such extreme urgency that it must be done at once, whether or not there is any budgetary provision for the expenditure, subject to a limit of £5,000. The Responsible Financial Officer shall report the action to the appropriate Committee as soon as practicable thereafter.
- 3.5 Where expenditure is incurred in accordance with regulation 3.4 above and the sum required cannot be met from savings made elsewhere within that Committee's approved budget, it shall be subject to the provisions of a supplementary estimate approved by the Finance Committee or the Council.
- 3.6 Unspent provisions in the revenue budget may not be carried forward to a subsequent year.
- 3.7 No expenditure shall be incurred in relation to any capital project and no contract entered into or tender accepted involving expenditure on capital account unless the Committee concerned are satisfied that it is contained in the rolling capital programme and that the necessary capital funds are available, or the requisite borrowing approval can be obtained.
- 3.8 All capital works shall be administered in accordance with the Council's Standing Orders and Financial Regulations relating to contracts.

4. Accounting and Audit

- 4.1 All accounting procedures and financial records of the Council shall be determined by the Responsible Financial Officer as required by the Accounts and Audit Regulations 2003 as amended.
- 4.2 The Responsible Financial Officer shall be responsible for completing the annual accounts of the Council as soon as practicable after the end of the financial year and shall submit them to and report thereon to the Council.
- 4.3 The Responsible Financial Officer shall be responsible for completing the Accounts of the Council contained in the Annual Return (as supplied by the Auditor appointed from time to time by the Audit Commission) and for submitting the Annual Return for approval and authorisation by the Council within the timescales set by the Accounts and Audit Regulations 2003 as amended, or set by the Auditor.

4.4 The following principles shall be observed in connection with accounting duties.

- (a) The duty of providing information, calculating, checking and recording sums due to, or from, the Council, should be separated as completely as possible from the duty of collecting or dispersing them.
- (b) Officers charged with the duty of examining and checking the accounts of cash transactions should not be engaged in any of those transactions.

4.5 The Responsible Financial Officer shall be responsible for ensuring that there is adequate and effective system of internal audit of the Council's accounting, financial and other operations in accordance with Regulation 5 of the Accounts and Audit Regulations 2003 as amended. Any officer or member of the Council shall, if the Responsible Financial Officer or Internal Auditor requires, make available such documents of the Council which appear to the Responsible Financial Officer or Internal Auditor to be necessary for the purpose of the internal audit and shall supply the Responsible Financial Officer or Internal Auditor with such information and explanation as the Responsible Financial Officer or Internal Auditor considers necessary for that purpose.

4.6 The Internal Auditor shall carry out the work required by the Responsible Financial Officer, or by the Council, with a view to satisfactory completion of the Internal Auditor's Report section of the Annual Return as compiled annually by the Audit Commission. The Internal Auditor, who shall be competent and independent of the operations of the Council, shall report to Council in writing on a regular basis with a minimum of one annual report in respect of each financial year.

4.7 The Responsible Financial Officer shall make arrangements for the opportunity for inspection of the accounts, books, and vouchers required by Audit Commission Act 1998 section 15 and the Accounts and Audit Regulations 2003 as amended.

4.8 The Responsible Financial Officer shall, as soon as practicable, bring to the attention of all councillors any correspondence or report from the Internal or External Auditor, unless the correspondence is of a purely administrative matter.

5. Banking Arrangements and Cheques

5.1 The Council's banking arrangements shall be made by the Responsible Financial Officer and approved by the Council. They should regularly be reviewed for efficiency.

5.2 A schedule of the payment of money shall be prepared by the Responsible Financial Officer and together with the relevant invoices etc. presented to the Council. If the schedule is in order it shall be authorised by a resolution.

5.3 Cheques drawn on the bank account in accordance with the schedule referred to in the previous paragraph shall be signed by two of the following Members: Mayor, Chair of Finance Committee, Chair of Planning Committee, Chair of Leisure & Community Committee, Chair of Appeals Committee, or any other Member of the Finance Committee

5.4 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. Payment of Accounts

6.1 Apart from petty cash payments all payments shall be effected by cheque or other order drawn on the Council's bankers.

6.2 All invoices for payments shall be examined, verified and certified by the officer issuing the order. Before certifying an invoice the officer shall be satisfied that the work, goods or services to which the invoice relates have been received, carried out, examined and approved.

6.3 Duly certified invoices shall be passed to the Responsible Financial Officer who shall examine them in relation to arithmetical accuracy and authorisation, and shall code them to the appropriate expenditure head. The Responsible Financial Officer shall take all possible steps to settle all invoices submitted, and which are in order, within 30 days of their receipt.

6.4 All duly certified invoices will then be entered on the schedule referred to in 5.2 above.

6.5 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 Council, where the Clerk and Responsible Financial Officer certify that there is no dispute or other reason to delay payment, the Clerk may (notwithstanding para 6.3) take all steps necessary to settle such invoices provided that a list of such payments shall be submitted to the next appropriate meeting of Council.

6.6 The Responsible Financial Officer may provide petty cash to officers for the purpose of defraying operational and other expenses. Vouchers for payments made shall be forwarded to the Responsible Financial Officer with a claim for reimbursement:

- (a) The Responsible Financial Officer shall maintain a petty cash float to a limit of £400 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 the payment of money presented to the Finance Committee (under 5.2 above).

7. Payment of Salaries and Wages

- 7.1 The payment of all salaries shall be made in accordance with payroll records and the rules of PAYE and National Insurance currently operating, and salaries shall be as agreed by Council.
- 7.2 Payment of salaries and payment of deductions from salary such as may be made for tax, national insurance and pension contributions, may be made in accordance with the payroll records and on the appropriate dates, provided that each payment is reported to and ratified by the next available Council Meeting.
- 7.3 All time sheets shall be certified as to accuracy by or on behalf of the Responsible Financial Officer.
- 7.4 If required an Imprest account may be operated by the Responsible Financial Officer to ensure timely payment of wages and salaries.

8. Loans and Investments

- 8.1 All loans and investments shall be negotiated by the Responsible Financial Officer in the name of the Council, and shall be for a set period of time in accordance with Council policy. Changes to loans and investments should be reported to the Council at the earliest opportunity.
- 8.2 The Council's Investment Policy, shall be in accordance with the Trustee Act 2000, and shall be reviewed on a regular basis (at least annually).
- 8.3 All investments of money under the control of the Council shall be in the name of the Council.
- 8.4 All borrowings shall be effected in the name of the Council, after obtaining any necessary borrowing approval. Any application for borrowing approval shall be approved by Council as to terms and purpose.
- 8.5 All investment certificates and other documents relating thereto shall be retained in the custody of the Responsible Financial Officer.

9. Income

- 9.1 The collection of all sums due to the Council shall be the responsibility of and under the supervision of the Responsible Financial Officer.

- 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 Responsible Financial Officer and the Responsible Financial Officer shall be responsible for the collection of all accounts due to the Council.
- 9.3 The Council will review all fees and charges annually, following a report of the Responsible Financial Officer.
- 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 Responsible Financial Officer. In all cases, all receipts shall be deposited with the Council's bankers with such frequency as the Responsible Financial Officer considers necessary.
- 9.6 A reference to the related debt, or otherwise, indicating the origin of each cheque, shall be entered on the paying-in slip.
- 9.7 Every transfer of official money from one member of staff to another shall be signed for by the receiving officer.
- 9.8 Personal cheques shall not be cashed out of money held on behalf of the Council.
- 9.9 The Responsible Financial Officer shall promptly complete any VAT Return that is required. Any repayment claim due in accordance with VAT Act 1994 section 33 shall be made at least annually coinciding with the financial year end.
- 9.10 Where any significant sums of cash are regularly received by the Council, the Responsible Financial Officer 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.

10. Orders for Work, Goods and Services

- 10.1 An officer 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 e.g. petty cash purchases. Copies of orders issued shall be maintained.
- 10.2 Order books shall be controlled by the Responsible Financial Officer.
- 10.3 All members and Officers are responsible for obtaining value for money at all times. An officer issuing an official order is to ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction, usually by obtaining three or more quotations or estimates from

appropriate suppliers, subject to any de minimis provisions in Regulation 11 (I) below.

- 10.4 The Responsible Financial Officer 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 Responsible Financial Officer 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 the contracts are laid down in the Council's standing orders as follows:

- (a) Every contract whether made by the Council or by a Committee to which the power of making contracts has been delegated shall comply with these standing orders, and no exception from any of the following provisions of these standing orders shall be made otherwise than by direction of the Council or in an emergency by such a Committee as aforesaid provided that these standing orders shall not apply to contracts which relate to items (i) to (v) below:
 - (i) For the supply of gas, electricity, water, sewerage and telephone services.
 - (ii) For specialist services such as are provided by solicitors, accountants, surveyors and planning consultants.
 - (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 extension of an existing contract by the Council
 - (v) For goods or materials proposed to be purchased which are proprietary articles and/or which are sold only at a fixed price.
- (b) Where it is intended to enter into a contract:
 - (i) Exceeding £10,000 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 Responsible Financial Officer shall invite tenders from at least three firms, such firms to be taken from the appropriate approved list.
 - (ii) For expenditures of £10,000 or less in value the Chair of the spending Committee or his/her appointed vice Chair together with the Responsible Financial Officer or duly authorised deputy shall have executive power.

- (c) When applications are made to waive standing orders relating to contracts to enable a tender to be negotiated without competition the reason shall be embodied in a recommendation to the Council.
- (d) Every exception made by a Committee to which the power of making contracts has been delegated shall be reported to the Council and the report shall specify the emergency by which the exception shall have been justified.
- (e) Such invitation to tender shall state the general nature of the intended contract and the Responsible Financial Officer 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 Responsible Financial Officer and the last date by which such tenders should reach the Responsible Financial Officer in the ordinary course of post. Each tendering firm shall be supplied with a specially 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 Responsible Financial Officer or the properly authorised deputy in the presence of at least one member of the Council.
- (g) If fewer than three tenders are received for contracts valued above £5,000 or if all the tenders are identical the Council may make such arrangements as it thinks fit for procuring the goods or materials or executing the works.
- (h) Any invitation to tender issued under this standing order shall contain a statement of the effect of standing order No. 30.
- (i) The Council shall not be obliged to accept the lowest or any tender.

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 Responsible Financial Officer 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 Responsible Financial Officer shall maintain a record of all such payments. In any case when it is estimated that the total cost of work carried out under a contract, excluding fluctuation clauses, will exceed the contract sum by 5% or more a report shall be submitted to the appropriate Committee.
- 12.3 Any variation to a contract or addition to or omission from a contract must be approved by the Responsible Financial Officer in writing, the appropriate

Committee being informed where the final cost is likely to exceed the financial provision.

13. Stores and Equipment

- 13.1 The officer in charge of each section shall be responsible for the care and custody of stores and equipment in that section.
- 13.2 Delivery notes must be obtained in respect of all goods received into store or otherwise delivered and goods must be checked as regard quality at the time delivery is made.
- 13.3 Stocks shall generally be maintained at the minimum levels consistent with operational requirements.
- 13.4 The Responsible Financial Officer shall be responsible for an annual check of all stocks and stores.

14. Properties and Estates

- 14.1 The Responsible Financial Officer shall make appropriate arrangements for the custody of all title deeds of properties owned by the Council. The Responsible Financial Officer shall ensure a record is maintained of all properties owned 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 regulation 4(3)(b) of the Accounts and Audit Regulations 2003 as amended.
- 14.2 No property shall be 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 £50.

15. Insurance

- 15.1 Following an annual risk assessment, the Responsible Financial Officer shall effect all insurances and negotiate all claims on the Council's insurers.
- 15.2 All employees shall give prompt notification to the Responsible Financial Officer of all new risks, properties or vehicles which require to be insured and of any alterations affecting existing insurances.
- 15.3 The Responsible Financial Officer 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 Responsible Financial Officer 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 employees of the Council shall be included in a suitable fidelity guarantee insurance which shall cover the maximum risk exposure as determined by the Council.

16. Charities

- 16.1 Where the Council is sole trustee of a Charitable body the Responsible Financial Officer 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 Responsible Financial Officer 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 Responsible Financial Officer shall prepare and promote risk management policy statements in respect of all activities of the Council.
- 17.2 When considering any new activity the Responsible Financial Officer shall prepare a draft Risk Management policy for the activity and shall bring a draft addressing the legal and financial liabilities and Risk Management issues that arise to Council for consideration and, if thought appropriate, adoption.

18. 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 and to make such changes as the Council considers are required.