



# Stanley Town Council

## NOTICE OF MEETING

I hereby give notice that the Annual General Meeting of Stanley Town Council will be held on Tuesday, the 16th May 2017 at 6.30pm at Stanley Civic Hall, Front Street, Stanley, Co. Durham, DH9 0NA.

### TO ALL MEMBERS of STANLEY TOWN COUNCIL

T Armstrong	D Carmichael	L Christie	J Clark	H Clark
A Clegg	M Davinson	G Graham	C Hampson	C Marshall
D Marshall	J McMahon	B Nair	J Nicholson	J Pallas
J Stephenson	L Timbey	D Tully	J Tully	G Wilkinson

You are requested to attend the **ANNUAL GENERAL MEETING** of Stanley Town Council to be held in **Stanley Civic Hall, Front Street, Stanley**, on **Tuesday the 16th May 2017 at 18.30** in order to consider the following business:

Yours sincerely,

**Alan Shaw**  
**Town Clerk**  
**9th May 2017**

Please turn off all mobile phones or set to silent mode  
Please refer to the Policy for recording proceedings

## A G E N D A

### 1 ELECTION OF CHAIR OF STANLEY TOWN COUNCIL

To elect the Chair of the Town Council for the Civic year 2017/18

### 2 DECLARATION OF ACCEPTANCE OF OFFICE

The Chairman to sign the Declaration of Acceptance of Office

### 3 ELECTION OF VICE-CHAIR OF STANLEY TOWN COUNCIL

To elect the Vice-Chair of the Town Council for the year 2017/18

#### 4 APOLOGIES FOR ABSENCE

To **RECEIVE** any apologies and reasons for absence.

#### 5 DECLARATIONS OF INTEREST

Members are invited to **DECLARE** disclosable pecuniary interests and other interests, along with the nature of those interests, in relation to any item on this agenda

#### 6 PROCEDURAL AND APPROPRIATE ANNOUNCEMENTS FROM THE CHAIR

To **RECEIVE** any announcements from the Chair or Town Clerk

#### 7 PUBLIC PARTICIPATION

An adjournment will be allowed at the direction of the Chairman to allow for public comment and response in relation to items on this agenda or to consider written questions from the public submitted in advance of the meeting (*Individuals will be permitted a maximum of three minutes each. Total time for this session is limited to fifteen minutes*).

#### 8 CONFIRMATION OF COUNCIL MINUTES (ATTACHMENT A)

To **APPROVE** as a correct record and sign the minutes of the Ordinary Council Meeting held on 18th April 2017.

#### 9 STYLE OF CHAIRMAN AND VICE-CHAIRMAN

**Statutory Power:** Local Government Act 1972, s. 245(6)

The Chairman and Vice-Chairman of a Town Council are entitled to the style of Town Mayor and Deputy Town Mayor respectively. The role of a Council Chairman is not well understood by the public and there is potential to raise the profile of the Council both locally and in the wider area if the Chairman adopts the style 'Town Mayor'. A Town Mayor also has the potential to raise more money for charitable causes as there is more prestige associated with the title of 'Mayor'. There is also a greater incentive for Councils to select a new Mayor in each civic year, whereas Chairmen themselves tend to view the role more as an administrative than an ambassadorial one.

Council is requested to **CONSIDER** this matter and **DECIDE** what to do.

Excerpt from Local Government Association: 'Preparing for the role of Civic Mayor':

*The mayor is often seen as a symbol of an open society because the role is no longer restricted to an elite group within the population. The 'first citizen', as they are sometimes known, can come from any class, gender or ethnic background and has a key democratic role to play. After being chosen and appointed by fellow councillors, he or she must act as a politically impartial chairman of the council, making sure that proper conduct takes place in the council chamber during meetings. The civic mayor also has a duty and privilege to support local initiatives aimed at providing benefit to the council area and its diverse communities. In this role, the mayor can speak and act in multiple capacities, as ambassador, facilitator, promoter and encourager. This may involve highlighting (...cont)*

*relevant causes and helping members of the local community to receive the recognition they deserve. However, it is probably the mayor's ceremonial role that most people are familiar with. Mayors are frequently invited to attend events in the community, such as openings and fundraising events organised by voluntary and charitable organisations. Fundraising events may also be held for charities that are chosen by the new mayor at the start of the civic year. All in all, it is potentially a busy year for any mayoral candidate."*

## 10 CONSTITUTION AND OTHER POLICIES

Council is requested to **REVIEW** and **APPROVE** the following documents, subject to any changes they feel may be required:

(i) **The Constitution** (ATTACHMENT B)

A number of changes are recommended to the Constitution. The draft Constitution proposed for adoption has been simplified and amended to reflect changes to the Committee Structure for the forthcoming year agreed by Council at the Ordinary Meeting held on 21st March 2017 (Minute #344 of 2016/17).

(ii) **Standing Orders** (ATTACHMENTS C/D)

The Standing Orders adopted at the last AGM in May 2016 were based on model Standing Orders issued by NALC with some minor amendments to reflect local practice. Two changes were made to the Standing Orders during the course of 2016/17, one relating to the period of notice required to be given to members of the business on the agenda (from three days to five) and one relating to paper ballots.

A report is attached for consideration by members.

(iii) **Financial Regulations** (ATTACHMENT E)

The current Financial Regulations are in line with the model Financial Regulations issued by NALC. No changes are proposed

(iv) **Complaints Procedure** (ATTACHMENT F)

No changes are proposed to the complaints procedure.

(v) **Community Engagement & Communications Policies** (ATTACHMENT G/H)

The Community Engagement Policy was recently adopted by Council at the February Ordinary meeting. No changes are proposed to either Policy.

(vi) **Publication Scheme** (ATTACHMENT I)

No changes are proposed to the publication scheme.

## 11 ANNUAL ACCOUNTS

**Statutory Basis:** Accounts & Audit Regulations 2015

### ATTACHMENTS:

Report on Annual Accounts	(ATTACHMENT J)
Annual Return	(ATTACHMENT K)
Final Budget (out-turn)	(ATTACHMENT L)
Asset Register	(ATTACHMENT M)

The Finance Officer has prepared a report for Council in respect of the Annual Accounts for 2016/17.

Council is requested to **CONSIDER** this matter, **APPROVE** the accounts and **AUTHORISE** the Chairman to sign the Annual Governance Statement and the Annual Accounting Statement for 2016/17.

## 12 APPOINTMENTS TO COMMITTEES

Subject to agreement of item 10(i) above, to consider the appointments of Chairmen, Vice-Chairmen and membership of the following Committees:

Each Committee to consist of a maximum of ten standing members (the Chair and Vice Chair are ex-officio members of all Committees) except Planning matters which are currently dealt with by Full Council sitting as a Committee.

- (i) **Projects & Initiatives**
- (ii) **Finance & Governance**

## 13 APPOINTMENTS TO WORKING GROUPS AND PANELS

To consider appointments to the following Groups and Panels:

- (i) **Disciplinary Panel**
- (ii) **Grievance Panel**
- (iii) **Appeals Panel**

## 14 APPOINTMENTS TO OUTSIDE BODIES

Council is requested to **REVIEW** appointments to outside bodies and **DECIDE** what to do

- (i) **AAP**

Appointments to the AAP Board are for 24 months. The Town Clerk has also been co-opted to the AAP board as a non-voting member.

- (ii) **CDALC Executive**

One representative.

(iii) **Larger Local Councils Forum (CDALC)**

Two representatives.

(iv) **PACT House**

Cllr Bala Nair was appointed as the STC Rep on the PACT House board by Council at the Ordinary Meeting held in February 2016.

## 15 SCHEDULE OF MEETINGS

(ATTACHMENT N)

This year, the Annual Town Meeting was brought forward to March to avoid being held too close to the election. This format worked well and it is **PROPOSED** that the Annual Meeting should remain in March in 2018.

Council is requested to **CONSIDER** and **APPROVE** the proposed schedule of meetings for the civic year 2017/18.

## 16 SUBSCRIPTIONS TO OUTSIDE ORGANISATIONS

Council is requested to **CONSIDER** whether or not the Council wishes to continue to subscribe to the following organisations:

- (i) **National Association of Local Councils (NALC)**
- (ii) **County Durham Association of Local Councils (CDALC)**
- (iii) **Society of Local Council Clerks (SLCC)\***

*\* Members are requested to note that in 2016, the Trade Union aspect of the SLCC was separated into a separate association (the ALCC), therefore the Council no longer funds Trade Union representation for the Town Clerk through subscription to the SLCC but does benefit from the legal consultancy aspects of membership*

## 17 DATE, TIME AND VENUE OF NEXT MEETING

Tuesday, 27th June 2017, 18.30, Civic Hall, Stanley

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*In accordance with the Public Bodies (Admission to Meetings) Act 1960, members of the public and press are welcome to attend the meeting. Members of the public will only be permitted to speak at the beginning of the meeting during Public Question Time.*

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STANLEY TOWN COUNCIL

# Standing Orders

Prepared for: Annual General Meeting, 16th May 2017

Prepared by: Alan Shaw

Date of Report: 24th April 2017

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## INTRODUCTION

The Standing Orders are the 'rules' that specify how the elected Town Council operates and makes decisions. Some of the Standing Orders are drawn directly from statutory requirements (primarily Schedule 12 of the Local Government Act 1972) and the remaining Standing Orders have evolved over time. The Standing Orders of a Council from before the second world war are not dissimilar to those which are in place today.

## BACKGROUND

The Standing Orders that Stanley Town Council has in place are based on a model set produced by the National Association of Local Councils (NALC) which reflect legal requirements and best practice. The Council is required to review the Standing Orders from time to time and by custom this takes place each year at the Annual General Meeting. This should ensure that any changes are agreed at the beginning of the Civic year.

## ISSUES

During the last civic year, there were two changes made to the Standing Orders by single member motions. The motions were both carried and are reproduced below:

- (i) *'STC should remove the ability to hold secret / paper ballots from its standing orders so as to be open and transparent to the public and all votes should be by a show of hands so that Councillors are accountable for their decisions; except where there is good reason for requesting a secret ballot, which must be notified to the Town Clerk in advance of the meeting'*
  - (ii) *'Standing Order 3.2. states that '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. (FC)'*
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Whilst reviewing the Standing Orders in preparation for the Annual General Meeting, the Town Clerk has identified two issues which have a bearing on the motions reproduced above and subsequently implemented:

- (a) Standing Order 25.2 states (and has always stated): '*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 eleven councillors to be given to the proper officer in accordance with standing order 9 above.*'

**No such notice was given when either motion above was put forward.** The Town Clerk accepted the motions in good faith but has now realised that he should not have done so.

- (b) In respect of the amendment detailed in (ii) above; the requested amendments were made to Standing Order 3.2 following the passage of the motion, however the Town Clerk has found that Standing Order 15 contains duplicate references to the notice period required for meetings which now conflict with Standing Order 3.2.

### Outcomes Required

Council must address the above issues as part of the Annual Review of the Standing Orders to ensure that the Standing Orders are clear and properly constituted.

### OPTIONS

- Option 1:** Council could reverse both amendments to the Standing Orders made in 2016/17 as neither were tabled in writing with a motion signed by eleven members as required by Standing Order 25.2; or
- Option 2:** Council can choose to ratify the amendments made in 2016/17. If this option is chosen, further amendment will be required to Standing Order 15 to ensure it is consistent with the amendment of Standing Order 3.2.

### RECOMMENDATION

If Council decides to take forward **Option 2**, the Town Clerk would **REQUEST** that five clear days' notice is relaxed if the meeting falls the day after a bank holiday. If a meeting falls the Tuesday after Easter, the two extra days' notice required pushes the requirement to give notice back to two calendar weeks before the date of the meeting.

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### **FINANCIAL IMPLICATIONS**

None.

### **LEGAL IMPLICATIONS**

The adoption of changes to the Standing Orders in the previous year were not made in accordance with the Standing Orders themselves. This position needs to be addressed. The amendments made to the Standing Orders in themselves do not affect the validity of any other decision made by the Council





## **CONSTITUTION & COMMITTEE TERMS OF REFERENCE**

### **1. INTRODUCTION**

- 1.1 Local Councils are not required by law to adopt a constitution. However, many councils recognise that it is a valuable document which helps everyone understand how they are set up, how they make decisions, how they are financed, how they are governed, the roles of members and officers and what services they provide to the community.
- 1.2 Stanley Town Council has decided to adopt a Constitution for the reasons outlined above. It is a living document, which is regularly reviewed and confirmed at each Annual General Meeting. It contains details of who or what body, within the Council, can make various decisions. It contains procedural rules which apply to the conduct of meetings of the Full Council and its Committees (Standing Orders). It also contains guidance to ensure the sound management of the Council's financial affairs and rules that apply to the letting of contracts for the ordering of goods, works and services (Financial Regulations; Standing Orders Relating to Contracts). In addition, it includes a number of other policies and procedures which assist in the efficient management of the Council.

### **2. BACKGROUND - GENERAL**

- 2.1 In County Durham there is only one principal authority, Durham County Council, which is responsible for all major services, including Education, Housing, Social Services, Highways, Planning, Refuse Collection etc. The Council was created on 1 April 2009 following the abolition of the seven existing District Councils. Full details of County Council services are provided on their website.
- 2.2 In addition to the County Council there are over 150 parish and town councils, which are the first tier of local government. Like all Councils, they are created by statute and may provide a range of services primarily aimed at improving amenity in the areas they serve. However, the Localism Act 2011 introduced a general power of competence for certain qualifying councils. There are very few

legal duties on local councils but they have a wide range of powers, and details are provided in Appendix 1.

## **5. HOW THE COUNCIL IS FUNDED**

### **5.1 How the Town Council is funded**

Local Councils are funded primarily from Council tax contributions made by local residents. They also at present receive a grant from Durham County Council under the Local Council Tax Reduction Scheme (which was implemented when Council Tax benefit was abolished in 2012 to make up the shortfall in revenue). The size of the grant from Durham County Council is reducing over time and must be expected to disappear completely in the future. The Town Council receives no contributions from Business Rates.

### **5.2 The Parish Precept**

The name given to the Council tax which is collected for the Town Council is the 'precept'. The Town Council calculates its budgetary requirement in January each year and issues a 'demand' (this is a legal term, it's not an actual demand) to the County Council to collect the required amount of Council Tax from residents to raise the required budget.

### **5.3 How is the precept calculated?**

In December each year, the County Council advises each Town and Parish Council what their 'tax base' is. The tax base is a figure that is calculated by taking the total number of properties in the area which are liable to pay Council tax and converting them to a number of 'Band D' equivalents. This is done using a formula which expresses each band in ninths. For example, a Band A property is 6/9 of a Band D, a 'Band D' property is 9/9 and a band H property is 18/9. The total budget requirement of the Town Council is then divided by the tax base to give the cost per 'Band D' property.

5.4 The Civic Hall generates income in the form of hire charges, ticket, coffee shop and bar sales arising from bookings at the Hall.

5.5 The Town Council receives no grant of any sort from Central Government.

## **6. THE COUNCIL**

6.1 The Council comprises twenty Councillors who are elected in May every four years by the electors of the town council area. Councillors have an over-riding duty to the whole community, but have a special duty to the residents of the Ward that they represent.

6.2 The Council area is made up of seven Wards, each electing a number of Councillors as follows:

Annfield Plain Ward	3 Councillors
Catchgate Ward	2 Councillors
Craghead & South Stanley Ward	2 Councillors
Havannah Ward	3 Councillors
Stanley Hall Ward	4 Councillors
South Moor Ward	3 Councillors
Tanfield Ward	3 Councillors

6.3 The Council is committed to making a positive difference to the local community that it represents. It aims to be a modern, forward-thinking and effective local decision maker, and acts as a focus - a “sounding board” - for local opinion providing a way to get things done which best suits the needs of the local community. It does this by recognising it can’t do everything itself, and works with other agencies (such as the Police), local voluntary organisations and other tiers of government with the aim of improving local services and amenities. This may include the Council providing services and taking a stake in land/or property assets.

6.4 Only the full Town Council has authority to make decisions on behalf of the residents of Stanley. It can, however, delegate some decisions to Committees, Sub-Committees and the “Proper Officer” (the Town Clerk) to enable it to operate more effectively.

## **7. HOW THE COUNCIL OPERATES**

7.1 Under Schedule 12, Part II of the Local Government Act 1972 the Council must hold an annual general meeting and at least three other meetings in any year. A Chairman of the Council must be elected at each Annual General Meeting and serves for a period of one year until the next Annual General Meeting. The Chair, if present, must preside at all meetings of the Full Council or, in his/her absence, the Vice Chair will preside.

7.2 The Council itself can make all of the policy and other decisions within the powers given to local councils by law. However, under Section 101 (1) of the Local Government Act 1972, it can also establish Committees and Sub-Committees to make decisions on issues specifically delegated by the Council, or only to make recommendations on these issues, or a combination of both. Chairs of any Committee established are also elected at the Annual General

Meeting, although the Chair of any Sub-Committee or Working Group is elected by that particular body.

7.3 The following matters cannot be delegated to a Committee, Sub-Committee or Officer of the Council:

- ✓ The borrowing of money.
- ✓ The setting of a precept.
- ✓ The disposal of land, other than lettings for two years or less.
- ✓ The introduction of new major policy or a material change in the Council's established policy.
- ✓ The making of bye-laws.
- ✓ The purchase of land not provided for, or at a cost in excess of a sum previously allowed for.

7.4 Stanley Town Council has two established Committees to make decisions and recommendations regarding the policies and services it provides. Details of the scheme of delegation are given in Appendix 2 below. The current Committees are:

- ✓ Projects and Initiatives Committee
- ✓ Finance and Governance Committee

The Town Council is a statutory consultee on Planning Matters. Any Planning matters which two or more members which to be discussed by the Council are dealt with by the Full Council.

7.5 The Council, or any of the above Committees, may appoint sub-committees or working groups to consider issues delegated to them by the parent committee.

7.6 The Council meets on the 4th Tuesday of every month (excluding August and December) and its Committees meet in accordance with the agreed Schedule of Meetings. Meetings are open to the public and press, although there may be occasions when matters need to be discussed in private and the press and public will be excluded.

7.7 The Council is required by law to appoint a "Proper Officer" and a "Responsible Financial Officer". It has the power to appoint any additional staff required to deliver its programme. Stanley Town Council employs a Town Clerk who fulfils the role of both Proper Officer and Responsible Financial Officer.

7.8 Officers are employed to deliver the Council's services in line with the policies or direction determined by the Members at meetings of the Council and its Committees. They advise Members on policy issues and the statutory requirements the Council has to meet. In addition, the Town Clerk, as Proper

Officer, is by law required to undertake certain functions, both administratively and financially, and these are detailed in Appendix 4.

## **8. Role of Members and Officers**

- 8.1 To ensure good governance and the effective running of the Council it is important to understand the respective roles of Members and officers. They are both servants of the public, and they are indispensable to one another, but their responsibilities are distinct.
- 8.2 Members are responsible to the electorate and serve only so long as their term of office lasts. Officers are responsible to the Council as a corporate body. Their job is to give advice to both individual Members and to the Full Council, and to carry out the Council's work under the direction and control of the Council and its relevant Committees. It is also the role of the Proper Officer to ensure the Council does not do anything which it does not have the legal power to do.
- 8.3 Mutual trust and respect between Members and officers is essential.

### **Members**

- 8.4 Elected members have four main areas of responsibility:
- a) To determine council policy and provide community leadership;
  - b) To monitor and review council performance in delivering services;
  - c) To represent the Council externally; and
  - d) To act as advocates for their constituents.
- 8.5 In more detail, a Member should be concerned with most or all of the following:
- a) To be involved actively and constructively in the government of the Town;
  - b) To participate fully in the formation and scrutiny of the Town Council's strategies, policies, budgets and service delivery, including the Town Plan;
  - c) To ensure, with other Members, that the Town Council is properly managed;
  - d) To keep up to date with significant developments affecting local councils;
  - e) To be accessible to the electorate of the ward for which the Member is elected, to represent their views and to be receptive to complaints, questions and suggestions;
  - f) To represent the whole electorate and reflect their views in considering Council policies and actions;
  - g) To attend Council meetings;
  - h) To adequately prepare for Council meetings by reading reports and being properly informed on the matters to be discussed;

- i) To take part in meetings, form a view on what is best for the community and then abide by majority decisions taken;
  - j) To represent the Council on outside bodies;
  - k) To abide by the Council's Code of Conduct.
- 8.6 All Members have the same rights and obligations in their relationship with the Town Clerk and other officers, regardless of their status or political party and must be treated equally.
- 8.7 Individual Members:
- a) **must not** involve themselves in the day to day running of the Council. This is the Town Clerk's responsibility, and he/she will be acting on instructions from the Council or its Committees, within an agreed job description;
  - b) **do not have and cannot be given** any powers to make decisions on behalf of the Council, including decisions which result in financial commitments for the Council. This includes the Chair of the Council, although he/she does have personal responsibilities in connection with the running of formal meetings (see also Appendix 3).
- 8.8 All decisions taken by Councillors should be in the best interests of the people of the Stanley Town Council area.

## Officers

- 8.9 In general, it is the role of officers to provide information and advice to Members, and to implement policies agreed by the Council. The Town Clerk has the senior role in ensuring that Council decisions are implemented and the operation of the Council is effectively managed. His/her duties are wide and varied, some of which are statutory, and cover financial, legal, secretarial and administrative functions, as well as line managing the other officers. (see also Appendix 4).
- 8.10 Other officers carry out the duties as detailed in their job descriptions.
- 8.11 In giving advice to Members, and in preparing and presenting reports, it is the responsibility of an officer to express his/her professional views and to make recommendations where appropriate. An officer may reflect on the views of individual Members on an issue, but the recommendations should be the officer's own. If a Member wishes to express a different view they must not pressurise the officer to make a recommendation contrary to the officer's view.

## 9. Governance Documents

- 9.1 The Council has a number of documents which set the environment in which the Council discharges its duties and powers. They are the internal rules, practical arrangements and processes which are essential to those who form and work for the Council. Members and officers should be able to demonstrate compliance with the governance documents in relation to all activities, decisions and decision making processes.
- 9.2 The governance documents are:
- ✓ The Constitution, including the Scheme of Delegation
  - ✓ Standing Orders
  - ✓ Financial Regulations
  - ✓ Member Code of Conduct
  - ✓ Budget
  - ✓ Publications Scheme
  - ✓ Complaints Procedure
  - ✓ Gifts and Hospitality Policy
  - ✓ Member/Officer Relations
  - ✓ Bullying and Harassment Policy
  - ✓ Grants Policy
  - ✓ Whistleblowing Policy
  - ✓ Anti-Fraud and Corruption Policy
  - ✓ Child and Vulnerable Adult Protection Policy
  - ✓ Health and Safety Policy
  - ✓ Risk Management Strategy
  - ✓ Media Policy, including Social Media
  - ✓ Business Continuity Policy
  - ✓ Data Protection Policy
- 9.3 Not all of these documents are currently in place and there may be others added to the list as time progresses. It is not the purpose of this part of the Constitution to repeat the content of these documents. However, they will be available from the Town Council when complete.
- 9.4 The documents will be kept under regular review and any amendments must be approved by the Full Council.

## APPENDIX 1

### LIST OF PARISH COUNCIL POWERS

Function	Powers & Duties	Statutory Provisions
Allotments	Duty to provide allotments. Power to improve and adapt land for allotments, and to let grazing rights	Small Holding & Allotments Act 1908, ss. 23, 26, and 42
Baths and washhouses	Power to provide public baths and washhouses	Public Health Act 1936, ss. 221, 222, 223 and 227
Burial grounds, cemeteries and crematoria	Power to acquire and maintain Power to provide Power to agree to maintain monuments and memorials Power to contribute towards expenses of cemeteries	Open Spaces Act 1906, Ss 9 and 10; Local Government Act 1972, s. 214; Parish Councils and Burial Authorities (Miscellaneous Provisions) Act 1970, s. 1 Local Government Act 1972, s. 214(6)
Bus shelters	Power to provide and maintain shelters	Local Government (Miscellaneous Provision) Act 1953, s. 4
Bye-laws	Power to make bye-laws in regard to pleasure grounds Cycle parks Baths and washhouses Open spaces and burial grounds Mortuaries and post-mortem rooms	Public Health Act 1875, s. 164 Road Traffic Regulation Act 1984, s. 57(7) Public Health Act 1936, s.223 Open Spaces Act 1906, s.15 Public Health Act 1936, s.198
Clocks	Power to provide public clocks	Parish Councils Act 1957, s.2
Closed churchyards	Powers as to maintenance	Local Government Act 1972, s.215
Common pastures	Powers in relation to providing common pasture	Smallholdings and Allotments Act 1908, s.34



Conference facilities	Power to provide and encourage the use of facilities	Local Government Act 1972, s.144
Community centres	Power to provide and equip buildings for use of clubs having athletic, social or recreational objectives	Local Government (Miscellaneous Provisions) Act 1976 s.19
Crime prevention	Powers to install and maintain equipment and establish and maintain a scheme for detection or prevention of crime	Local Government and Rating Act 1997, s.31
	Power to contribute to police services e.g. PCSOs	Police Act 1996, s.92
	Duty on Parish Councils to consider crime reduction in every policy and action	s17 Crime and Disorder Act 1998 (as amended)
Drainage	Power to deal with ponds and ditches	Public Health Act 1936, s.260
Dogs	Power to make a Dog Control Order Power to take enforcement action against those who commit an offence against a Dog Control Order	Cleaner Neighbourhoods and Environment Act 2005
Entertainment and the arts	Provision of entertainment and support of the arts	Local Government Act 1972, s.145
Flyposting and Graffiti	Power to take enforcement action against those that flypost or graffiti	Cleaner Neighbourhoods and Environment Act 2005
Gifts	Power to accept	Local Government Act 1972, s.139

Highways	<p>Power to maintain footpaths and bridle-ways</p> <p>Power to light roads and public places</p> <p>Provision of litter bins</p> <p>Powers to provide parking places for bicycles and motor-cycles, and other vehicles</p> <p>Power to enter into agreement as to dedication and widening</p> <p>Power to provide roadside seats and shelters</p> <p>Consent of parish council required for ending maintenance of highway at public expense, or for stopping up or diversion of highway</p> <p>Power to complain to highway authority as to unlawful stopping up or obstruction of highway or unlawful encroachment on roadside wastes</p> <p>Power to provide traffic signs and other objects or devices warning of danger</p> <p>Power to plant trees and lay out grass verges etc. and to maintain them</p>	<p>Highways Act 1980, ss.43,50</p> <p>Parish Councils Act 1957, s.3;</p> <p>Highways Act 1980, s.301</p> <p>Litter Act 1983, ss.5,6</p> <p>Road Traffic Regulation Act 1984, ss.57,63</p> <p>Highways Act 1980, ss.30,72</p> <p>Parish Councils Act 1957, s.1</p> <p>Highways Act 1980, ss.47,116</p> <p>Highways Act 1980, s.130</p> <p>Road Traffic Regulation Act 1984, s.72</p> <p>Highways Act 1980, s.96</p>
Investments	Power to participate in schemes of collective investment	Trustee Investments Act 1961, s.11
Land	<p>Power to acquire by agreement, to appropriate, to dispose of</p> <p>Power to accept gifts of land</p>	<p>Local Government Act 1972, ss.124, 126, 127</p> <p>Local Government Act 1972, s.139</p>
Litter	<p>Provision of receptacles</p> <p>Power to take enforcement action against those that litter</p>	<p>Litter Act 1983, ss.5,6</p> <p>Cleaner Neighbourhoods and Environment Act 2005</p>
Lotteries	Powers to promote	Lotteries and Amusements Act 1976, s.7
Mortuaries and post mortem rooms	Powers to provide mortuaries and post mortem rooms	Public Health Act 1936, s.198

Open spaces	Power to acquire land and maintain	Public Health Act 1875, s.164 Open Spaces Act 1906, ss.9 and 10
Parish documents	Powers to direct as to their custody	Local Government Act 1972, s.226
Telecommunications facilities	Power to pay public telecommunications operators any loss sustained providing telecommunication facilities	Telecommunications Act 1984, s.97
Public buildings and village hall	Power to provide buildings for public meetings and assemblies	Local Government Act 1972, s.133
Public conveniences	Power to provide	Public Health Act 1936, s.87
Sustainable communities	Able to be represented on a panel of representatives to be consulted on proposals that would contribute to sustainable communities	Sustainable Communities Act 2007
Town and country planning	Right to be notified of planning applications	Town and Country Planning Act 1990, Sched.1, para. 8
Tourism	Power to encourage visitors and provide conference and other facilities	Local Government Act 1972, s.144
Traffic calming	Powers to contribute financially to traffic calming schemes	Highways Act 1980, s.274A
Transport	Powers in relation to car-sharing schemes, taxi fare concessions and information about transport Powers to make grants for bus services	Local Government and Rating Act 1997, s.26, 28 and 29 Transport Act 1985, s.106A

War memorials	Power to maintain, repair, protect and alter war memorials	War Memorials (Local Authorities' Powers) Act 1923, s.1; as extended by Local Government Act 1948, s. 133
Water supply	Power to utilise well, spring or stream and to provide facilities for obtaining water from them	Public Health Act 1936, s.125
Well-Being	Power to well-being of the area (for eligible councils)	s2 and 4 of the Local Government Act 2000

## APPENDIX 2

### COMMITTEE STRUCTURE AND SCHEME OF COMMITTEE DELEGATION

1. **All Committees have the power to act immediately on all delegated decisions reached without waiting for endorsement by the full Council.**  
However, a Committee considering an item of business which they have a delegated power to make decision on may refer that item to Full Council for decision by resolution.

#### **Projects & Initiatives Committee:**

2. PI1 – Communications and Events Committee (a Standing Committee) shall comprise up to a maximum of ten Members and, in addition, include the Chair and Vice-Chair of the Council.

PI2 – The Committee shall meet a minimum of five times a year and otherwise as required at the discretion of the Chair of the Committee. In addition, any two members of the Committee may convene a meeting of the Committee if the Chairman does not or refuses to within 7 days of a written request for a meeting to be called.

PI3 - The quorum shall be three Members.

PI4 - The Committee is delegated with authority to pursue the following role and functions:

- a) To review and make recommendations on all aspects of communication involving the Council, with the aim of ensuring that the community is aware of the aims, policies and activities of the Council;
- b) To review and make recommendations on how information is to be circulated to all interested groups regarding the Council's activities;
- c) To review and make recommendations on how the Council may encourage feedback from the community to inform it on the need for policy changes and development;
- d) To review and develop initiatives to improve communications within the Council;
- e) To develop a policy for dealing with the media;
- f) To monitor and review the policy for the use of social media as a means of communicating with the community;
- g) To oversee the effectiveness of the Council's websites;

- h) To consider the options for delivering and/or supporting events in the communities of Stanley which may further the overall objectives of the Council;
- i) To oversee the operation, development and promotion of the Civic Hall;
- j) To submit to the Finance and Governance Committee bids for funds as part of the annual budget process;
- k) To administer an agreed, delegated budget for the pursuit of the above activities, subject to compliance with Financial Regulations and Standing Orders.
- l) To keep under review the safety of the community within the Town Council area, and make recommendations to the Council on any matters involving community safety;
- m) To consider and develop initiatives involving the Council's partners aimed at reducing crime and helping make the community feel more secure;
- n) To review the issue of anti-social behaviour, particularly among the youth of the community, and consider how this may be addressed;
- o) To monitor and review arrangements relating to environmental issues, such as dog fouling, litter etc., with a view to developing initiatives to address the situation;
- p) To monitor the performance of any environmental improvement contracts and make recommendations to Council to improve their effectiveness
- q) To consider and make recommendations on how the community may be educated and informed on issues concerning the environment, crime and community safety;
- r) To create an effective partnership with other agencies involved in matters relating to the remit of the Committee;
- s) To submit to the Finance and Governance Committee bids for funds as part of the annual budget process;
- t) To administer an agreed, delegated budget for the pursuit of the above activities, subject to compliance with Financial Regulations and Standing Orders.

## **Planning Committee**

4. PC1 - The Planning Committee (a Standing Committee) shall comprise all members of the Council.

PLC2 – The Committee shall meet at the discretion of the Chair of the Committee. In addition, any two members of the Committee may convene a meeting of the Committee if the Chairman does not or refuses to within 7 days of a written request for a meeting to be called.’

PLC3 - The quorum shall be three Members.

PLC4 - The Committee is delegated with authority to pursue the following role and functions:

- a) To formulate the Council’s policies and case specific position relating to land use;
- b) To exercise the Council’s legal right to act as a statutory consultee in the planning process;
- c) To make representations to the Local Planning Authority on any application referred to the Council and on any other planning matter that affects the Parish;
- d) To consider and respond to any strategic planning proposals by the principal authority;
- e) To comment on highways/footways issues that affect the Parish;
- f) To submit to the Finance and Governance Committee bids for funds as part of the annual budget process;
- g) To lead the Neighbourhood planning process on behalf of Council, including the establishment and oversight of any steering groups that may be required.
- h) To administer an agreed, delegated budget for the pursuit of the above activities, subject to compliance with Financial Regulations and Standing Orders.

## **Finance and Governance Committee:**

5. FG1 - The Finance and Governance Committee (a Standing Committee) shall comprise up to a maximum of ten Members and, in addition, to include the Chair and Vice-Chair of the Council.

FG2 – The Committee shall meet a minimum of five times a year and otherwise as required at the discretion of the Chair of the Committee. In addition, any two members of the Committee may convene a meeting of the Committee if the Chairman does not or refuses to within 7 days of a written request for a meeting to be called

FG3 - The quorum shall be three Members.

FG4 - The Committee is delegated with authority to pursue the following role and functions:

- a) To make recommendations to the Council on the annual budget and precept (consistent with the Council's agreed priorities and policies);
- b) To receive from other Committees, and to collate prior to the submission to the Council, all bids for financial provision to be included in the annual revenue and capital budget relating to the work of the Committee;
- c) To formulate and present to the Council recommendations for annual expenditure and income;
- d) To oversee the Council's financial performance through the review of budget monitoring reports;
- e) To oversee the Council's Accounts;
- f) To oversee and control borrowing by the Council and the investment of funds within the Council's control;
- g) To make recommendations to the Council on the capital programme, its content, phasing and monitoring;
- h) To execute and carry out, in the name and on behalf of the Council, all resolutions and instructions from time to time given with reference to finances and accounts;
- i) To have the direction and control of insurance in respect of the Council's property, members, and employees;
- j) To provide efficient financial services and advice for the benefit of the Council;
- k) To monitor and make recommendations in relation to the process for applying for grant funding to support the Council's activities;
- l) To regularly review the Council's treasury management activities;
- m) To review proposed amendments to Financial Regulations before submission to the Council for approval;
- n) To periodically review risk;
- o) To monitor and approve payments;
- p) To receive and respond to internal and external audit reports;
- q) To administer an agreed, delegated budget for the pursuit of the above activities, subject to compliance with Financial Regulations and Standing Orders.



- r) To consider issues concerning the employment and salaries, terms and conditions of all staff and make recommendations to the full Council;.
- s) To consider issues concerning Council personnel policy and make recommendations to the full Council;
- t) To review the staffing structure and levels, and make recommendations to the full Council;
- u) To review health and safety at work for all Council employees.
- v) To ensure the Council complies with all legislative requirements relating to the employment of staff;
- w) To interview staff for appointments to the posts of Town Clerk, Civic Hall Manager or other posts graded between those levels, and make recommendations to full Council;
- x) To keep under review a system for regular staff appraisals;
- y) To have responsibility for the line management of the Town Clerk.

### **Grievance Panel**

7. The Grievance Panel is set up as part of the Council's Grievance Process. It will meet as and when required to hear grievances from officers of the Council. The Panel shall comprise three members who have undergone the necessary training in handling grievance matters. Members selected for the Panel will have had no direct involvement in any issue to be heard by the Panel. The Panel will make recommendations on how the grievance may be resolved.

### **Disciplinary Panel**

8. The Disciplinary Panel is set up as part of the Council's Disciplinary Procedure. It will meet as and when required to hear reports prepared by an appropriate officer or other approved person following a disciplinary investigation, together with the response from the Council officer concerned. The Panel shall comprise three members who have undergone the necessary training in handling disciplinary matters. Members selected for the Panel will have had no direct involvement in any issue to be heard by the Panel. The Panel will be required to make a decision as to what disciplinary action, if any, should be taken as a result of the hearing.

### **Appeals Panel**

9. The Appeals Panel is set up as part of the Council's Disciplinary Procedure. It will meet as and when required to hear appeals by Council officers against any decision made by the Disciplinary Panel. The Panel shall comprise three members who have undergone the necessary training in handling disciplinary matters. Members selected for the Panel will have had no direct involvement in any issue to be heard by the Panel, or in the process prior to the hearing of the appeal. The decision of the Appeals Panel is final.

## **APPENDIX 3**

### **THE ROLE OF THE CHAIR**

The main rules of law governing the role of the Chair of a parish council are set out in the Local Government Act 1972, principally within Schedule 12, which sets out, for example:

- that the Chair must preside at a meeting of the parish council if he or she is present and;
- that it is the person who presided at the meeting who has the responsibility to sign the minutes as a true record.

#### **It is the duty of the Chair**

“to preserve order, and to take care that the proceedings are conducted in a proper manner, and that the sense of the meeting is properly ascertained with regard to any question which is properly before the meeting”

*National Dwellings Society v Sykes (1894)*

#### **It is the Chair’s responsibility:**

- (a) To determine that the meeting is properly constituted and that a quorum is present;
- (b) To inform himself as to the business and objects of the meeting;
- (c) To preserve order in the conduct of those present;
- (d) To confine discussion within the scope of the meeting and reasonable limits to time;
- (e) To decide whether proposed motions and amendments are in order;
- (f) To formulate for discussion and decision questions which have been moved for the consideration of the meeting;
- (g) To decide points of order and other incidental questions which require decision at the time;
- (h) To ascertain the sense of the meeting by:
  - (i) Putting relevant questions to the meeting and taking the vote thereon (and if so minded giving a casting vote);
  - (i) Declaring the result; and
  - (ii) Causing a ballot to be taken if duly demanded;
- (i) To approve the draft of the minutes or other record of proceedings (with the consent of the meeting);
- (j) To adjourn the meeting when circumstances justify or require that course; and
- (k) To declare the meeting closed when its business has been completed

*“Knowles on Local Authority Meetings” (ICSA Publishing)*

#### **Voting**

During the meeting, if a vote on a matter is tied, the Chair, or other person presiding, has a second or casting vote.

The Chair's term of office continues until the appointment of a successor, other than where the Chair resigns or is disqualified. This continuity also applies when the Chair has not been re-elected following local elections. In this case, the Chair does not have a vote on the appointment of a successor but does have a casting vote in the event of equal votes.

### **Outside of the Meeting**

The Chair:

- is the person to whom notice of resignation is given by other Councillors or the Town Clerk;
- may convene meetings of the Council (on proper notice to the Town Clerk);
- when attending ceremonial events, is the proper person to represent the parish;
- may receive an allowance to meet the expenses of his or her office.

Beyond that, the workings and decisions not taken by the Council or through the delegation scheme, by one of its Committees or Sub-committees are to be taken by the Town Clerk.

The Chair may have an enhanced role, as functions may be delegated to the Town Clerk in consultation with the Chair (or the Chair of a Committee). This means that the decision and the responsibility for it, remains with the Town Clerk (not the Chair) but that he or she must first bring the matter to the attention of the Chair and take into account the views of the Chair in coming to his or her decision.

It is also likely to be the case that the Chair will be the person whom the Town Clerk will approach;

- for information about the Council and the parish;
- to seek to informally discuss matters with and;
- to informally consult on decisions that are in the Town Clerk's remit to make or pass back to a formal meeting.

Correspondence to and from the Council will normally be dealt with by the Clerk, not by the Chair.

## **APPENDIX 4**

### **SCHEME OF OFFICER DELEGATION**

#### **TOWN CLERK**

1. The Town Clerk shall be the Proper Officer in accordance with Section 112 of the Local Government Act 1972.
2. The Town Clerk shall be the Responsible Financial Officer in accordance with Section 151 of the Local Government Act 1972.
3. The Town Clerk is the Proper Officer for any purpose in respect of which a Proper Officer is mentioned in any statute.
4. As Proper Officer, the Town Clerk is specifically authorised to:
  - 4.1 Receive declarations of acceptance of office;
  - 4.2 Receive and record notices disclosing pecuniary interests;
  - 4.3 Receive and retain plans and documents;
  - 4.4 Sign notices or other documents on behalf of the Council and arrange for legal deeds to be sealed and witnessed reference Standing Order 22
  - 4.5 Receive copies of bye-laws made by a Primary Local Authority;
  - 4.6 Certify copies of bye-laws made by the Council;
  - 4.7 Sign summonses to attend meetings of the Council.
5. In addition, the Town Clerk has the delegated authority to undertake the following matters on behalf of the Council:
  - 5.1 The day to day administration of services, facilities and assets together with routine inspection and control;
  - 5.2 Day to day supervision and control of all staff employed by the Council in accordance with the Council's policies, procedures and budgets;
  - 5.3 Authorisation of routine expenditure within agreed budgets;
  - 5.4 Emergency expenditure because of an unforeseeable emergency involving immediate risk to persons, property or other assets or serious disruption to Council Services;
  - 5.5 To institute, defend and appear in any legal proceedings authorised by the Council;

- 5.6 To appear or make representation to any tribunal or public inquiry into any matter in which the Council has an interest (in its own right or on behalf of the citizens of Stanley);
  - 5.7 To agree the terms of any lease, licence, conveyance or transfer;
  - 5.8 Variations of restrictive covenants of a routine nature;
  - 5.9 The granting of easements, wayleave and licenses over Council land;
  - 5.10 To respond to planning applications on behalf of the Council, where, due to timescales the Planning Committee is unable to comment, provided that the Town Clerk has consulted with the Chair and Vice-Chair of the Committee. All members will receive details of planning applications which are dealt with under this delegation and may make comments;
  - 5.11 To act as the Council's designated officer for the purpose of the Freedom of Information Act 2000;
  - 5.12 To arrange for interviews and appoint staff graded below the post of Civic Hall Manager to a vacant post in the staffing establishment where authority to recruit has been granted by Council;
  - 5.13 To take editorial decisions in relation to digital and printed media issued by the Town Council in accordance with any policies agreed by Council;
  - 5.13 Actions taken under delegated authority by the Town Clerk shall be in accordance with Standing Orders, Financial Regulations, Contracts and Procurement and this Scheme of Delegation and with directions given by the Council from time to time.
6. The Town Clerk shall also be the Responsible Financial Officer (RFO) to the Council under Section 151 of the Local Government Act 1972. The Town Clerk shall be the RFO for any purpose in which a Responsible Financial Officer is mentioned in any statute. The Town Clerk, as RFO, is specifically authorised:
- 6.1 To determine the Council's accounting system and the form of the accounts and supporting accounting records;
  - 6.2 To be responsible for the proper administration of the Council's financial affairs which includes reviewing the Council's Financial Regulations and submitting revisions to the Council for approval.

## Stanley Town Council 2016-2017Correct

## Budget Detail - By Centre

Note: (-) Net Expenditure means Income is greater than Expenditure

## Note : 2016/17 Final Budget Position

		<u>Last Year</u>		<u>Current Year</u>		<u>Next Year</u>	
		Budget	Actual	Revised Budget	Actual YTD	Next Year Budget	C/Fwd Budget
4417	Stanley Fringe	0	0	2,000	2,204	0	0
4418	Older People's Entertainment	0	0	1,000	523	1,000	0
4419	Other Events	15,000	9,250	0	1,414	0	0
4420	Blue Plaque Scheme	0	100	2,500	1,083	1,200	0
4422	A Year in Stanley	0	0	0	0	6,250	0
4425	Technical Support	0	0	0	5	0	0
4439	Christmas Decorations	35,000	32,949	30,000	28,809	23,000	0
<b>OverHead Expenditure</b>		115,400	105,595	114,150	110,703	92,350	0
<b>320</b>	<b>Net Expenditure</b>	115,400	105,595	114,150	110,703	92,350	0
<b>400</b>	<b>Grants</b>						
4500	Members Initiative Fund	70,000	61,474	70,000	78,835	70,000	0
4502	Other Grants	102,480	61,975	11,872	67,376	55,153	0
4510	Concessions	0	7,910	0	708	0	0
<b>OverHead Expenditure</b>		172,480	131,359	81,872	146,919	125,153	0
1075	Grants	0	0	0	0	0	0
1080	Donations	0	0	0	0	0	0
<b>Total Income</b>		0	0	0	0	0	0
<b>400</b>	<b>Net Expenditure</b>	172,480	131,359	81,872	146,919	125,153	0

## Stanley Town Council 2016-2017Correct

## Budget Detail - By Centre

Note: (-) Net Expenditure means Income is greater than Expenditure

## Note : 2016/17 Final Budget Position

	<u>Last Year</u>		<u>Current Year</u>		Projected Actual	<u>Next Year</u>	
	Budget	Actual	Revised Budget	Actual YTD		Next Year Budget	C/Fwd Budget
<b>500 Civic Hall</b>							
4000 Direct Salaries	130,000	133,982	140,640	128,630	117,875	154,582	0
4005 Casual Staff	0	13,045	10,000	35,247	30,895	20,000	0
4008 Training	1,000	350	4,000	325	1,000	2,500	0
4009 Clothing Costs	800	384	800	1,077	1,175	1,100	0
4011 Travel & Subsistence	400	141	400	0	0	400	0
4012 Recruitment	0	390	0	0	0	650	0
4050 Rates	7,700	7,680	7,900	7,744	7,744	8,000	0
4051 Water Rates	1,500	5,176	3,500	3,118	2,356	3,500	0
4052 Electricity	11,500	10,836	10,000	13,605	11,000	10,000	0
4053 Gas	1,500	2,298	3,500	1,705	553	3,500	0
4054 Insurance	600	0	0	0	0	0	0
4055 Cleaning	1,500	2,132	2,000	4,012	4,261	2,400	0
4056 Alarm Maintenance	1,000	0	1,000	1,961	192	1,500	0
4057 Window Cleaning	250	200	250	200	250	250	0
4058 Trade Waste	1,500	1,742	1,500	1,853	2,022	2,000	0
4059 Laundry	2,500	210	2,000	1,239	1,164	1,700	0
4064 Equipment - Hire	0	135	0	155	155	0	0
4065 Repairs & Maintenance	2,500	4,049	2,500	4,909	3,751	2,500	0
4066 Tools & Equipment	2,500	6,135	2,500	6,055	6,444	6,000	0

## Stanley Town Council 2016-2017Correct

## Budget Detail - By Centre

Note: (-) Net Expenditure means Income is greater than Expenditure

## Note : 2016/17 Final Budget Position

	<u>Last Year</u>		<u>Current Year</u>		Projected Actual	<u>Next Year</u>	
	Budget	Actual	Revised Budget	Actual YTD		Next Year Budget	C/Fwd Budget
4067 Furniture & Fittings	2,000	2,706	2,000	1,097	1,097	1,500	0
4068 Structure	750	630	750	794	1,361	800	0
4069 Pest Control	120	251	250	0	250	250	0
4070 Crockery,Cutlery etc	2,000	1,673	2,000	126	250	1,000	0
4071 Health & Safety - Fire	400	297	400	9	20	250	0
4072 Health & Safety First Aid	0	50	200	0	0	200	0
4073 Health and Safety	0	35	0	2,582	2,582	2,580	0
4075 Advertising	3,000	3,106	3,000	5,461	5,237	5,000	0
4076 Marketing & Promotion	0	0	2,000	6,869	6,009	2,500	0
4077 Licences	800	1,289	700	2,114	1,928	2,000	0
4079 Security	0	1,116	500	18	193	500	0
4100 Telephones	2,500	3,349	4,000	3,326	3,751	3,200	0
4102 Stationery	2,500	1,692	2,000	2,077	2,146	2,000	0
4103 Publications	0	782	0	0	0	0	0
4104 Postage	0	186	0	1,023	901	800	0
4105 Photocopying	0	1,193	1,000	1,301	1,028	1,200	0
4106 Subscriptions	0	20	20	102	102	0	0
4114 Refreshments	0	0	0	42	42	0	0
4115 Hospitality	0	197	0	185	185	0	0
4120 IT - Antivirus	0	0	0	46	46	100	0
4121 IT - Website Support	0	655	600	100	100	200	0



## Budget Detail - By Centre

Note: (-) Net Expenditure means Income is greater than Expenditure

## Note : 2016/17 Final Budget Position

	Last Year		Current Year			Next Year		
	Budget	Actual	Revised Budget	Actual YTD	Projected Actual	Next Year Budget	C/Fwd Budget	
4123	IT - Support & Maintenance	4,000	4,620	4,000	396	336	3,000	0
4125	IT - Software	0	0	0	0	0	200	0
4425	Technical Support	0	484	0	2,858	2,736	2,500	0
4650	Events - Civic Hall	0	6,897	15,000	32,025	32,842	15,000	0
4651	Events - Externally Organised	0	1,212	0	303	3,098	0	0
4652	Civic Hall Performers	0	0	0	0	0	11,200	0
4653	Summer Stage School	0	0	0	0	0	5,500	0
4654	Purchases for weddings/parties	0	0	0	320	0	0	0
4700	Ticket Sales Paid Over	0	24,555	0	51,834	0	0	0
4750	Resale Items	0	575	0	186	68	0	0
4751	Technical supp-rechargeable	0	0	0	1,015	0	0	0
4752	Purchases weddings etc- rech	0	0	0	1,738	0	0	0
4998	Transaction Fees	500	680	720	2,107	1,833	1,100	0
	OverHead Expenditure	185,320	247,133	231,630	331,888	258,978	283,162	0
1000	Ticket Sales Retained	0	7,570	15,000	22,882	25,000	30,000	0
1002	Ticket sales ret'd- Ext shows	0	0	0	2,095	0	0	0
1005	Ticket Sales Non Retained	0	23,867	0	50,107	0	0	0
1010	Hall Hire	61,160	63,970	70,000	72,056	71,000	70,000	0
1011	Hall Hire - Concessionary	0	10,491	0	0	0	0	0
1012	Fees & Subs	0	0	0	0	0	16,700	0

## Budget Detail - By Centre

Note: (-) Net Expenditure means Income is greater than Expenditure

## Note : 2016/17 Final Budget Position

		<u>Last Year</u>		<u>Current Year</u>			<u>Next Year</u>	
		Budget	Actual	Revised Budget	Actual YTD	Projected Actual	Next Year Budget	C/Fwd Budget
1013	DCC Recharges	0	0	0	1,760	1,760	1,760	0
1026	Table packages etc	0	0	0	220	0	0	0
1028	Resale Items	0	237	0	989	967	0	0
1029	Recharged buffet, disco etc	0	0	0	80	0	0	0
1040	Fees & Charges-PAT tests	0	0	0	78	78	0	0
1061	Rent Income - Town Council	0	3,000	0	1,731	531	0	0
1081	Donations	0	500	0	0	0	0	0
1091	Art Work Sales	0	0	0	86	86	150	0
<b>Total Income</b>		<b>61,160</b>	<b>109,634</b>	<b>85,000</b>	<b>152,083</b>	<b>99,422</b>	<b>118,610</b>	<b>0</b>
<b>500 Net Expenditure</b>		<b>124,160</b>	<b>137,499</b>	<b>146,630</b>	<b>179,804</b>	<b>159,556</b>	<b>164,552</b>	<b>0</b>
<b>505</b>	<b><u>Coffee Shop</u></b>							
4000	Direct Salaries	0	0	0	23,660	21,385	34,525	0
4008	Training	0	0	0	90	90	100	0
4009	Clothing Costs	0	0	0	197	197	200	0
4055	Cleaning	0	0	0	44	47	100	0
4065	Repairs & Maintenance	0	16	0	420	458	250	0
4066	Tools & Equipment	0	113	0	3,289	3,561	500	0
4067	Furniture & Fittings	0	0	0	82	90	0	0
4070	Crockery,Cutlery etc	0	0	0	318	340	0	0

Continued on Page 14

## Note : 2016/17 Final Budget Position

		<u>Last Year</u>		<u>Current Year</u>			<u>Next Year</u>	
		Budget	Actual	Revised Budget	Actual YTD	Projected Actual	Next Year Budget	C/Fwd Budget
4073	Health and Safety	0	0	0	-2	0	0	0
4075	Advertising	0	0	0	350	350	600	0
4550	Coffee Shop-Drinks (Hot)	0	0	0	885	966	1,700	0
4555	Coffee Shop-Drinks (Cold)	0	0	0	1,114	1,216	1,800	0
4560	Coffee Shop-Food	0	0	0	10,905	11,753	10,000	0
4602	Bar - Stocktaking Costs	0	0	0	360	295	100	0
4625	Coffee Shop supplies	0	376	0	780	851	700	0
	<b>OverHead Expenditure</b>	0	504	0	42,493	41,598	50,575	0
1200	Hot Drinks	0	0	0	6,229	6,685	1,500	0
1205	Cold Drinks	0	0	0	43	47	100	0
1210	Food	0	0	0	798	870	1,500	0
1220	Coffee Shop	0	0	0	23,501	21,330	30,000	0
	<b>Total Income</b>	0	0	0	30,571	28,932	33,100	0
505	<b>Net Expenditure</b>	0	504	0	11,922	12,666	17,475	0
510	<b>Civic Hall Bar</b>							
4009	Clothing Costs	0	0	0	86	93	150	0
4066	Tools & Equipment	0	513	0	298	325	450	0
4070	Crockery,Cutlery etc	0	0	0	332	362	500	0
4075	Advertising	0	0	0	36	36	0	0

## Note : 2016/17 Final Budget Position

	<u>Last Year</u>		<u>Current Year</u>		<u>Next Year</u>	
	Budget	Actual	Revised Budget	Actual YTD	Next Year Budget	C/Fwd Budget
4102 Stationery	0	0	0	19	100	0
4600 Bar Stock	18,000	18,540	17,000	17,800	18,500	0
4601 Bar Supplies - Sundry Items	2,000	5,191	3,750	2,896	3,500	0
4602 Bar - Stocktaking Costs	840	630	770	815	650	0
4603 Bar - gas	0	869	1,000	637	800	0
<b>OverHead Expenditure</b>	<b>20,840</b>	<b>25,742</b>	<b>22,520</b>	<b>22,920</b>	<b>24,650</b>	<b>0</b>
1020 Bar Takings	45,000	49,849	47,500	59,746	48,000	0
<b>Total Income</b>	<b>45,000</b>	<b>49,849</b>	<b>47,500</b>	<b>59,746</b>	<b>48,000</b>	<b>0</b>
<b>510 Net Expenditure</b>	<b>-24,160</b>	<b>-24,107</b>	<b>-24,980</b>	<b>-36,826</b>	<b>-23,350</b>	<b>0</b>
<b>520 Loan Charges</b>						
4996 PWLB Loan - Principal	0	20,000	20,000	20,000	20,000	0
4997 PWLB Loan - Interest	0	4,446	3,990	3,990	3,990	0
<b>OverHead Expenditure</b>	<b>0</b>	<b>24,446</b>	<b>23,990</b>	<b>23,990</b>	<b>23,990</b>	<b>0</b>
<b>520 Net Expenditure</b>	<b>0</b>	<b>24,446</b>	<b>23,990</b>	<b>23,990</b>	<b>23,990</b>	<b>0</b>
<b>800 Loan Costs</b>						
4150 Civic Hall - Seating	0	32,878	0	0	0	0
4151 Civic Hall - Lighting	0	8,500	0	2,550	0	0

## Budget Detail - By Centre

Note: (-) Net Expenditure means Income is greater than Expenditure

## Note : 2016/17 Final Budget Position

	<u>Last Year</u>		<u>Current Year</u>			<u>Next Year</u>	
	Budget	Actual	Revised Budget	Actual YTD	Projected Actual	Next Year Budget	C/Fwd Budget
4152 Civic Hall - Flooring	0	8,017	0	0	0	0	0
4153 Civic Hall - Roofing	0	1,424	0	0	0	0	0
4155 Civic Hall - Windows	0	23,578	0	0	0	0	0
4156 Civic Hall - Structure	0	0	0	5,760	0	0	0
4160 Civic Hall - Equipment	0	17,564	0	5,537	0	0	0
<b>OverHead Expenditure</b>	0	91,960	0	13,847	0	0	0
<b>Total Income</b>	0	0	0	0	0	0	0
<b>800 Net Expenditure</b>	0	91,960	0	13,847	0	0	0
<b>900 Earmarked Reserves</b>							
9315 Earmarked Reserve	0	0	-100,000	0	-100,000	0	0
<b>OverHead Expenditure</b>	0	0	-100,000	0	-100,000	0	0
<b>900 Net Expenditure</b>	0	0	-100,000	0	-100,000	0	0
<b>Total Budget Expenditure</b>	974,820	1,073,685	937,662	1,135,675	939,806	986,826	0
<b>Income</b>	874,820	935,374	937,662	1,044,140	982,244	988,586	0
<b>Net Expenditure</b>	100,000	138,311	0	91,536	-42,438	-1,760	0

# **MINUTES of the ORDINARY MEETING OF STANLEY TOWN COUNCIL**

Held at Stanley Civic Hall, Front Street, Stanley on Tuesday 18th April 2017 at 6.30pm

**PRESENT:** J Nicholson\*                      G Graham                      J Charlton                      W Nixon  
D Tully                      D Mills                      D Walker                      M Wilkinson  
R Harrison                      A Clegg                      L Elliott                      C Thompson

\*Chairman

**OFFICERS:** Alan Shaw (Town Clerk)  
Nicola James (PA to the Town Clerk)  
James Harper (Community Development Manager)

**ABSENT:** Cllrs C McKee, T Davinson & B Nair

**IN ATTENDANCE:** 11 members of the public

## **359 APOLOGIES FOR ABSENCE**

Apologies received from Cllrs C Bell, R Ferris, D Marshall, L Marshall & D McMahon were accepted by Council.

## **360 DECLARATIONS OF INTEREST**

Cllr D Mills declared a non pecuniary interest in the South Moor Banner Group.

## **361 PROCEDURAL AND APPROPRIATE ANNOUNCEMENTS FROM THE CHAIRMAN**

The Chairman wished good luck to the new Council following the May elections. She advised members and public present that it had been a privilege to be Chairman of STC.

The Clerk reminded Members not to speak until they have been recognised by the chair, and to stand when speaking.

The Clerk thanked those members who were not standing in the upcoming elections for their service to the Town.

The Clerk advised that no one was recording the meeting, however STC were live streaming this meeting on Facebook.

Councillor R Harrison advised that he was not standing in the upcoming elections for various reasons, and that he would like to present the Chairman with a flag of the STC crest to fly proudly outside the Civic Hall.

## **362 PUBLIC PARTICIPATION**

Steve McGough from Beamish FC requested that the Council donate one of the Kubota tractors to the Football Club to assist in grass cutting etc.

Following a discussion it was proposed by Cllr D Walker, seconded by Cllr R Harrison and **RESOLVED** that Beamish FC would be able to use the Kubota tractor until the new Council can approve the donation after the election.

### 363 CONFIRMATION OF COUNCIL MINUTES

It was proposed by Cllr D Walker, seconded by Cllr D Tully and **RESOLVED** that subject to the deletion of the minute 341(a) the Council approve the Full Council minutes of 21st March 2017 as a correct record.

*Cllr Charlton joined the meeting at 18.48*

### 364 MINUTES OF OTHER MEETINGS

It was **RESOLVED** that the minutes of the Annual Town Meeting held on 14th March 2017 and the minutes of the Communications & Events Committee held on 4th April 2017 be **RECEIVED** by Council.

### 365 RECOMMENDATIONS OF COMMITTEE MEETINGS

#### (a) COMMUNICATIONS AND EVENTS

It was proposed by Cllr R Harrison and **RESOLVED** that the following recommendations be accepted:

- (i) **Music Festival** - The festival should be held over two nights: one Punk night and one Country and Western night.
- (ii) **Armed Forces** - The event be given authorisation to go ahead even if there is an overspend on the budget due to the unavailability of grant funding.
- (iii) **Fools Gold** - Council should ask for a breakdown of costs for all primary schools and all care homes within a 3 month period.
- (iv) **Michael Heaviside Centenary** - Grant of funding of £2000 for the event be allocated from the Heritage budget.
- (v) **South Moor Banner Group** - Grant funding £400 be allocated from the Heritage Budget.
- (vi) **Community Engagement Policy** - Council adopts the Community Engagement Policy approved by Committee.
- (vii) **Civic Hall Improvement Works** - Council prioritise the Fly Tower, PA and Tech Box to be completed using the Public Works Loan.

### 366 ANNFIELD PLAIN MINERS MEMORIAL

The Town Clerk requested members to consider the request from the Diocese of Durham for the Council to 'lead in finding an alternative home for the memorial stone'.

It was proposed by Cllr Walker, seconded by Cllr Nixon and **RESOLVED** that the Town Council take the lead but leave the decision for its relocation to the new Council following the election.



### 367 ACCOUNTS FOR PAYMENT & BANK RECONCILIATION

It was proposed by Cllr R Harrison, seconded by Cllr D Mills and **RESOLVED** that Council **APPROVE** the payment of accounts for March 2017 and **NOTE** the bank reconciliation.

### 368 COUNCIL OFFICES

It was proposed by Cllr D Mills, seconded by Cllr D Walker and **RESOLVED** that:

Council **DELEGATES AUTHORITY** to the Town Clerk to:

- (i) Instruct a surveyor to carry out a detailed building survey;
- (ii) Begin the process of applying for a Public Works Loan in accordance with the business plan submitted to Durham County Council as part of the bid process
- (iii) Identify a suitable architect to prepare planning/ building drawings for Full Planning permission for structural works to the building.

### 369 MEMBER TRAINING

Members discussed the training proposal provided by LGRC. It was proposed by Cllr R Harrison, seconded by Cllr A Clegg and **RESOLVED** that the proposal be accepted and training be provided in July 2017.

### 370 EXCLUSION OF PRESS AND PUBLIC\*

\*Members recording the proceedings stopped at this point.

Council **RESOLVED** that under the Public Bodies (Admission to Meetings) Act 1960, the public and representatives of the press and broadcast media be excluded from the meeting during the consideration of the following items of business as publicity would be prejudicial to the public interest due to the confidential nature of the business to be transacted.

*Justification for excluding the public and press from consideration of the following item: The consideration of staffing matters needs to be held in closed session to preserve the privacy of staff.*

### 371 CIVIC HALL - STAFFING MATTER

Members noted the successful applicant for the vacant Caretaker post. Members **APPROVED** to convert the existing General Assistant post into a second Caretaker post.

### 372 DATE, TIME AND VENUE OF NEXT MEETING

Tuesday 16th May 2017 (Annual General Meeting), 6:30pm, Civic Hall Stanley.



# FINANCIAL REGULATIONS



**STANLEY TOWN COUNCIL**

Civic Hall, Front Street, Stanley DH90NA

## **FINANCIAL REGULATIONS**

The purpose of Financial Regulations is to formalise the process used by Stanley Town Council to govern the conduct of the financial transactions of the Council.

### **1.0 GENERAL**

- 1.1 These Financial Regulations may only be amended or varied by recommendation of the Finance and General Purposes Committee followed by resolution of the Full Council.
- 1.2 The Responsible Financial Officer (RFO), under the policy direction of the Full Council, shall be responsible for the proper administration of the Council's affairs.
- 1.3 The RFO shall be responsible for the production of financial management information.

### **2.0 ANNUAL ESTIMATES**

- 2.1 Each Committee shall formulate and submit proposals to the Council in respect of revenue and capital costs for the following financial year, not later than the end of November each year.
- 2.2 Detailed (estimated) receipts and payments for the full financial year, shall also be prepared at this time each year by the RFO. These shall be used as the basis for the budget for the ensuing financial year.
- 2.3 The Full Council shall review the estimates and proposed budget not later than the beginning of January following the preceding November (see 2.1), and use these to fix the precept to be levied for the ensuing financial year. The RFO shall supply each member with a copy of the approved estimates and budget.
- 2.4 The annual budget 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 (Medium Term Financial Plan) which shall be prepared at the same time as the annual Budget.

### **3.0 BUDGETARY CONTROL**

- 3.1 Expenditure on revenue items may be incurred up to the amounts included in the approved budget.
- 3.2 Any expenditure which would exceed the amount provided in the revenue budget. may be incurred only by resolution of the Full Council.

## Item 10 – ATTACHMENT E

- 3.3 The RFO shall regularly (on a monthly basis) provide the Finance and General Purposes Committee with a statement of receipts and payments to date under each head of the budget, comparing actual expenditure against that planned, and including a projection of the likely outcome for the full year.
- 3.4 The RFO and Chair of the Council 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 £7,500. Such expenditure shall be reported to Full Council by email immediately confirming the value and reason, and then to be retrospectively reviewed and approved at the next Full Council meeting.
- 3.5 Unspent provisions in the revenue budget shall not be carried forward to a subsequent year unless approved by the Full Council, on the recommendation of the Finance and General Purposes Committee.
- 3.6 No expenditure shall be incurred in relation to any capital project or service, and no contract entered into, or tender accepted involving capital expenditure, unless the Council is satisfied that the necessary funds are available, or the requisite borrowing approval has been obtained.
- 3.7 All capital works shall be administered in accordance with the Council's standing orders and these financial regulations relating to contracts.

### 4.0 ACCOUNTING AND AUDIT

- 4.1 All accounting procedures and financial records of the Council shall be determined by the RFO as required by the Accounts and Audit Regulations in effect at the time.
- 4.2 The RFO shall be responsible for completing the annual financial statements of the Council as soon as practicable after the year-end of the financial year and shall submit them and report thereon to the Full Council.
- 4.3 The RFO shall be responsible for completing the accounts of the Council contained in the Annual Return (as supplied by the External Auditor appointed from time to time by the Audit Commission), and for submitting the Annual Return for approval and authorisation by the Full Council, within the timescale set by the Accounts and Audit Regulations in effect at the time or set by the Auditor.
- 4.4 The RFO shall be responsible for ensuring that there is an adequate and effective system of internal control of the Council's accounting, financial and other operations, in accordance with the appropriate Regulation of the Accounts and Audit Regulations in effect at the time. Any officer or member of the Council shall, if the RFO or Internal Auditor requires, make available such documents which appear to the RFO or Internal Auditor to be necessary for the purpose of the internal audit and shall supply the RFO or Internal Auditor with such information and explanation as the RFO or Internal Auditor considers necessary for that purpose.

## Item 10 – ATTACHMENT E

- 4.5 The Internal Auditor shall carry out the work required in accordance with a risk based audit plan to be determined by the Auditor and approved by the Finance and General Purposes Committee. Additional work may, from time to time, be requested by the RFO, or by the Council. The Internal Auditor, who shall be competent and independent of the operations of the Council, shall report to the Finance and General Purposes Committee in writing on a regular basis with a minimum of one annual report in respect of each financial year.
- 4.6 The RFO shall make arrangements for the exercise of electors' rights to inspect the accounts, books and vouchers required by Section 15 of the Audit Commission Act 1998 and the Accounts and Audit Regulations in effect at the time.
- 4.7 The RFO shall, as soon as practicable, bring to the attention of all Councillors, any relevant correspondence or report from the Internal or External Auditor, unless the correspondence is of a purely administrative matter.

### **5.0 BANKING ARRANGEMENTS AND CHEQUES**

- 5.1 The Council's banking arrangements shall be made by the RFO and approved by the Full Council. They shall be regularly reviewed for efficiency.
- 5.2 Cheques drawn on the Council's bank account shall be signed by one Officer and one Member of Council.
- 5.3 Payments drawn on the Council's bank account by BACS or other electronic means shall be authorised by two Members and countersigned by the Town Clerk.

### **6.0 PAYMENT OF ACCOUNTS**

- 6.1 The Council shall ensure that safe and efficient arrangements are in place for the making of any payments.
- 6.2 All payments (other than petty cash [6.5]) shall be effected by cheque, Debit Card, direct debit, or other order drawn on the Council's bankers, including BACS payments. With regard to payments by any means other than cheque, approval will be renewed by resolution of the full Council every two years.
- 6.3 The appropriate Manager shall satisfy him/herself that the work, goods or services to which the invoice relates, have been received or carried out in accordance with the relevant order. He/she shall insert the appropriate budget code to which the cost is to be charged.
- 6.4 The Finance Manager shall examine invoices in relation to arithmetic accuracy, correct application of VAT and correct coding and shall take all steps to settle invoices submitted, and which are in order, at the earliest possible opportunity.
- 6.5 The RFO shall countersign all invoices prior to payment.

- 6.6 If a payment is necessary to avoid a charge to interest under the Late Payment of Commercial Debts (Interest) Act 1998, and where the RFO and Finance Manager certify that there is no dispute or other reason to delay payment, the RFO may (notwithstanding paragraph 6.3), take all steps necessary to settle such invoices, provided that such payments shall subsequently be scrutinised by the Chair of the Finance and General Purposes Committee.
- 6.7 The RFO may provide petty cash to officers for the purpose of defraying operational and other expenses. Vouchers for payments made shall be forwarded to the Finance Manager with a claim for reimbursement:
- a) The RFO shall maintain a petty cash float of £100 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 on the next available working day, as provided elsewhere in these regulations.
  - c) Payments to maintain the petty cash float shall be shown separately on the schedule of payments presented to the Council.
- 6.8 Subject to 6.2, wherever possible payments to staff and service providers will be made by the Banking Automated Credit System (BACS). This is subject to strict compliance with the agreed procedure for the operation of an electronic payments system.

## **7.0 PAYMENT OF SALARIES**

- 7.1 The payment of all salaries shall be made by Durham County Council (the Principal Authority) in accordance with payroll records and the rules of PAYE and National Insurance currently operating. Salaries shall be according to employees' contractual agreements, which have been previously agreed by the Council.
- 7.2 Payment of salaries, and deductions from salary for tax, national insurance and pension contributions, will be made in accordance with the payroll records and on the appropriate dates.
- 7.3 Payment of excess additional hours worked (in accordance with contractual agreements), will be made in accordance with the payroll records and on the appropriate dates provided that each payment is reported to, and resolved by, the next available Full Council Meeting.

## **8.0 LOANS AND INVESTMENTS**

- 8.1 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.
- 8.2 The Council's Investment Policy, shall be in accordance with the Trustee Investments Act 2000, and shall be reviewed on a regular basis (at least annually).
- 8.3 All investments of money under the control of the Town 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 the Full Council as to its terms and purpose.

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

## **9.0 INCOME**

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

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

9.3 The Council shall review all fees and charges annually (where relevant), following a report of the RFO. Any sums found to be irrecoverable and any associated bad debts shall be reported to the Full Council, and shall be written off in the relevant financial year.

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

9.5 The origin of each receipt shall be entered on the paying-in slip and recorded in the accounts.

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

9.7 The RFO shall promptly complete any VAT Return that is required. Any repayment claim due in accordance with VAT Act 1994, Section 33, shall be made on a quarterly basis in accordance with HMRC procedures.

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

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

## **10.0 ORDERS**

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 All Purchase Orders shall be controlled by the RFO.

- 10.3 All Members and Officers are responsible for obtaining value for money at all times. An officer issuing an official order is to ensure as far as reasonable and practicable, that the best available terms are obtained in respect of quality, value and service for each transaction

## 11.0 PROCUREMENT

- 11.1 Contracts are subject to any de minima provisions current at the time they are agreed:
- These provisions are commonly referred to as the 'De Minimis' rules/exceptions, under which local authorities are in some cases excepted from the requirement to let contracts through competitive tender.
  - There is no obligation on authorities to make use of the de minimis provisions; the limits set are not to be exceeded but it is a matter for individual authorities to decide to what extent they are used, or even if they are used at all.
  - At the time of adopting this policy it is now possible to let any number of individual de minimis contracts up to a value of £29,999 expenditure each in any one year (the previous limit was £24,999).
  - However, subject to the individual contract limit, there will no longer be any limit on the total value of de minimis contracts that may be let with an individual organisation in any year.

- 11.2 Procedures as to contract are laid down as follows:

### General

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

- i) for the supply of gas, electricity, 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 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 Town Council;
- vi) for additional audit work of the external Auditor up to an estimated value of £750 (in excess of this sum the RFO shall act after consultation with the Chair and Vice Chair of the Council);

b) Where it is intended to enter into a contract 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 11.2.a.i (above) the following shall apply:

### Contracts Exceeding £60,000 in Value

## Item 10 – ATTACHMENT E

- c) For Contracts exceeding £60,000 in value, the RFO shall invite tenders from at least three firms to be taken from the appropriate approved list.
- d) Such invitations to tender shall state the general nature of the intended Contract, and the RFO shall obtain the necessary technical assistance to prepare a specification in appropriate cases.
- e) The invitation shall, in addition, state that a 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 the Council
- g) If less than three tenders are received for contracts over £60,000, 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 regulation, shall contain a statement to the effect that “Neither the Town Council, nor any committee, is bound to accept the lowest tender, estimate or quote, provided a justifiable reason is stated.”

### **Contracts Over £20,000 and up to £60,000**

- i) For Contracts of above £20,000 and up to £60,000 in value the RFO shall endeavour to obtain three written quotations (priced descriptions of proposed supply).

### **Contracts Between £5,000 and up to £20,000**

- j) Where the value of a Contract is between £5,000 and £20,000, the RFO shall endeavour to obtain three estimates.

### **Contracts Below £5,000**

- k) Where the value of a Contract is below £5,000, the RFO shall obtain one or more estimates, as appropriate.
- l) The Council shall not be obliged to accept the lowest, or any tender, quote or estimate.
- m) Where applications are made to waive financial regulations relating to Contracts (of whatever value), to enable a price to be negotiated without competition, the RFO shall state the reason in a recommendation to the Full Council.

## **12.0 PAYMENTS UNDER CONTRACT FOR BUILDING OR OTHER CONSTRUCTION WORKS**



## Item 10 – ATTACHMENT E

- 12.1 Payments on account of the contract sum shall be made within the time specified in the contract by the RFO, upon authorised certificates of the architect, or other consultants engaged to supervise the contract (subject to any percentage withholdings as may be agreed in the particular contract).
- 12.2 Where Contracts provide for payment by instalments, the RFO shall maintain a record of all such payments. In any case, where it is estimated that the total cost of work carried out under a contract, excluding agreed variations, will exceed the contract sum of 5% or more, a report shall be submitted to the Full Council.
- 12.3 Any variations to, addition to or omission from a Contract, must be approved by the Full Council and the RFO in writing to the Contractor, the Council being informed where the final cost is likely to exceed the financial provision.

### 13.0 STORES, EQUIPMENT AND ASSETS

- 13.1 The relevant Manager shall be responsible for the care and custody of stores and equipment in their control.
- 13.2 Delivery notes shall be obtained in respect of all goods received or otherwise delivered, and goods must be checked as to order and quantity at the time delivery is made.
- 13.3 Stocks shall be kept at the minimum levels consistent with operational requirements.
- 13.4 The RFO shall be responsible for periodic checks of stocks and stores at least annually.
- 13.5 Non Current Assets - all expenditure on the acquisition, creation or enhancement of non current assets below the Council de minimus of £10,000 is written off to the Council's Income and Expenditure account in the year of acquisition. Expenditure on the acquisition, creation or enhancement of non current assets above the de-minimus of £10,000 and which provide economic benefits to the council for a period over one year are capitalised in accordance with accounting requirements in effect at the time.
- 13.6 Asset depreciation – in accordance with current accounting requirements asset values should not be adjusted for depreciation. The cost value will remain as the asset value in the asset register and on the Annual Return until the asset is disposed.

### 14.0 PROPERTIES

- 14.1 The RFO shall make appropriate arrangements for the custody of all title deeds for properties owned by the Council. The RFO 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 the appropriate Regulation of the Accounts and Audit Regulations in effect at the time.
- 14.2 No property shall be sold, leased or otherwise disposed of without the authority of the Full Council, together with any other consents required by law, except where the estimated value of any one item of tangible, movable property, does not exceed £50.

## **15.0 INSURANCE**

- 15.1 Following an annual risk assessment, the Finance Manager shall effect all insurances and negotiate all claims on the Council's insurers (in consultation with the RFO).
- 15.2 The RFO shall give prompt notification to the Finance Manager of all new risks, properties or vehicles, which require to be insured, and of any alterations affecting existing insurances.
- 15.3 The RFO shall keep a record of all insurances effected by the Council and the property and risks covered thereby, and annually review it.
- 15.4 The RFO shall be notified of any loss, liability or damage, or of any event likely to lead to a claim, and shall report these to the 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.

## **16.0 RISK MANAGEMENT**

- 16.1 The RFO, with the Finance Manager, shall prepare and promote Risk Management policy statements in respect of all activities of the Council.
- 16.2 When considering any new activity, the RFO and Finance Manager 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.

## **17.0 REVISION OF FINANCIAL REGULATIONS**

- 17.1 It shall be the duty of the Finance and General Purposes Committee to review the Financial Regulations of the Town Council from time to time, and recommend such amendments to Full Council as are appropriate.
- 17.2 Irrespective of 17.1 above, the Full Town Council shall review the Financial Regulations at least annually.

# STANDING ORDERS



**STANLEY TOWN COUNCIL**

Civic Hall, Front Street, Stanley DH90NA

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# **I. Rules of Debate at Meetings**

- I.1 Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chair of the meeting.
- I.2 A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- I.3 A motion on the agenda that is not moved by its proposer may be treated by the chair of the meeting as withdrawn.
- I.4 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.
- I.5 An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- I.6 If an amendment to the original motion is carried, the original motion becomes the substantive motion upon which further amendment(s) may be moved.
- I.7 An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the chair of the meeting, is expressed in writing to the chair.
- I.8 A councillor may move an amendment to his/her 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.9 If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chair.
- I.10 Subject to standing order I.11 below, only one amendment shall be moved and debated at a time, the order of which shall be directed by the chair of the meeting.
- I.11 One or more amendments may be discussed together if the chair of the meeting considers this expedient, but each amendment shall be voted on separately.
- I.12 A councillor may not move more than one amendment to an original or substantive motion.
- I.13 The mover of an amendment has no right of reply at the end of the debate on it.
- I.14 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 the debate of the first amendment or at the very end of debate on the final substantive motion immediately before it is put to a vote.
- I.15 Unless permitted by the chair of the meeting, a councillor may speak once in the debate on a motion except:
  - a) to move or speak on another amendment if the motion has been amended since he/she last spoke;
  - b) to make a point of order;
  - c) to give a personal explanation; or
  - d) in exercise of a right of reply.

- 1.16 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/she considers has been breached or specify the other irregularity in the proceeding of the meeting he/she is concerned by.
- 1.17 A point of order shall be decided by the chair of the meeting and his/her decision shall be final.
- 1.18 When a motion is under debate, no other motion shall be moved except:
- a) to amend the motion;
  - b) to proceed to the next business;
  - c) to adjourn the debate;
  - d) to put the motion to a vote;
  - e) to ask a person to be no longer heard or to leave the meeting;
  - f) to refer a motion to a committee or sub-committee for consideration;
  - g) to exclude the public and press;
  - h) to adjourn the meeting; or
  - i) to suspend particular standing order(s) excepting those which reflect mandatory statutory requirements.
- 1.19 Before an original or substantive motion is put to the vote, the chair of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his/her right of reply.
- 1.20 Excluding motions moved under standing order 1.18 above, the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed three minutes without the consent of the chair of the meeting.

## **2. Disorderly Conduct at Meetings**

- 2.1 No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chair of the meeting shall request such person(s) to moderate or improve their conduct.
- 2.2 If person(s) disregard the request of the chair of the meeting to moderate or improve their conduct, any councillor or the chair of the meeting may move that the person be no longer heard or excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- 2.3 If a resolution made under standing order 2.2 above is ignored, the chair of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

## **3. Meetings Generally**

*The following standing orders apply to the meetings abbreviated as follows:*

*FC = Full Council meetings*

*C = Committee meetings*

*SC = Sub-Committee meetings*

- 3.1 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. (FC)
- 3.2 A minimum of five clear days for notice of a meeting shall be given. A clear day 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. (FC)
- 3.3 The minimum three clear days' public notice for a meeting does not include the day on which notice was issued or the day of the meeting unless the meeting is convened at shorter notice. (C)
- 3.4 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. (FC; C)
- 3.5 Members of the public may make representations, answer questions and give evidence at a meeting at which they are entitled to attend in respect of the business on the agenda.
- 3.6 The period of time designated for public participation at a meeting in accordance with standing order 3.5 above shall not exceed fifteen minutes unless directed by the chair of the meeting.
- 3.7 Subject to standing order 3.6 above, a member of the public shall not speak for more than three minutes.
- 3.8 In accordance with standing order 3.5 above, a question shall not require a response at the meeting nor start a debate on the question. The chair of the meeting may direct that a written or oral response be given.
- 3.9 A person shall raise his/her hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort). The chair of the meeting may at any time permit a person to be seated when speaking.
- 3.10 A person who speaks at a meeting shall direct his comments to the chair of the meeting.
- 3.11 Only one person is permitted to speak at a time. If more than one person wants to speak, the chair of the meeting shall direct the order of speaking.
- 3.12 Persons present at a meeting of the Council or its Committees **may not orally report or comment** on the meeting as it takes place, but otherwise may, subject to the Council's "Policy on Recording and Reporting Proceedings at Meetings of the Council and Its Committees":
- a) Film, photograph or make an audio recording of the meeting;
  - b) Use any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place, or later;

- c) Report or comment on the proceedings in writing during or after the meeting or orally report or comment after the meeting.

- 3.12 **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. (FC; C)**
- 3.13 Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chair of the Council may in his/her absence be done by, to or before the Vice-Chair of the Council (if any). (FC)
- 3.14 **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. (FC)**
- 3.15 **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. (FC; C; SC)**
- 3.16 **The chair of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote. (FC; C; SC)**

*See standing orders 5.8 and 5.9 below for the different rules that apply in the election of the Chair of the Council at the annual meeting of the council.*

- 3.17 **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.**
- 3.18 The minutes of a meeting shall include an accurate record of the following:
  - a) the time and place of the meeting;
  - b) the names of councillors present and absent;
  - c) interests that have been declared by councillors and non-councillors with voting rights;
  - d) whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
  - e) if there was a public participation session; and
  - f) the resolutions made.
- 3.19 **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. (FC; C; SC)**
- 3.20 No business may be transacted at a meeting unless at least one-third of the whole number of members of the council are present and in no case shall the quorum of a meeting be less than three. (F)



*See standing order 4.4 (h) below for the quorum of a committee or sub-committee meeting.*

**3.21 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. (FC; C; SC)**

**3.22 A meeting shall not exceed a period of two and a half hours**

## **4. Committee and Sub-Committees**

**4.1 Unless the council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**

**4.2 The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the council.**

**4.3 Unless the council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**

**4.4 The council may appoint standing committees or other committees as may be necessary, and:**

- a) shall determine their terms of reference;
- b) 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;
- c) shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
- d) shall, subject to standing orders 4.2 and 4.3 above, appoint and determine the terms of office of members of such a committee;
- e) may, subject to standing orders 4.2 and 4.3 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 two days before the meeting that they are unable to attend;
- f) shall, after it has appointed the members of a standing committee, appoint the chair of the standing committee;
- g) shall permit a committee other than a standing committee, to appoint its own chair at the first meeting of the committee;
- h) 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;
- i) shall determine if the public may participate at a meeting of a committee;
- j) 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;
- k) shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
- l) may dissolve a committee.

## **5. Ordinary Council Meetings**

- 5.1 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.**
- 5.2 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.**
- 5.3 If no other time is fixed, the annual meeting of the council shall take place at 6pm.**
- 5.4 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.**
- 5.5 The first business conducted at the annual meeting of the council shall be the election of the Chair and Vice-Chair (if any) of the Council.**
- 5.6 The Chair of the Council, unless he/she 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.**
- 5.7 The Vice-Chair of the Council, if any, unless he/she 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.**
- 5.8 In an election year, if the current Chair of the Council has not been re-elected as a member of the council, he/she 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.**
- 5.9 In an election year, if the current Chair of the Council has been re-elected as a member of the council, he/she shall preside at the meeting until a new Chair of the Council has been elected. He/she 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.**
- 5.10 Following the election of the Chair of the Council and Vice-Chair (if any) of the Council at the annual meeting of the council, the business of the annual meeting shall include:**
  - a) In an election year, delivery by the Chair of the Council and councillors of their acceptance of office forms unless the council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chair of the Council of his acceptance of office form unless the council resolves for this to be done at a later date;**
  - b) Confirmation of the accuracy of the minutes of the last meeting of the council;**
  - c) Receipt of the minutes of the last meeting of a committee;**
  - d) Consideration of the recommendations made by a committee;**
  - e) Review of delegation arrangements to committees, sub-committees, staff and other local authorities;**
  - f) Review of the terms of reference for committees;**

- g) Appointment of members to existing committees;
- h) Appointment of any new committees in accordance with standing order 4 above;
- i) Review and adoption of appropriate standing orders and financial regulations;
- j) 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;
- k) Review of representation on or work with external bodies and arrangements for reporting back;
- l) 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;
- m) Review of inventory of land and assets including buildings and office equipment;
- n) Confirmation of arrangements for insurance cover in respect of all insured risks;
- o) Review of the council's and/or staff subscriptions to other bodies;
- p) Review of the council's complaints procedure;
- q) Review of the council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998;
- r) Review of the council's policy for dealing with the press/media; and
- s) Determining the time and place of ordinary meetings of the full council up to and including the next annual meeting of full council.

## **6. Extra-Ordinary Meetings of the Council and Committees and Sub-Committees**

- 6.1 The Chair of the Council may convene an extraordinary meeting of the council at any time.
- 6.2 If the Chair of the Council does not or refuses to call an extraordinary meeting of the council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the council. The public notice giving the time, place and agenda for such a meeting must be signed by the two councillors.
- 6.3 The chair of a committee (or a sub-committee) may convene an extraordinary meeting of the committee (or the sub-committee) at any time.
- 6.4 If the chair of a committee (or a sub-committee) does not or refuses to call an extraordinary meeting within seven days of having been requested to do so by two members of the committee (or the sub-committee), any two members of the committee (or the sub-committee]) may convene an extraordinary meeting of a committee (or a sub-committee).

## **7. Previous Resolutions**

- 7.1 A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least eleven 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.
- 7.2 When a motion moved pursuant to standing order 7.1 above has been disposed of, no similar motion may be moved within a further six months.

## **8. Voting on Appointments**

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

## **9. Motions For a Meeting that Require Written Notice to be Given to the Proper Officer**

- 9.1 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.
- 9.2 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 seven clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- 9.3 The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9.2 above, correct obvious grammatical or typographical errors in the wording of the motion.
- 9.4 If the Proper Officer considers the wording of a motion received in accordance with standing order 9.2 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 five clear days before the meeting.
- 9.5 If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the chair of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
- 9.6 Subject to standing order 9.5 above, the decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- 9.7 Motions received shall be recorded in a book for that purpose and numbered in the order that they are received.
- 9.8 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**

10.1 The following motions may be moved at a meeting without written notice to the Proper Officer:

- a) to correct an inaccuracy in the draft minutes of a meeting;
- b) to move to a vote;
- c) to defer consideration of a motion;
- d) to refer a motion to a particular committee or sub-committee;
- e) to appoint a person to preside at a meeting;
- f) to change the order of business on the agenda;
- g) to proceed to the next business on the agenda;
- h) to require a written report;
- i) to appoint a committee or sub-committee and their members;
- j) to extend the time limits for speaking;
- k) to exclude the press and public from a meeting in respect of confidential or sensitive information which is prejudicial to the public interest;
- l) to not hear further from a councillor or a member of the public;
- m) to exclude a councillor or member of the public for disorderly conduct;
- n) to temporarily suspend the meeting;
- o) to suspend a particular standing order (unless it reflects mandatory statutory requirements);
- p) to adjourn the meeting; or
- q) to close a meeting.

10.2 No motion under standing order 10.1(o) above will be permitted to require a vote on any item of business to be conducted by a secret ballot unless there is a specific and justifiable reason, which must be notified to the Town Clerk in advance of the meeting and must be debated in advance of the motion to suspend standing order 3.17.

## **11. Handling Confidential or Sensitive Information**

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

11.2 Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.

## **12. Draft Minutes**

12.1 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.

12.2 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 10.1 (a) above.

12.3 The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chair of the meeting and stand as an accurate record of the meeting to which the minutes relate.

- 12.4 If the chair 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 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 meeting and the minutes are confirmed as an accurate record of the proceedings.”*

- 12.5 Upon a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

### **13. Code of Conduct and Dispensations**

*See also standing order 3.20 above.*

- 13.1 All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the council.
- 13.2 Unless he/she 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/she has a disclosable pecuniary interest. He/she may return to the meeting after it has considered the matter in which he/she had the interest.
- 13.3 Unless he/she 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/she has another interest if so required by the council's code of conduct. He/she may return to the meeting after it has considered the matter in which he/she had the interest.
- 13.4 **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.
- 13.5 A decision as to whether to grant a dispensation shall be made by a meeting of the council, or committee or sub-committee for which the dispensation is required and that decision is final.
- 13.6 A dispensation request shall confirm:
- a) the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
  - b) whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
  - c) the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
  - d) an explanation as to why the dispensation is sought.
- 13.7 Subject to standing orders 13.4 and 13.6 above, dispensations requests shall be considered at the beginning of the meeting of the council, or committee or a sub-committee for which the dispensation is required.
- 13.8 **A dispensation may be granted in accordance with standing order 13.5 above if having regard to all relevant circumstances the following applies:**

- a) 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
- b) granting the dispensation is in the interests of persons living in the council's area or
- c) it is otherwise appropriate to grant a dispensation.

## **14. Code of Conduct Complaints**

- 14.1 Upon notification by the 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.
- 14.2 Where the notification in standing order 14.1 above relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chair of Council of this fact, and the Chair shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the council has agreed what action, if any, to take in accordance with standing order 14.4 below.
- 14.3 The council may:
- a) provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;
  - b) seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter.
- 14.4 Upon notification by the 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**

- 15.1 The Proper Officer shall be either (i) the clerk or (ii) other staff member(s) nominated by the council to undertake the work of the Proper Officer when the Proper Officer is absent.
- 15.2 The Proper Officer shall:
- a) at least three clear days before a meeting of the council, a committee and a sub-committee serve on councillors, by delivery or post at their residences, or by email where appropriate, provided any such email contains the electronic signature and title of the Proper Officer, a signed summons confirming the time, place and the agenda.

*See standing order 3.2 above for the meaning of clear days for a meeting of a full council and standing order 3.3 above for a meeting of a committee.*

- b) give public notice of the time, place and agenda at least three 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);**

*See standing order 3.2 above for the meaning of clear days for a meeting of a full council and standing order 3.3 above for a meeting of a committee.*

- c) 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 five days before the meeting confirming his withdrawal of it;
- d) **convene a meeting of full council for the election of a new Chair of the Council, occasioned by a casual vacancy in his office;**
- e) facilitate inspection of the minute book by local government electors;
- f) **receive and retain copies of byelaws made by other local authorities;**
- g) retain acceptance of office forms from councillors;
- h) retain a copy of every councillor's register of interests;
- i) assist with responding to requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the council's policies and procedures relating to the same;
- j) receive and send general correspondence and notices on behalf of the council except where there is a resolution to the contrary;
- k) manage the organisation, storage of, access to and destruction of information held by the council in paper and electronic form;
- l) arrange for legal deeds to be executed;

*See also standing order 22 below.*

- m) 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;
- n) record every planning application notified to the council and the council's response to the local planning authority in a book for such purpose;
- o) refer a planning application received by the council to the Chair or, in his/her absence, Vice-Chair (if any) 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 the Planning Committee;
- p) manage access to information about the council via the publication scheme; and
- q) retain custody of the seal of the council (if any) which shall not be used without a resolution to that effect.

*See also standing order 22 below.*

## **16. Responsible Financial Officer**

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

## **17. Accounts and Accounting Statements**

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



17.2 All payments by the council shall be authorised, approved and paid in accordance with the law, proper practices and the council's financial regulations.

17.3 The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year, or by such other dates as may be required, a statement to summarise

- a) the council's receipts and payments for each period;
- b) the council's aggregate receipts and payments for the year to date;
- c) the balances held at the end of the quarter being reported

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

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

- a) each councillor with a statement summarising the council's receipts and payments for the last quarter and the year to date for information; and
- b) to the full council the accounting statements for the year in the form of Section I of the annual return, as required by proper practices, for consideration and approval.

17.5 The year end accounting statements shall be prepared in accordance with proper practices and applying the form of accounts determined by the council (receipts and payments, or income and expenditure) for a year to 31 March. A completed draft annual return shall be presented to each councillor before the end of the following month of May. The annual return of the council, which is subject to external audit, including the annual governance statement, shall be presented to council for consideration and formal approval before 30 June.

## **18. Financial Controls and Procurement**

18.1 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:

- a) the keeping of accounting records and systems of internal controls;
- b) the assessment and management of financial risks faced by the council;
- c) 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;
- d) the inspection and copying by councillors and local electors of the council's accounts and/or orders of payments; and
- e) procurement policies (subject to standing order 18.3 below) including the setting of values for different procedures where a contract has an estimated value of less than £60,000.

18.2 Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.

18.3 Financial regulations shall confirm that a proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of

**£60,000 shall be procured on the basis of a formal tender as summarised in standing order 18.4 below.**

- 18.4** 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:
- a) a specification for the goods, materials, services or the execution of works shall be drawn up;
  - b) 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;
  - c) the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
  - d) tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
  - e) 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;
  - f) tenders are to be reported to and considered by the appropriate meeting of the council or a committee or sub-committee with delegated responsibility.
- 18.5** Neither the council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- 18.6** **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.**

## **19. Handling Staff Matters**

- 19.1** A matter personal to a member of staff that is being considered by a meeting of council or the HR Committee (or if no separate HR Committee then the chair of the Finance, HR and General Purposes Committee) is subject to standing order 11 above.
- 19.2** Subject to the council's policy regarding absences from work, the council's most senior member of staff shall notify the chair of the HR Committee (or if no separate HR Committee then the chair of the Finance, HR and General Purposes Committee) or, if he/she is not available, the vice-chair of absence occasioned by illness or other reason and that person shall report such absence to the HR Committee (or if no separate HR Committee then the chair of the Finance, HR and General Purposes Committee) at its next meeting.
- 19.3** The chair of the Finance, HR and General Purposes Committee or in his/her absence, the vice-chair shall upon a resolution conduct a review of the performance and annual appraisal of the work of the Town Clerk. The reviews and appraisal shall be reported in writing and is subject to approval by resolution by the Finance, HR and General Purposes Committee.

- 19.4 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 HR Committee (or if no separate HR Committee then the chair of the Finance, HR and General Purposes Committee) or in his/her absence, the vice-chair in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the HR Committee (or if no separate HR Committee then the chair of the Finance, HR and General Purposes Committee)
- 19.5 Subject to the council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by the Town Clerk, or other employee, relates to the chair or vice-chair of the HR Committee (or if no separate HR Committee then the chair of the Finance, HR and General Purposes Committee), this shall be communicated to another member of the HR Committee (or if no separate HR Committee then the chair of the Finance, HR and General Purposes Committee), which shall be reported back and progressed by resolution of the HR Committee (or if no separate HR Committee then the chair of the Finance, HR and General Purposes Committee).
- 19.6 Any persons responsible for all or part of the management of staff shall treat the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters as confidential and secure.
- 19.7 The council shall keep all written records relating to employees secure. All paper records shall be secured and locked and electronic records shall be password protected and encrypted.
- 19.8 Only persons with line management responsibilities shall have access to staff records referred to in standing orders 19.6 and 19.7 above if so justified.
- 19.9 Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 19.6 and 19.7 above shall be provided only to the Town Clerk, or such other officer determined by him/her, and/or the Chair of the HR Committee (or if no separate HR Committee then the chair of the Finance, HR and General Purposes Committee).

## **20. Requests for Information**

- 20.1 Requests for information held by the council shall be handled in accordance with the council's policy in respect of handling requests under the Freedom of Information Act 2000 and the Data Protection Act 1998.
- 20.2 Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the chair of the HR Committee (or if no separate HR Committee then the chair of the Finance, HR and General Purposes Committee). The said committee shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000.

## **21. Relations With the Press and Media**

- 21.1 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

## **22. Execution and Sealing of Legal Deeds**

*See also standing orders 15.2 l) and q) above.*

- 22.1 A legal deed shall not be executed on behalf of the council unless authorised by a resolution.
- 22.2 Subject to standing order 22.1 above, any two councillors may sign, on behalf of the council, any deed required by law and the Proper Officer shall witness their signatures.

*NB The above is applicable to a council without a common seal*

## **23. Communication With County Councillors**

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

## **24. Restrictions on Councillor Activities**

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

## **25. Standing Orders Generally**

- 25.1 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.
- 25.2 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 eleven councillors to be given to the proper officer in accordance with standing order 9 above.
- 25.3 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.
- 25.4 The decision of the chair of a meeting as to the application of standing orders at the meeting shall be final.



# Stanley Town Council Community Engagement Strategy

The Town Council recognises that it is uniquely placed to represent the views of its residents and provide community leadership. This strategy sets out how we engage with the local community to identify their needs and aspirations and how it can improve community engagement to give people a voice and involve them in decisions affecting their quality of life.

## 1. Stanley Town Council aims to:

- (i) Represent and promote the interests of Stanley and its people of all ages in all its activities;
- (ii) Provide the best possible amenities and services by the efficient use of available resources;
- (iii) Actively involve local people in decisions affecting activities in the local area;
- (iv) Promote equality of opportunity and oppose discrimination;
- (v) Be open and accountable in all it does;
- (vi) Enhance quality of life by protecting and enhancing Stanley's ecological and environmental assets.

## 2. In order to achieve these aims, the Council will:

- (i) Work closely with residents, local businesses and community groups;
- (ii) Engage with as many people as possible who want to participate in decision making, monitoring services and planning for the future;
- (iii) Ensure, that through the use of a wide range of approaches to public involvement and community engagement, we actively encourage the involvement of residents to capture their views and learn their concerns, and effectively use those views as an integral part of the decision-making process; and
- (iv) Ensure that residents have opportunities to be heard at every stage and the capacity to be effective citizens.

## 3. Defining the community

The Town Council considers the community of Stanley to comprise:

- (i) All residents of the parish;
- (ii) Users of the Town Council's services and facilities;
- (iii) Those who work or own businesses within the parish;
- (iv) Young people who live and/or go to school within the parish; and
- (v) Local voluntary organisations, clubs and societies and any group or organisation that represents some or any of the members of the above sections of the community.

In addition to the above, the Town Council recognises that there are certain bodies that are crucial to the quality of life in Stanley and aims to maintain excellent working relationships with these bodies, including Durham County Council, the local Area Action Partnership, Durham Police, Durham & Darlington Fire Service, NHS providers and, in order to share best practice and innovation, other town and parish councils in the County.

#### **4. How community engagement is facilitated**

The Town Council provides the following:

- (i) A website providing information about the parish, Council initiatives and documents detailing the Council's decisions, expenditure and governance;
- (ii) A strong social media presence, recognising that a significantly higher number of residents can be reached through this medium than they can through the standalone website;
- (iii) An annual report providing details of the activities and expenditure of the Council;
- (iv) Regularly updated noticeboards promoting the work of the Council, its partners and other local organisations;
- (v) Residents may contact the Town Council offices in person and by telephone Monday to Thursday 9.30am – 4.30pm and Friday 9.30am – 4.00pm with an answerphone provided for messages outside these hours;
- (vi) Details of how to contact the Town Clerk's office and elected members are provided in the newsletter, on noticeboards and on the website;
- (vii) Ensuring all meetings of the Council are open to the public and press with a period set aside for residents to speak;
- (viii) Full Council meetings are video recorded and broadcast live on Facebook to maximise engagement, accountability and transparency;
- (ix) A quarterly newsletter, Stanley Life, delivered to all residents and businesses across the town and also available from libraries/community centres and on the website;
- (x) Community forums will be held when required to address important issues affecting the area;
- (xi) Additional public meetings will be arranged to address controversial issues;
- (xii) Holding a wide range of community events which provide opportunities to engage with the public and raise community spirit and Civic Pride;
- (xiii) Press releases to manage the media effectively to promote and enhance the reputation and community ownership of the Council;
- (xiv) Effective use of the Arms of Stanley to promote the work of the Council and the parish to the wider area;
- (xv) Good internal communications – making sure staff and members are informed and give consistent messages and representations on behalf of the community;
- (xvi) To seek opportunities for Town Councillors to represent the Council on various outside bodies to ensure good two-way communication with regular reports of these meetings made to the Council; and
- (xvii) Councillors to hold regular surgeries and provide other informal opportunities for residents to speak to them.

#### **5. Improving community engagement**

The Town Council will:

- (i) Publicise the positive results from working with the community and other partners;
- (ii) Seek to work with North Durham Academy and Tanfield School to ensure the views of young people are heard and taken into account;
- (iii) Identify new and innovative opportunities to work with local community groups;
- (iv) Make the fullest possible use of modern communication methods; and
- (v) Review the Community Engagement Strategy annually to ensure its relevance.

This document was adopted by Council on 18th April 2017

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**STANLEY TOWN COUNCIL**



# Communications Policy

Prepared for: Annual General Meeting, 16th May 2017

Prepared by: Alan Shaw, Town Clerk

9th May 2017

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## INTRODUCTION

This policy covers the Council's non-statutory external communications both in printed media, broadcast media and on the internet. It does not extend to communication by elected members of the Council who are free to give their own personal views on any subject as long as they do not purport those views to be the settled will of the Town Council and are mindful of the Code of Member Conduct when communicating with the public.

## PURPOSE OF POLICY

As a local Council, a key role of Stanley Town Council is to understand public opinion locally and be well connected with community based groups, organisations and service providers throughout the Parish. This objective will not be met unless the Council creates and maintains effective channels of communication with residents that do not just broadcast information about the activities of the Town Council but support the wider best interests of the Parish and promote the parish of Stanley in a positive way to people in the wider region.

## EDITORIAL GUIDELINES

**We will:**

1. Promote our own activities in the Community, and aim to increase participation in local democracy, encourage attendance at Council organised events and raise our profile both locally and in the North Durham area.
  2. Promote the activities of other statutory service providers in the local area including but not limited to Durham County Council, Durham Police, Durham & Darlington Fire Service etc.
-

## **STANLEY TOWN COUNCIL**

3. Seek to support and promote through our media channels local groups and organisations which are not for profit or charitable, or the aims of similar organisations based outside Stanley if they are active in Stanley.
4. Develop Civic Pride by providing information about local history and events.
5. Encourage participation in democracy in general (e.g. encouraging residents to register to vote and vote in elections.)

### **We will not:**

1. Publish any material which is overtly political or presents one political group more favourably than another.
2. Promote the commercial interests of businesses unless there is a community aspect (e.g. a grant from a major retailer, sponsorship of an event, relevant information from utility companies)
3. Publish material (even if meets all other relevant criteria) which portrays Stanley or it's communities negatively.

## **COMMUNITY NOTICE BOARDS**

The Community Notice Board in Front Street (and any there notice boards the Town Council may subsequently have put in place) will be made available for the display of any posters that meet the editorial guidelines

## **DELEGATED AUTHORITY**

The authority to make editorial decisions about whether or not to publish any information, promotion or advertising using the media channels of the Town Council or Civic Hall is delegated to the Town Clerk, who will apply the provisions of this policy, or if an issue is unclear, exercise discretion in line with the broader purpose of the policy.

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# PUBLICATION SCHEME



**STANLEY TOWN COUNCIL**

Civic Hall, Front Street, Stanley DH90NA

## **Freedom of information**

The publication scheme below is referred to in the Governance Toolkit for Parish & Town Councils (Version three April 2009) and based on the model scheme produced by the Information Commissioner in 2009 which can be downloaded from the Commissioner's website and adapted to the public authority concerned, (i.e. [www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.uk)).

The scheme which shall be reviewed at least annually, was approved by the Finance and General Purposes Committee on the 23<sup>rd</sup> October 2012 and adopted by the full Council on the 13<sup>th</sup> November 2012.

In accordance with the provisions of the Freedom of Information Act 2000, Stanley Town Council will make available the following information in hard copy on request from the Clerk of the Council or by inspection by prior appointment.

Reasonable charges may be raised for the provision of copies of the documents / information listed in each of the classes.

### **1. COUNCIL INTERNAL PRACTICE AND PROCEDURE:**

Minutes of Council, Committee and Sub-Committee meetings – limited to the last two years

Procedural Standing Orders

Council's Annual Report to Town Meeting

### **2. CODE OF CONDUCT:**

Members Declaration of Acceptance of Office

Members Register of Interests

Register of Members Interest Book

### **3. EMPLOYMENT PRACTICE AND PROCEDURE:**

Terms and conditions of employment

Job description

### **4. PLANNING DOCUMENTS:**

Stanley Town Council's responses to planning applications – all other planning information is available from Durham County Council

### **5. AUDIT AND ACCOUNTS:**

Annual return form – limited to the last financial year

Annual Statutory report by auditor (internal and external) – limited to the last financial year

Receipt / Payment books, Receipt books of all kinds, Bank Statements from all accounts – limited to the last financial year

Precept request – limited to the last financial year

VAT records – limited to the last financial year

Financial Standing Orders and Regulations

Assets register – including details of recreation grounds, if applicable

Risk Assessments

All information is available from:

The Town Clerk  
Stanley Town Council  
Stanley Civic Hall  
Front Street  
Stanley  
Co. Durham  
DH9 0NA  
Telephone: 01207 299 109  
[info@stanley-tc.gov.uk](mailto:info@stanley-tc.gov.uk)

**Stanley Town Council adopted the following (Model) Publication Scheme at the Ordinary meeting held on the 13<sup>th</sup> November 2012**

**Model Publication Scheme - V1.0**

Model Publication Scheme: This model publication scheme has been prepared and approved by the Information Commissioner. It may be adopted without modification by any public authority without further approval and will be valid until further notice.

This publication scheme commits an authority to make information available to the public as part of its normal business activities. The information covered is included in the classes of information mentioned below, where this information is held by the authority. Additional assistance is provided to the definition of these classes in sector specific guidance manuals issued by the Information Commissioner.

The scheme commits an authority:

- To proactively publish or otherwise make available as a matter of routine, information, including environmental information, which is held by the authority and falls within the classifications below.
- To specify the information which is held by the authority and falls within the classifications below.
- To proactively publish or otherwise make available as a matter of routine, information in line with the statements contained within this scheme.
- To produce and publish the methods by which the specific information is made routinely available so that it can be easily identified and accessed by members of the public.
- To review and update on a regular basis the information the authority makes available under this scheme.
- To produce a schedule of any fees charged for access to information which is made proactively available.
- To make this publication scheme available to the public.

**Classes of Information**

**Who we are and what we do.**

Organisational information, locations and contacts, constitutional and legal governance.

**What we spend and how we spend it.**

Financial information relating to projected and actual income and expenditure, tendering, procurement and contracts.

**What our priorities are and how we are doing.**

Strategy and performance information, plans, assessments, inspections and reviews.

**How we make decisions.**

Policy proposals and decisions. Decision making processes, internal criteria and procedures, consultations.

### **Our policies and procedures.**

Current written protocols for delivering our functions and responsibilities.

### **Lists and Registers.**

Information held in registers required by law and other lists and registers relating to the functions of the authority.

### **The Services we Offer.**

Advice and guidance, booklets and leaflets, transactions and media releases. A description of the services offered.

The classes of information will not generally include:

- Information the disclosure of which is prevented by law, or exempt under the Freedom of Information Act 2000, or is otherwise properly considered to be protected from disclosure.
- Information in draft form.
- Information that is no longer readily available as it is contained in files that have been placed in archive storage, or is difficult to access for similar reasons.

### **The method by which information published under this scheme will be made available**

The authority will indicate clearly to the public what information is covered by this scheme and how it can be obtained.

Where it is within the capability of a public authority, information will be provided on a website. Where it is impracticable to make information available on a website or when an individual does not wish to access the information by the website, a public authority will indicate how information can be obtained by other means and provide it by those means.

In exceptional circumstances some information may be available only by viewing in person. Where this manner is specified, contact details will be provided. An appointment to view the information will be arranged within a reasonable timescale.

Information will be provided in the language in which it is held or in such other language that is legally required. Where an authority is legally required to translate any information, it will do so.

Obligations under equality, disability and discrimination legislation and any other legislation to provide information in other forms and formats will be adhered to when providing information in accordance with this scheme.

### **Charges which may be made for Information published under this scheme**

The purpose of this scheme is to make the maximum amount of information readily available at minimum inconvenience and cost to the public. Charges made by the authority for routinely published material will be justified and transparent and kept to a minimum.

Material which is published and accessed on a website will be provided free of charge.

Review Date: 16th May 2017

Charges may be made for information subject to a charging regime specified by Parliament.

Charges may be made for actual disbursements incurred such as:

- photocopying
- postage and packaging
- the costs directly incurred as a result of viewing information

Charges may also be made for information provided under this scheme where they are legally authorised, they are in all the circumstances, including the general principles of the right of access to information held by public authorities, justified and are in accordance with a published schedule or schedules of fees which is readily available to the public.

If a charge is to be made, confirmation of the payment due will be given before the information is provided. Payment may be requested prior to provision of the information.

### **Written Requests**

Information held by a public authority that is not published under this scheme can be requested in writing, when its provision will be considered in accordance with the provisions of the Freedom of Information Act 2000.

# POLICY DOCUMENT

Name of Policy:	Complaints Procedure
Date policy created:	11/12/12
Author:	Russell Morgan
Date endorsed by Finance & General Purposes Committee:	23/10/2012
Signed: (Chair of Finance & General Purposes Committee)	
Date adopted by Full Council:	13/11/2012 (last review 16 <sup>th</sup> May 2017)
Signed: (Chair of Council)	

# **STANLEY TOWN COUNCIL**

## **COMPLAINTS PROCEDURE**

This Policy sets out procedures for dealing with any complaints that members of the public may have about Stanley Town Council's administration and procedures.

It includes complaints relating to the Council's employees.

The Code of Conduct adopted by the Council covers councillors.

Complaints against policy decisions made by the Council are to be referred back to Council to be considered in accordance with the Council's Standing Orders.

If a complaint about procedures or administration as practised by the Council's employees is notified orally to a Councillor or the Clerk to the Council, they are to advise the complainant to put the complaint in writing to the Clerk to the Council and be assured that it will be dealt with within fourteen days of receipt.

If the complainant prefers not to put the complaint to the Clerk to the Council he or she should be advised to put it to the Chairman. On receipt of a written complaint the Chairman or the Clerk to the Council (except where the complaint is about his or her own actions), should try to settle the complaint directly with the complainant. This must not be done without first notifying the person complained against and giving him or her an opportunity to comment.

Efforts should be made to attempt to settle the complaint at this stage.

Where the Clerk to the Council receives a written complaint about his own actions, he is to refer the complaint to the Chairman.



## Item 10 – ATTACHMENT F

The Clerk to the Council is to be given an opportunity to comment. The Clerk to the Council or Chairman of Council is to report to the next meeting of the Council any written complaint disposed of by direct action with the complainant.

The Clerk to the Council or Chairman is to bring any written complaint that has not been settled to the next meeting of the Council.

The Clerk to the Council is to notify the complainant of the date of the meeting at which the complaint will be considered, and the complainant will be offered an opportunity to explain the complaint orally.

If the complaint is likely to result in the Disciplinary or Grievance Procedures being used, or Standard Committee action being taken, then it must be deferred until such action is completed.

As soon as possible after the decision has been made, both it and the nature of any action to be taken are to be communicated in writing to the complainant.

The Council can defer dealing with any written complaint only if it is of the opinion that issues of law or practice arise on which advice is necessary. The complaint is to be dealt with at the next meeting after the advice has been received.

Complaints about elected, co-opted and independent councillors behaving inappropriately should be made to the Standards Committee of the Durham County Council (via the Monitoring Officer).

For more information on how to complain, please contact the Monitoring Officer of Durham County Council, Head of Legal & democratic Services, County Hall, Durham, DH1 5UL.

Stanley Town Council adopted this policy at its Ordinary meeting of full Council held on the 13<sup>th</sup> November 2012.



**2017-18 Schedule of Meetings**

Tuesday	13 June 2017	Projects and Initiatives
Wednesday	14 June 2017	Finance and Governance
Tuesday	27 June 2017	Full Council
Tuesday	11 July 2017	Projects and Initiatives
Wednesday	12 July 2017	Finance and Governance
Tuesday	25 July 2017	Full Council
Tuesday	12 September 2017	Projects and Initiatives
Wednesday	13 September 2017	Finance and Governance
Tuesday	26 September 2017	Full Council
Tuesday	10 October 2017	Projects and Initiatives
Wednesday	11 October 2017	Finance and Governance
Tuesday	24 October 2017	Full Council
Tuesday	14 November 2017	Projects and Initiatives
Wednesday	15 November 2017	Finance and Governance
Tuesday	28 November 2017	Full Council
Tuesday	12 December 2017	Projects and Initiatives
Wednesday	13 December 2017	Finance and Governance
Tuesday	9 January 2018	Projects and Initiatives
Wednesday	10 January 2018	Finance and Governance
Tuesday	23 January 2018	Full Council
Tuesday	13 February 2018	Projects and Initiatives
Wednesday	14 February 2018	Finance and Governance
Tuesday	27 February 2018	Full Council
Tuesday	13 March 2018	Projects and Initiatives
Wednesday	14 March 2018	Finance and Governance
Tuesday	20 March 2018	<b>Town Meeting</b>
Tuesday	27 March 2018	Full Council
Tuesday	10 April 2018	Projects and Initiatives
Wednesday	11 April 2018	Finance and Governance
Tuesday	24 April 2018	Full Council
Tuesday	8 May 2018	Projects and Initiatives
Wednesday	9 May 2018	Finance and Governance
Tuesday	22 May 2018	<b>Annual General Meeting</b>

**LOCAL COUNCILS IN ENGLAND AND WALES**

**ANNUAL RETURN**

**FOR THE YEAR ENDED 31 March 2017**

**Stanley Town Council 2016-2017Correct**

**SECTION 1 - THE STATEMENT OF ACCOUNTS**

I certify that the accounts contained in this return present fairly the financial position of the council, are consistent with the underlying financial records and have been prepared on the basis of Income and Expenditure.

Responsible Financial Officer

Date

I confirm that these accounts are approved by the Council and recorded as council minute reference

Dated

Signed on behalf of the above Council (Chair)

Date

		<u>Last Year £</u>	<u>This Year £</u>	<u>General Notes for Guidance</u>
1	Balances brought forward	600,885	462,568	Total balances & reserves at the beginning of the year as recorded in the Council Financial Records
2	Annual Precept	631,565	664,858	Total amount of Precept income received in the year
3	Total other receipts	303,809	379,281	Total income or receipts as recorded in the cashbook minus the Precept
4	Staff costs	297,067	338,265	Total expenditure or payments made to and on behalf of all council employees. Include salaries and wages, PAYE and NI (employees and employers), pension contributions and expenses
5	Loan interest/Capital repayments	24,446	23,990	Total expenditure or payments of capital and interest made during the year on the Council borrowings
6	Total other payments	752,178	773,420	Total expenditure or payments as recorded in the cashbook minus employment costs (Line 4) and loan / interest expenditure / payments (Line 5)
7	Balances carried forward	462,568	371,032	Total balances and reserves at the end of the year. [Must equal (1+2+3)-(4+5+6)]
8	Total Cash & Investments	472,454	400,881	The sum of all current and deposit bank accounts, cash holdings and investments held as at 31 March
9	Total Fixed Assets	0	0	The recorded current book value at 31 March of all tangible fixed assets owned by the Council as recorded in the asset register
10	Total Borrowings	0	0	The outstanding capital balances as at 31 March of all loans from third parties (usually PWLB)

The following documents should accompany the accounts when submitted to the auditor:

- \* A brief explanation of significant variations from last year to this year in Section 1;
- \* Bank Reconciliation as at 31 March

## Working details for ANNUAL RETURN - Year ended 31 March 2017

	<u>Last Year £</u>	<u>This Year £</u>	<u>Code and</u>	<u>Centre</u>	<u>Code Description</u>
1	375,885	337,568	310	0	General Reserves
1	225,000	125,000	315	0	EM Reserve - Front Street
1	<b>600,885</b>	<b>462,568</b>	Total balances & reserves at the begining of the year as recorded in the Council Financial Records		
2	631,565	664,858	1176	111	Precept
2	<b>631,565</b>	<b>664,858</b>	Total amount of Precept income received in the year		
3	7,570	22,882	1000	500	Ticket Sales Retained
3	0	2,095	1002	500	Ticket sales ret'd- Ext shows
3	23,867	50,107	1005	500	Ticket Sales Non Retained
3	63,970	72,056	1010	500	Hall Hire
3	10,491	0	1011	500	Hall Hire - Concessionary
3	0	1,760	1013	500	DCC Recharges
3	49,849	59,746	1020	510	Bar Takings
3	0	220	1026	500	Table packages etc
3	237	989	1028	500	Resale Items
3	0	80	1029	500	Recharged buffet, disco etc
3	0	78	1040	500	Fees & Charges-PAT tests
3	2,880	2,392	1050	110	Interest
3	2,000	0	1060	305	Rent Income
3	3,000	1,731	1061	500	Rent Income - Town Council
3	4,050	3,600	1070	300	Recharges
3	500	0	1081	500	Donations
3	300	85	1090	110	IT - Sale of Equipment
3	0	86	1091	500	Art Work Sales
3	135,095	130,804	1177	111	LCTRS Grant
3	0	6,229	1200	505	Hot Drinks
3	0	43	1205	505	Cold Drinks
3	0	798	1210	505	Food
3	0	23,501	1220	505	Coffee Shop
3	<b>303,809</b>	<b>379,281</b>	Total income or receipts as recorded in the cashbook minus the Precept		
4	148,441	147,299	4000	101	Direct Salaries
4	700	0	4000	105	Direct Salaries
4	133,982	128,630	4000	500	Direct Salaries
4	0	23,660	4000	505	Direct Salaries
4	13,045	35,247	4005	500	Casual Staff
4	140	1,427	4008	101	Training
4	350	325	4008	500	Training
4	0	90	4008	505	Training
4	0	227	4009	101	Clothing Costs
4	24	0	4009	200	Clothing Costs
4	384	1,077	4009	500	Clothing Costs

Continued on Page 2

## Working details for ANNUAL RETURN - Year ended 31 March 2017

	<u>Last Year £</u>	<u>This Year £</u>	<u>Code and</u>	<u>Centre</u>	<u>Code Description</u>
4	0	197	4009	505	Clothing Costs
4	0	86	4009	510	Clothing Costs
4	<b>Staff costs</b>	<b>297,067</b>	<b>338,265</b>	Total expenditure or payments made to and on behalf of all council employees. Include salaries and wages, PAYE and NI (employees and employers), pension contributions and expenses	
5	20,000	20,000	4996	520	PWLB Loan - Principal
5	4,446	3,990	4997	520	PWLB Loan - Interest
5	<b>Loan interest/Capital repayments</b>	<b>24,446</b>	<b>23,990</b>	Total expenditure or payments of capital and interest made during the year on the Council borrowings	
6	1,491	1,491	4010	101	Payroll SLA
6	141	0	4011	500	Travel & Subsistence
6	253	0	4012	101	Recruitment
6	390	0	4012	500	Recruitment
6	950	0	4013	101	HR Advice & Support
6	0	69	4014	101	Courses and Seminars
6	177	0	4020	200	DBS Checks
6	11,263	8,000	4049	305	Rent
6	0	4,832	4050	305	Rates
6	7,680	7,744	4050	500	Rates
6	104	216	4051	305	Water Rates
6	5,176	3,118	4051	500	Water Rates
6	720	2,419	4052	305	Electricity
6	10,836	13,605	4052	500	Electricity
6	2,298	1,705	4053	500	Gas
6	0	6,364	4054	105	Insurance
6	4,349	3,459	4054	110	Insurance
6	0	498	4054	305	Insurance
6	7	11	4055	105	Cleaning
6	2,132	4,012	4055	500	Cleaning
6	0	44	4055	505	Cleaning
6	1,224	0	4056	105	Alarm Maintenance
6	0	1,961	4056	500	Alarm Maintenance
6	200	200	4057	500	Window Cleaning
6	1,742	1,853	4058	500	Trade Waste
6	210	1,239	4059	500	Laundry
6	1,079	0	4060	105	CCTV Maintenance
6	3,000	0	4061	105	Accommodation Rent
6	135	155	4064	500	Equipment - Hire
6	64	149	4065	105	Repairs & Maintenance
6	20	0	4065	110	Repairs & Maintenance
6	150	268	4065	305	Repairs & Maintenance
6	4,049	4,909	4065	500	Repairs & Maintenance
6	16	420	4065	505	Repairs & Maintenance
6	743	54	4066	105	Tools & Equipment

## Working details for ANNUAL RETURN - Year ended 31 March 2017

	<u>Last Year £</u>	<u>This Year £</u>	<u>Code and</u>	<u>Centre</u>	<u>Code Description</u>
6	0	40	4066	110	Tools & Equipment
6	38	0	4066	200	Tools & Equipment
6	6,135	6,055	4066	500	Tools & Equipment
6	113	3,289	4066	505	Tools & Equipment
6	513	298	4066	510	Tools & Equipment
6	275	0	4067	105	Furniture & Fittings
6	2,706	1,097	4067	500	Furniture & Fittings
6	0	82	4067	505	Furniture & Fittings
6	630	794	4068	500	Structure
6	0	254	4069	105	Pest Control
6	251	0	4069	500	Pest Control
6	1,673	126	4070	500	Crockery,Cutlery etc
6	0	318	4070	505	Crockery,Cutlery etc
6	0	332	4070	510	Crockery,Cutlery etc
6	297	9	4071	500	Health & Safety - Fire
6	50	0	4072	500	Health & Safety First Aid
6	6	0	4073	0	Health and Safety
6	35	2,582	4073	500	Health and Safety
6	0	-2	4073	505	Health and Safety
6	5,453	2,922	4075	115	Advertising
6	3,106	5,461	4075	500	Advertising
6	0	350	4075	505	Advertising
6	0	36	4075	510	Advertising
6	0	6,869	4076	500	Marketing & Promotion
6	0	466	4077	110	Licences
6	0	3,150	4077	200	Licences
6	1,289	2,114	4077	500	Licences
6	904	797	4078	105	Parking
6	0	4	4078	110	Parking
6	1,116	18	4079	500	Security
6	514	0	4100	110	Telephones
6	3,349	3,326	4100	500	Telephones
6	1,898	522	4101	110	Mobile Phones
6	10	0	4102	105	Stationery
6	856	561	4102	110	Stationery
6	199	-3	4102	200	Stationery
6	1,692	2,077	4102	500	Stationery
6	0	19	4102	510	Stationery
6	120	33	4103	110	Publications
6	782	0	4103	500	Publications
6	286	537	4104	110	Postage
6	186	1,023	4104	500	Postage
6	874	688	4105	110	Photocopying
6	1,193	1,301	4105	500	Photocopying
6	4,387	4,181	4106	110	Subscriptions

Continued on Page 4

## Working details for ANNUAL RETURN - Year ended 31 March 2017

	<u>Last Year £</u>	<u>This Year £</u>	<u>Code and</u>	<u>Centre</u>	<u>Code Description</u>
6	20	102	4106	500	Subscriptions
6	2,000	4,000	4110	110	Audit External
6	1,520	1,040	4111	110	Audit Internal
6	45	0	4112	101	Professional Fees
6	3,082	4,603	4112	110	Professional Fees
6	0	116	4112	305	Professional Fees
6	2,083	682	4113	305	Legal Fees
6	218	182	4114	110	Refreshments
6	156	34	4114	200	Refreshments
6	0	42	4114	500	Refreshments
6	197	185	4115	500	Hospitality
6	208	96	4120	110	IT - Antivirus
6	0	46	4120	500	IT - Antivirus
6	1,810	100	4121	110	IT - Website Support
6	655	100	4121	500	IT - Website Support
6	2,254	1,204	4122	110	IT - Email Maintenance
6	4,721	2,839	4123	110	IT - Support & Maintenance
6	4,620	396	4123	500	IT - Support & Maintenance
6	12,988	2,324	4124	110	IT - Equipment
6	3,429	873	4125	110	IT - Software
6	32,878	0	4150	800	Civic Hall - Seating
6	8,500	2,550	4151	800	Civic Hall - Lighting
6	8,017	0	4152	800	Civic Hall - Flooring
6	1,424	0	4153	800	Civic Hall - Roofing
6	23,578	0	4155	800	Civic Hall - Windows
6	0	5,760	4156	800	Civic Hall - Structure
6	17,564	5,537	4160	800	Civic Hall - Equipment
6	4,149	6,566	4200	115	Stanley Life
6	0	600	4201	115	Annual Report
6	490	555	4204	115	Community Consultation
6	250	0	4204	300	Community Consultation
6	88,143	97,051	4300	300	Environmental Services
6	22	0	4301	300	Tractors
6	3,995	2,792	4302	300	Dog Bags
6	98	0	4303	300	Enhanced Services
6	100,000	100,000	4305	300	Front Street Regeneration
6	202	0	4307	300	Recycling Green Waste
6	6,207	0	4310	300	Crime Prevention Initiatives
6	706	0	4311	300	One Team in Stanley (OTIS)
6	7,000	7,000	4312	300	Police Cars - Contribution
6	4,335	556	4313	300	Mini Police
6	125	0	4315	300	Communication Initiatives
6	0	8,000	4320	300	Community Radio
6	27,359	0	4400	320	Music Festival
6	10,000	0	4401	320	Firework Festival

Continued on Page 5

## Working details for ANNUAL RETURN - Year ended 31 March 2017

	<u>Last Year £</u>	<u>This Year £</u>	<u>Code and</u>	<u>Centre</u>	<u>Code Description</u>
6	14,904	16,424	4402	320	Christmas Festival
6	5,000	5,000	4403	320	Horticultural Show
6	0	6,750	4404	320	Brass Festival
6	2,011	3,041	4405	320	Blooming Good Fun
6	0	2,139	4406	320	Tea in the Park
6	0	15,991	4407	320	Play in the Park
6	0	9,458	4409	320	Fun Days
6	260	347	4410	320	Remembrance Services
6	0	3,673	4412	320	Armed Forces Day
6	3,455	8,629	4413	320	Moria-Con
6	306	4,653	4414	320	Cycle Event
6	0	560	4416	320	This is Stanley
6	0	2,204	4417	320	Stanley Fringe
6	0	523	4418	320	Older People's Entertainment
6	9,250	1,414	4419	320	Other Events
6	100	1,083	4420	320	Blue Plaque Scheme
6	0	5	4425	320	Technical Support
6	484	2,858	4425	500	Technical Support
6	32,949	28,809	4439	320	Christmas Decorations
6	61,474	78,835	4500	400	Members Initiative Fund
6	61,975	67,376	4502	400	Other Grants
6	0	248	4503	305	Grant Application Fees
6	7,910	708	4510	400	Concessions
6	0	885	4550	505	Coffee Shop-Drinks (Hot)
6	0	1,114	4555	505	Coffee Shop-Drinks (Cold)
6	0	10,905	4560	505	Coffee Shop-Food
6	18,540	17,800	4600	510	Bar Stock
6	5,191	2,896	4601	510	Bar Supplies - Sundry Items
6	0	360	4602	505	Bar - Stocktaking Costs
6	630	815	4602	510	Bar - Stocktaking Costs
6	869	637	4603	510	Bar - gas
6	376	780	4625	505	Coffee Shop supplies
6	6,897	32,025	4650	500	Events - Civic Hall
6	1,212	303	4651	500	Events - Externally Organised
6	0	320	4654	500	Purchases for weddings/parties
6	24,555	51,834	4700	500	Ticket Sales Paid Over
6	575	186	4750	500	Resale Items
6	0	1,015	4751	500	Technical supp-rechargeable
6	0	1,738	4752	500	Purchases weddings etc- rech
6	156	152	4801	200	Annual Parish Meeting
6	136	3,359	4802	200	Other Meetings
6	3,846	4,981	4803	200	Chairmans Fund
6	210	0	4804	200	Freedom of the Town Award
6	680	2,107	4998	500	Transaction Fees
6	1,645	2,031	4999	110	Bank Charges



## Working details for ANNUAL RETURN - Year ended 31 March 2017

		<u>Last Year £</u>	<u>This Year £</u>	<u>Code and</u>	<u>Centre</u>	<u>Code Description</u>
6	Total other payments	752,178	773,420	Total expenditure or payments as recorded in the cashbook minus employment costs(Line 4) and loan / interest expenditure / payments(Line 5)		
7	Balances carried forwrd	462,568	371,032	Total balances and reserves at the end of the year.[Must equal (1+2+3)-(4+5+6)]		
8		470,023	398,286	200	0	Current Bank A/c
8		142	268	201	0	Civic Hall Petty Cash
8		33	132	202	0	Civic Hall Refunds Float
8		142	195	205	0	Office Petty Cash
8		2,114	2,000	220	0	Civic Hall Float
8	Total Cash & Investments	472,454	400,881	The sum of all current and deposit bank accounts, cash holdings and investments held as at 31 March		
9	Total Fixed Assets	0	0	The recorded current book value at 31 March of all tangible fixed assets owned by the Council as recorded in the asset register		
10	Total Borrowings	0	0	The outstanding capital balances as at 31 March of all loans from third parties(usually PWLB)		

## Annual report 2016/17 - variances

Box	Description	2015/16	2016/17	Variance	variance %
2	3 Other receipts	631,565	664,858	33,293	5
4	4 Staff costs	303,809	379,281	75,472	25
5		297,067	338,265	41,198	14
6		24,446	23,990	-456	-2
7		752,178	773,420	21,242	3
8					
9		179,882	188,455	8,573	5
10	Total Borrowings	180,000	160,000	-20,000	-11

### Other receipts

303,809	379,281	75,472	25
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Receipts from the first Christmas Pantomime held by Stanley Town Council pushed retained ticket sale income from 7,570 to 24977  
Ticket sales income in respect of travelling shows rose from 23,867 to 50,107 because of increased programme of events.  
The net effect of these two is an increase of  
However, both of the above reasons have also resulted in higher payments out of 52,407

43,647

The opening of the coffee shop during 2016/17 has resulted in income from sales of food and beverages of

74,218

### Staff costs

297,067	338,265	41,198	14
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The opening of the coffee shop resulted in salaries and wages of 23,660

23,660

A vacancy in Civic Hall staff gave a saving after honoraria were paid of 5,351

-5,351

Casual Civic Hall and bar staff to cover the increased activities programme gave an increase in wages of 22,202

40,511

### Total Borrowings

180,000	160,000	-20,000	-11
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A PWLB loan for £200,000 was taken out in 2014/15, the repayments are £20,000 per year, hence the reduction of £20,000 in the value of borrowings, which is a greater than 10% change

-20000