

Taunton Shadow Town Council

Tuesday, 28th February, 2023,
6.00 pm



Somerset West
and Taunton

The John Meikle Room - The Deane
House

[SWT MEETING WEBCAST LINK](#)

Members: Tom Deakin (Chair), Brian Larcombe (Vice-Chair), Lee Baker, Chris Booth, Norman Cavill, Simon Coles, Dixie Darch, Tom Deakin, Caroline Ellis, Habib Farbahi, David Fothergill, Marcia Hill, Robert Isaacs, John Hunt, Dawn Johnson, Richard Lees, Sue Lees, , Libby Lisgo, Derek Perry, Martin Peters, Hazel Prior-Sankey, Francesca Smith, Federica Smith-Roberts, Ian Talbot, Brenda Weston and Keith Woodmason

Agenda

1. Apologies

To receive any apologies for absence.

2. Minutes of the previous meeting of the Taunton Shadow Town Council

To approve the minutes of the previous meeting of the Committee held on 31st January 2023.

(Pages 7 - 14)

3. Declarations of Interest

To receive and note any declarations of disclosable pecuniary or prejudicial or personal interests in respect of any matters included on the agenda for consideration at this meeting.

(The personal interests of Councillors of Somerset County Council, Town or Parish Councils and other Local Authorities will automatically be recorded in the minutes.)

4. Public Participation

The Chair to advise the Committee of any items on which members of the public have requested to speak and advise those members of the public present of the details of the Council's public participation scheme.

For those members of the public who have submitted any questions or statements, please note, a three minute time limit applies to each speaker and you will be asked to speak before Councillors debate the issue.

We are now live webcasting most of our committee meetings and you are welcome to view and listen to the discussion. The link to each webcast will be available on the meeting webpage, but you can also access them on the [Somerset West and Taunton webcasting website](#).

5. Taunton Local Community Network Update (Verbal Update)

The Executive Lead for Local Government Reorganisation (LGR) and Prosperity alongside Officers will present a verbal update on this item at the meeting.

It is recommended that the Shadow Town Council:

- Note the update on the Taunton Local Community Network progress and provide any comments.

6. Judicial Review Update (Verbal Update)

Legal Workstream Lead and Deputy County Solicitor Tom Woodhams to give an update on the Judicial Review Action.

7. Elections Update

Officers will present a verbal update on this item at the meeting.

It is recommended that the Shadow Town Council:

- Note the update on the forthcoming May Election and provide any comments.

8. Taunton Parish/Town Council Policies and Procedures

This report sets out a range of policies and procedures which are the minimum required to be in place to enable the new Taunton Town/Parish Council to properly operate from its vesting as a body on 1st April 2023, as identified in the Governance Workstream under the Taunton Town Council Programme Board.

The Shadow Town Council is requested to provide comments.

9. Implementation Plan Progress Update TO FOLLOW

Officers will present an update on this item at the meeting with attached slides.

(Pages 15 - 20)

(Pages 21 - 114)

It is recommended that the Shadow Town Council:

- Note the update on the Implementation Plan progress and provide any comments.

10. Access to Information - Exclusion of the Press and Public

During discussion of the following item (Agenda Item 12) it may be necessary to pass the following resolution to exclude the press and public having reflected on Article 13 13.02(e) (a presumption in favour of openness) of the Constitution. This decision may be required because consideration of this matter in public may disclose information falling within one of the descriptions of exempt information in Schedule 12A to the Local Government Act 1972.

The Shadow Council will need to decide whether, in all the circumstances of the case, the public interest in maintaining the exemption, outweighs the public interest in disclosing the information.

Recommend that under Section 100A(4) of the Local Government Act 1972 the public be excluded from the next item of business (Agenda Item 12) on the ground that it involves the likely disclosure of exempt information as defined in paragraph 1 respectively of Part 1 of Schedule 12A of the Act, namely information relating to the financial or business affairs of any particular person (including the authority holding that information).

11. HR Workstream Update (verbal update)

Officers will present a verbal update on this item at the meeting.

It is recommended that the Shadow Town Council:

- Note the update on the HR Workstream progress and provide any comments.

12. Taunton Shadow Town Council Forward Plan

To review the Forward Plan.

(Pages 115 - 116)



ANDREW PRITCHARD

CHIEF EXECUTIVE

Please note that this meeting will be recorded. At the start of the meeting the Chair will confirm if all or part of the meeting is being recorded and webcast. You should be aware that the Council is a Data Controller under the Data Protection Act 2018. Data collected during the recording will be retained in accordance with the Council's policy. Therefore unless you are advised otherwise, by entering the Council Chamber and speaking during Public Participation you are consenting to being recorded and to the possible use of the sound recording for access via the website or for training purposes. If you have any queries regarding this please contact the officer as detailed above.

Members of the public are welcome to attend the meeting and listen to the discussions. There is time set aside at the beginning of most meetings to allow the public to ask questions. Speaking under "Public Question Time" is limited to 3 minutes per person in an overall period of 15 minutes and you can only speak to the Committee once. If there are a group of people attending to speak about a particular item then a representative should be chosen to speak on behalf of the group. These arrangements do not apply to exempt (confidential) items on the agenda where any members of the press or public present will be asked to leave the Committee Room.

If you would like to ask a question or speak at a meeting, you will need to submit your request to a member of the Governance Team in advance of the meeting. You can request to speak at a Council meeting by emailing your full name, the agenda item and your question to the Governance Team using governance@somersetwestandtaunton.gov.uk

Any requests need to be received by 4pm on the day that provides 1 clear working day before the meeting (excluding the day of the meeting itself). For example, if the meeting is due to take place on a Tuesday, requests need to be received by 4pm on the Friday prior to the meeting.

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The meeting rooms, including the Council Chamber at The Deane House, are on the first floor and are fully accessible. Lift access to The John Meikle Room (Council Chamber), is available from the main ground floor entrance at The Deane House. The Council Chamber at West Somerset House is on the ground floor and is fully accessible via a public entrance door. Toilet facilities, with wheelchair access, are available across both locations. An induction loop operates at both The Deane House and West Somerset House to enhance sound for anyone wearing a hearing aid or using a transmitter.

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For further information about the meeting, please contact the Governance and Democracy Team via email: governance@somersetwestandtaunton.gov.uk

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Taunton Shadow Town Council - 31 January 2023

Present:

Councillors Tom Deakin (Chair), Brian Larcombe (Vice-Chair), Lee Baker, Chris Booth, Simon Coles, Dixie Darch, Caroline Ellis, Habib Farbahi, Robert Isaacs, John Hunt, Sue Lees, Libby Lisgo, Derek Perry, Francesca Smith, Federica Smith-Roberts, Ian Talbot, and Brenda Weston

Officers: Meg Stokes, Alison Blom-Cooper, Jenny Clifford, Paul Fitzgerald and Paul McClean, Marcus Prouse

Also Present: Councillors Sarah Wakefield and Loretta Whetlor

(The meeting commenced at 6.00 pm)

21. Apologies

Apologies were received from Cllrs Fothergill, Hill, Johnson, R Lees, Peters, Prior-Sankey and Keith Woodmason.

22. Minutes of the previous meeting of the Taunton Shadow Town Council

RESOLVED to approve that the minutes of the previous meeting of the Committee held on 1st December 2022 were a correct record.

23. Declarations of Interest

Members present at the meeting declared the following personal interests in their capacity as a Councillor or Clerk of a County, District, Town or Parish Council or any other Local Authority:-

Name	Minute No.	Description of Interest	Reason	Action Taken
Cllr C Booth	All Items	SWT & Wellington & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr S Coles	All Items	SCC & SWT & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr D Darch	All Items	SCC & SWT	Personal	Spoke and Voted
Cllr T Deakin	All Items	SCC & SWT & Taunton Charter	Personal	Spoke and Voted

		Trustee		
Cllr C Ellis	All Items	SCC & SWT & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr H Farbahi	All Items	SCC & SWT	Personal	Spoke and Voted
Cllr J Hunt	All Items	SCC & SWT & Bishop's Hull	Personal	Spoke and Voted
Cllr R Isaacs	All Items	Cheddon Fitzpaine	Personal	Spoke and Voted
Cllr B Larcombe	All Items	Comeytrowe & Lyme Regis	Personal	Spoke and Voted
Cllr S Lees	All Items	SWT & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr L Lisgo	All Items	SWT & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr F Smith	All Items	SWT & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr I Talbot	All Items	Staplegrove	Personal	Spoke and Voted
Cllr S Wakefield	All Items	SCC & SWT	Personal	Spoke
Cllr B Weston	All Items	SWT & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr L Whetlor	All Items	Watchet & SALC	Personal	Spoke

24. **Public Participation**

No requests had been made to participate.

25. **Appointment of Town Clerk - Update**

The Specialist in Governance and Democracy had emailed all Shadow Town Councillors on 16th January updating them on the successful conclusion of the Town Clerk recruitment process. This was considered a key part of the Workstream and Programme of a safe and legal Council vesting on 1st April 2023. A rigorous recruitment process had been undertaken with a number of

highly qualified candidates that had applied. The successful applicant, Donna Ford, had started in post this week.

The Chair of the Shadow Council echoed those prior comments on the quality of candidates and looked forward to working with the new Clerk. The Technical Advisor was thanked as well as Cllrs Larcombe and Lisgo for their time and effort in the interview selection process.

26. **Town Council Budget Update**

Paul Fitzgerald (s151 Officer) and Paul McClean (Finance Specialist) introduced the item and went through a slide pack, which aimed to:

- Review the budget to provide context and explanations to the items in the budget
- Review the key data used to determine the Council Tax Base (CTB) and compare the May estimate to the December actual.
- Compare the 2022/23 Parish precepts with the 2023/24 precepts, for those parishes affected by/adjacent to the new boundary.
- Review the 2022/23 forecast implementation costs to budget.
- Outline the impact of the boundary change on Community Infrastructure Levy (CIL) at vesting date.

During the discussion of this item, Members made comments and asked questions which included: -

- In relation to Parks, concern was raised around those in the urban extensions and any smaller parks that come with them and if the full impact they would have on the budget of the new town council was understood?
- *Officers had established the cost of the services that were operated by the district council and the charter trustees, what does it cost now and what do we estimate those costs to be by year one.*
- A query was raised as to whether the budget was set for general routine maintenance of the parks or was there any element for improvement in there?
- *The budget is based on the as is situation, any improvements would come out of discretionary funds.*
- Concern was raised around the salaries figure feeling very low.
- *The staffing budget was for two permanent members of staff and two part time members of staff. Maintenance would be outsourced to the Unitary council at least initially.*

- Concern was raised that there were parks left off and the risk of an additional budgetary pressure.
- *Officers had used high level estimations with Parish Councils existing budgets as building blocks. New council has obligation up to October to revise its budget, but it could not set a higher rate than that levied but there may be tweaking.*
- Members queries whether redundancy payments had been considered?
- *No provisions for redundancy were in this budget but these costs would be met if incurred.*
- Comment was made that in terms of Council Tax Band D precept was a misnomer, there were a lot of properties that were not band D. Band D equivalent is a measure, but reality is different.
- *Officers reiterated that presented this evening was the budget for 23/24, that is the take. It is the amount of money that the Town Council would receive.*
- Discussion was raised around the event employee only bringing in an income of £10,000 which was felt conservatively low. Comment was made that hopefully the Town Council could use Vivary Park for events although it will no longer own the park.
- Comment was made that it was felt unnecessary for all elected members to receive brand new IT kit.
- *Officers had erred on the side of caution for income budget for events that might be unachievable if set too high.*
- It was commended that the budget was set to be realistic but cautious. It was felt that opportunities lay ahead with other assets that may come down the line but this is based on what is being transferred.
- A query was raised in relation to the maintenance costs of different parks and why there was such a disparity and whether the General repairs person would just do works on assets that are owned by the town council and not commissioned by the unitary?
- *Officers would look to provide the further detail for the cost of the parks. The Repairs person will only be employed for the Taunton Town council assets.*
- A query was raised about whether pay awards had been factored into this budget and it was confirmed that it had not been.
- Concern was raised around the parks not on the list that were the responsibilities of the Parish. List of 11 parks, would still like to know the parks that haven't been listed. One Park in Staplegrove was not owned by the parish, it was owned by a Charity and there was a need to be able to inform the parish whether they can use it going forward.

- *If they are not on the list but owned/responsibility of SWT, they will go to the Somerset Council. We have written to the Parish Councils asking for current assets and as per the Reorg Order, anything the Parish owns or responsible for will transfer into the Taunton Town/Parish Council.*
- Comment was made that it seemed odd that the town council inherits the toilets at Vivary Park but not the park.
- Whilst members were focussing on the budget, they shouldn't lose sight of making Taunton flourish and the economic importance of the events.
- A query was raised that the Implementation budget (£80K) is currently predicting an underspend and whether this would go to the Town Council?
- *The potential spend was up to £80k but there was no intention to transfer any remainder over to Taunton Parish.*
- A query was raised at whether officers had looked at any other opportunities of generating revenue?
- *Income opportunities hadn't been looked at as of yet. These would be for the new members to determine.*
- Comment was made that Councillors had been presented with figures without knowing the ingredients. Concern was raised about inflation proofing, the Events Manager should cover their own costs (be self-funding) and the further need for assets generating an income.
- Members were informed there was Grant funding available. CIL income which the Town Council received could also be used for play park equipment etc.

RESOLVED that the Shadow Town Council:

- Noted the update on the Budget.

27. **Civic Activity/Cover for Vesting to the AGM**

The report set out a proposal to ensure the continuation of the civic activity associated with the historic Taunton Mayoralty in the period between the dissolution of the Charter Trustees for Taunton and the Annual General Meeting of the newly created Taunton Town/Parish Local Government Area, which will be required to take place within fourteen days of the elections on Thursday 4th May 2023. (1st April – 18th May 2023).

Members were generally in support of the report which was deemed sensible. It was requested that the support to the Mayor was provided out of the implementation budget. The progress of the work of the Coronation and Christmas lights was highlighted as needing to be commenced now.

RESOLVED that the Shadow Town Council noted the report.

28. **Judicial Review Update**

Legal Workstream Lead and Deputy County Solicitor Tom Woodhams to give an update on the Judicial Review Action. Cheddon Fitzpaine Parish Council had issued an application for a Judicial Review of Somerset County Council's decision to make an Order back in October. A summary grounds of defence had been submitted and the application should be thrown out at the permission stage. Since then the Council had heard from neither the Court or the applicant. It was not certain the administrative court would contact the Council before April. If the court hearings took place after April they would be far more difficult to unwind, if so ordered. The Legal Advice is that both Councils should continue the work they are doing with a legally effective Order in place.

During the discussion of this item, Members made comments and asked questions which included: -

- A query was raised as to whether the Judge had the power to rescind the Order, even in June/July.
- *The Judge could have the power to quash the Re-Organisation Order and therefore it will be as if it had never been made.*
- Cllr Baker and Isaacs declared, as Cheddon Fitzpaine Parish Councillors, that they removed themselves from the Parish Council closed sessions whenever this matter was being discussed.

RESOLVED that the Shadow Town Council noted the update.

29. **Taunton Garden Town Briefing**

Officers presented a verbal update on this item at the meeting with slides.

During the discussion of this item, Members made comments and asked questions which included:-

- Queries were raised that if the Town Council looked to take on extra responsibility of maintenance and assets in these highlighted areas, what work has been done to look at the cost of this?
- *Report that the consultants had provided us with has potential follow up actions. Particularly around income generation and cost. Not there yet, work that needs to be done. Just whether there is an interest in principle.*
- It was raised that of the original Garden Town project, was there any of that money left and could this be transferred to the new town council?
- *Funds are limited and with the view that there aren't any available to the Town Council.*
- A request was made for further engagement for when a Town Council was in place. Concerned about what could be done about it at this stage.

- It was highlighted that this designation was not just about new community assets but also about existing community assets, and they did not want the needs of these assets to be forgotten.
- *This was coming from a new asset perspective.*
- Councillors welcomed the presentation and would like this door to remain open. The existing system of stewardship was felt to not work well.
- Queries were raised about whether there was a time limit or timeframe guiding this matter?
- *Officers were currently getting questions from developers on what we are proposing. No timeframe at this stage.*
- A query was raised as to how many jobs had been created since the Town was given Garden Town status in 2017?
- *A written answer would be provided.*

RESOLVED that the Shadow Town Council:

- Noted the update on the Taunton Garden Town and provided comments.

30. **Implementation Programme -Progress overview scorecard**

Officers took members through the Implementation Progress Update on Tranche 1 and 2 of the Implementation Plan. All Key milestones for Tranche 1 were met and the Town Clerk was now in post.

During the discussion of this item, Members made comments and asked questions which included:-

- Concern was raised that the Parish Clerks have not had the level of engagement they should have and that time was running out. Further assurance was sought clarity on the completion of all tasks by Vesting Day.
- Members requested a confidential briefing on the HR issues in play.
- A statement was made that the communications for the Elections needed to be spot on for the May elections, the first elections since the new regulations were brought in around Voter ID.

RESOLVED that the Shadow Town Council:

- Noted the update on the Implementation Plan progress and provided any comments.

31. **Taunton Shadow Town Council Forward Plan**

The Chair introduced the item and mentioned the additional items which were requested to be covered at the next meeting in terms of the steps taken to

Vesting Day/Programme Plan/ and a confidential HR Update. Members attention was drawn to the LCN Update which had been programmed for the next meeting.

RESOLVED that the Shadow Council noted the Forward Plan.

(The Meeting ended at 8.33 pm)

Taunton Town Council Election Timetable Thursday 4 May 2023

Publication of Notice of Election	Monday 27 March 2023
Receipt of Nominations	4:00 pm Tuesday 4 April 2023
Withdrawal of Candidate	4:00 pm Tuesday 4 April 2023
Appointment of Election Agents	4:00 pm Tuesday 4 April 2023
Publication of Notice of Election Agents	4:00 pm Tuesday 4 April 2023
Publication of Statements of Persons Nominated	4:00 pm Wednesday 5 April 2023
Last Date for Registration	Monday 17 April 2023
Receipt of Postal Vote Applications	5:00 pm Tuesday 18 April 2023
Publication of Notice of Poll	Tuesday 25 April 2023
Receipt of Proxy Vote Applications	5:00 pm Tuesday 25 April 2023
Appointment of Poll and Count Agents	Wednesday 26 April 2023
First Day to Issue Replacement Lost Postal Ballot Papers	Thursday 27 April 2023
Last Day to Issue Replacement Spoilt or Lost Postal Ballot Papers 2023	5:00 pm Thursday 4 May 2023
Receipt of Emergency Proxy Vote Applications	5:00 pm Thursday 4 May 2023
Day of Poll	7:00 am to 10:00 pm Thursday 4 May 2023
Return of Election Expenses	Thursday 8 June 2023



LatchamCouncil

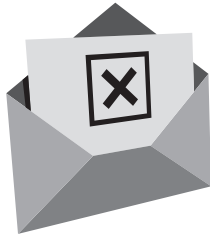


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WINDOW SIZE - 50mm x 90mm

WINDOW POSITION - 20mm FROM LEFT, 60mm UP

Please Open
Your Poll Card is Inside



5 COLOUR GRIP ZONE

Return Address
Latcham Council
Town Hall
Sample Town
Sampleshire SA8 9TT

YOU MUST BRING PHOTOGRAPHIC IDENTIFICATION TO VOTE

You will not be able to vote unless you show photographic identification to the polling station staff.
A full list of accepted photographic identification is set out overleaf.

Your details:

0000001 39545628 0001

AB Sample Voter
11 Sample Avenue
Sample Town
Sampleshire
SA8 0LR

Electoral register number: DCB - B-1

You do not need to take this card with you in order to vote.

Helpline number: 0117 311 8200

Email: connect@latcham.co.uk


Website: www.latcham.co.uk

Download a postal vote application form from
<https://www.yourvotematters.co.uk/how-do-i-vote/voting-by-post>

Download a proxy vote application form from
<https://www.yourvotematters.co.uk/how-do-i-vote/voting-by-proxy>

It is an offence to:

- vote more than once at this election, unless you are voting on your own behalf and as a proxy for another person
- vote as a proxy at this election for more than two people, unless you are their spouse, civil partner, parent, grandparent, brother, sister, child or grandchild
- vote as a proxy for someone if you know that by law they are not allowed to vote

 **If you need any help or to find out if your polling station is accessible, please contact us.**

If undelivered, return to:
Latcham Council, Town Hall, Sample Town,
Sampleshire SA8 9TT

Please turn over

Poll card

**Election of Member of Parliament for the
Latcham Council constituency**

Date of election: Thursday 4th May 2023

Voting information

Polling day Thursday 4th May 2023

Voting hours 7am to 10pm

Your polling station will be
St Michaels Church
Church Street
Sample Town
Sampleshire
SA8 9XX

If you are away or cannot go to the polling station on Thursday 4th May 2023 you can do one of the following:

- Apply to vote by post. Completed applications must reach us **before 5pm on Tuesday 18th April 2023**. If you are given a postal vote, you will not be able to vote in person at this election.

OR

- Apply to vote by proxy (this means someone else can vote on your behalf). Completed applications must reach us **before 5pm on Wednesday 26th April 2023** If you appoint a proxy, you can vote if you wish, but only if your proxy has not already voted on your behalf and has not got a postal vote for you.

If after 5pm on [the sixth day before the date of the poll] you are unable to vote in person because:

- **You have a medical emergency after 5pm on Wednesday 26th April 2023**
- **You learn you cannot go to the polling station because of work reasons**
- **The form of accepted photographic identification that you were intending to use to vote has been lost, stolen, damaged or destroyed, or has not yet been received if applied for recently**

You can apply to vote by proxy. Completed applications must reach us **before 5pm on Thursday 4th May 2023**. To find out how to apply, call the helpline immediately.

The Acting Returning Officer issued this card.

Accepted forms of photographic identification

You must present one of the following forms of photographic identification in order to vote in person at a polling station:

- A passport issued by the UK, any of the Channel Islands, the Isle of Man, a British Overseas Territory, an EEA state or a Commonwealth country
- A driving licence issued by the UK, any of the Channel Islands, the Isle of Man or an EEA state
- A biometric immigration document
- An identity card bearing the Proof of Age Standards Scheme hologram (a PASS card)
- Ministry of Defence Form 90 (Defence Identity Card)
- A Blue Badge
- A national identity card issued by an EEA state
- An Older Person's Bus Pass
- A Disabled Person's Bus Pass
- An Oyster 60+ Card
- A Freedom Pass
- A Scottish National Entitlement Card issued in Scotland
- A 60 and Over Welsh Concessionary Travel Card issued in Wales
- A Disabled Person's Welsh Concessionary Travel Card issued in Wales
- A Senior SmartPass issued in Northern Ireland
- A Registered Blind SmartPass or Blind Person's SmartPass issued in Northern Ireland
- A War Disablement SmartPass or War Disabled SmartPass issued in Northern Ireland
- A 60+ SmartPass issued in Northern Ireland
- A Half Fare SmartPass issued in Northern Ireland
- An Electoral Identity Card issued in Northern Ireland
- A Voter Authority Certificate or a temporary Voter Authority Certificate

If you do not possess any of the above forms of photographic identification, you can apply to your local electoral registration officer for a free Voter Authority Certificate.

If your photographic identification document has expired it will still be accepted so long as the photograph is still a good likeness of you, unless it is a temporary Voter Authority Certificate which is not valid for use on the date of poll.

You may be required to provide further proof of identity if there is any discrepancy between your name as shown on your form of photographic identification and the name of the elector that you claim to be.

Shadow Taunton Town Council

28 February 2023

Taunton Parish/Town Council Policies and Procedures

This matter is the responsibility of the County Council Monitoring Officer and Head of Governance and Democratic Services – Scott Wooldridge

Report Author: Reg Williams – Technical Advisor- Society of Local Council Clerks, Donna Ford – Clerk – Taunton Town Council and Marcus Prouse – Specialist – Governance and Democratic

1 Executive Summary / Purpose of the Report

1.1 This report sets out a range of policies and procedures which are the minimum required to be in place to enable the new Taunton Town/Parish Council to properly operate from its vesting as a body on 1st April 2023, as identified in the Governance Workstream under the Taunton Town Council Programme Board. They have been drafted in close consultation with the Council's technical advisor. These are:

- Standing Orders
- Financial Regulations and Internal Financial Controls
- Scheme of Delegation
- Dispensations Policy
- Annual Investment Strategy
- Code of Conduct

1.2 These policies and procedures, following consultation with the Shadow Council, will be formally adopted by the County Council (through the power of the County Council's Monitoring Officer charged with implementing the Re-Organisation Order) and 'go live' on 1st April 2023.

1.3 The elected members of the Town Council once in place will have an early opportunity to review all of these documents and formally adopt these policies and procedures again (alongside a host of others) following the elections in May 2023.

2 Recommendations

2.1 It is recommended that the Shadow Town Council:

2.2 Provide comment on the policies and procedures which are set out at Appendices A – F in this report prior to their approval by the County Council Monitoring Officer.

2.3 Requested to note and comment on the Draft Meeting Calendar for 2023-2024.

3 Risk Assessment

- 3.1 If the Town/Parish Council does not have these policies and procedures in place, there is a risk that the Town Council is unable to operate and fulfil its duties and responsibilities from 1st April 2023.

4 Background and Full details of the Report

- 4.1 All tiers of local government are democratically accountable and rules have been developed to demonstrate and guarantee that accountability, and to ensure that councils operate on a regulated and consistent basis.
- 4.2 Councils are required to conduct their business in an open way with properly organised meetings and agendas, and proper records of decisions. Formal arrangements for the regulation of meetings should be provided in standing orders. Financial arrangements for the regulation of the council's financial affairs should be provided in financial regulations. Where functions are delegated, delegation arrangements should formally record such delegation provision to provide evidence of authority and transparency of approach.
- 4.3 Parish councils must adopt and have readily available a Code of Conduct and the Local Government Association Model Code issued in 2020 is the recommended template for Councils to adopt. The County Council's Standards Committee has agreed to promote the adoption of the County Council's Code of Conduct by parish councils in Somerset. The rationale for this decision is that it will be easier for the Council to provide support and training to parishes on the code of conduct and promote consistency of standards of conduct and enforcement of the Code across Somerset.
- 4.4 A Parish Council can also create committees to deal with various functions such as its planning or community functions. Standing orders can be made to regulate quorum, proceedings and place of meeting of any committee of the parish council. Unless a parish council delegates its functions to its committees and officers, decisions for the discharge of its functions can only be made at council meetings.
- 4.5 Governing documents should not be regarded as 'tablets of stone' but should be altered to reflect changing needs and requirements with a view to improving the Council's means of conducting its business.
- 4.6 **Standing Orders**
- 4.7 Standing orders are the written rules of a local council. They are used to confirm a council's internal organisational, administrative and procurement procedures and procedural matters for meetings. They are not the same as the policies of a council but they may refer to them. A local council must have standing orders for the procurement of contracts.
- 4.8 Meetings of full council, councillors, the Responsible Financial Officer and Proper Officer are subject to many statutory requirements. A council should have standing orders to confirm those statutory requirements. A council should have standing orders to control the number, place, quorum, notices and other procedures for committee and sub-

committee meetings because these are subject to fewer statutory requirements.

Financial Regulations

4.9 The model standing orders do not include model financial regulations. Financial regulations are standing orders to regulate and control the financial affairs and accounting procedures of a local council. The financial regulations, as opposed to the standing orders of a council, include most of the requirements relevant to the Clerk/Responsible Financial Officer.

4.10 A range of HR Policies will also need to be adopted for Day 1 and whilst these are not included in this report, will be drafted and implemented by the Clerk in consultation with the County Monitoring Officer. Examples of these include but are not limited to:

- Disciplinary Process
- Grievance Procedure
- Capability Procedure
- Staff Handbook

4.11 Other policies, which are considered less vital to have in place for Day 1 are in development and will be expected to be forthcoming for adoption in May 2023 onwards, with member engagement playing a key part, are as follows:

- Risk Management Strategy
- Risk Register
- Publication Scheme for Local Government Transparency Code
- Member Employee Protocol
- Complaints Policy
- Data Protection Policy
- Freedom of Information Process
- Equality and Diversity Policy
- Health and Safety Policy
- Records Management Process
- Social Media and Electronic Communications Policy
- Community Grant Policy
- Co-option Policy
- Recruitment and Selection Policy
- Training and Development Plan (for officers and members)
- Induction Process
- Appraisal Process

5 Links to Corporate Strategy

5.1 This support's SWT's Corporate Strategy in relation to being a customer focussed Council that develops and delivers effective communications, consultation and engagement and which listens to and engages with our residents and stakeholders.

6 Finance / Resource Implications

- 6.1 There are no identified Finance implications for the Shadow Authority or for Somerset West and Taunton/Somerset County Council.

Unitary Council Financial Implications and S24 Direction Implications

- 6.2 The Section 24 Direction stipulates that consent of the County Council's executive is required for expenditure that exceeds certain criteria or for the disposal of an asset. Neither criteria are triggered by this.

7 Legal Implications

- 7.1 The business of Parish Councils is carefully regulated by the Local Government Act 1972, and cannot be conducted without observing the requisite formalities. A local Council must act within the law. Local Councils have a wide range of powers covered under different acts of Parliament. The adoption of these policies and procedures will ensure the Council is complying with its statutory duties in line with key legislation such as the Local Government Act 1972.

- 7.2 Parish Councils are subject to the basic arrangements for the conduct of meetings and making decisions contained in Schedule 12 of the Local Government Act 1972 (paragraphs 7-13 and 39-45). Local authorities may make standing orders with respect to the making of contracts by them or on their behalf, and must make standing orders about contracts for the supply of goods or materials or for the execution of works. (Local Government Act 1972 S135). Local Authorities have the power to assume a function delegated by another authority, to ensure effective discharge of Council functions and to employ persons to carry out Council functions (Local Government Act 1972 ss101,111 and 112).

8 Climate, Ecology and Sustainability Implications

- 8.1 There are no identified climate, ecological, or sustainability implications.

9 Safeguarding and/or Community Safety Implications

- 9.1 There are no identified safeguarding or community safety implications.

10 Equality and Diversity Implications

- 10.1 There are no identified equality or diversity implications.

11 Social Value Implications

- 11.1 There are no identified social value implications.

12 Partnership Implications

- 12.1 There are no identified partnership implications.

13 Health and Wellbeing Implications

- 13.1 There are no identified health and wellbeing implications.

14 Asset Management Implications

14.1 There are no identified Asset Management implications

15 Data Protection Implications

15.1 There are no identified data protection implications.

16 Consultation Implications

16.1 There are no identified consultation implications.

Reporting Frequency: Once only

List of Appendices (background papers to the report)

Appendix A	Standing Orders
Appendix B	Financial Regulations and Internal Financial Controls
Appendix C	Scheme of Delegation
Appendix D	Dispensations Policy
Appendix E	Annual Investment Strategy
Appendix F	Code of Conduct
Appendix G	Draft Meetings Calendar 2023-2024

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Taunton Town Council

Standing Orders

POLICY UPDATE TIMELINE

Policy Number	Version	Owner	Word File No.	PDF File No.	Date Published	Review Due	Review Team
SO 01	V 1	TC	****	***	1 April 2023	1 Sept 2023	TC

Distribution:

Internal: All TTC Staff

External: Website / Councillors / Partners

Introduction:

These standing orders are based on the National Association of Local Council (NALC) model standing orders 2018.

INTRODUCTION

How to Use Standing Orders

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

Local councils operate within a wide statutory framework. NALC model standing orders incorporate and reference many statutory requirements to which councils are subject. It is not possible for the model standing orders to contain or reference all the statutory or legal requirements which apply to local councils.

For example, it is not practical for model standing orders to document all obligations under data protection legislation. The statutory requirements to which a council is subject apply whether or not they are incorporated in a council's standing orders.

These standing orders do not include financial regulations. Financial regulations are standing orders to regulate and control the financial affairs and accounting procedures of a local council. The financial regulations, as opposed to the standing orders of a council, include most of the requirements relevant to the council's Responsible Financial Officer

Notes

Standing orders that are in bold type contain legal and statutory requirements. It is recommended that councils adopt them without changing them or their meaning. Model standing orders not in bold are designed to help councils operate effectively but they do not contain statutory requirements so they may be adopted as drafted or amended to suit a council's needs. It is NALC's view that all model standing orders will generally be suitable for councils.

For convenience, the word "councillor" is used in these standing orders and, unless the context suggests otherwise, includes a non-councillor with or without voting rights.

The word chairman is used in these standing orders. Where this relates to the Chairman of the Council this is the Mayor. The Chairman of Taunton Town Council is entitled to be called the Mayor of the Town of Taunton.

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1. RULES OF DEBATE AT MEETINGS

- 1.1. Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chairman of the meeting.
- 1.2. A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- 1.3. A motion on the agenda that is not moved by its proposer may be treated by the chairman of the meeting as withdrawn.
- 1.4. 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.
- 1.5. An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- 1.6. If an amendment to the original motion is carried, the original motion (as amended) becomes the substantive motion upon which further amendment(s) may be moved.
- 1.7. An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the chairman of the meeting, is expressed in writing to the chairman.
- 1.8. A councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- 1.9. If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chairman of the meeting.
- 1.10. Subject to standing order 1.11, only one amendment shall be moved and debated at a time, the order of which shall be directed by the chairman of the meeting.
- 1.11. One or more amendments may be discussed together if the chairman of the meeting considers this expedient, but each amendment shall be voted upon separately.
- 1.12. A councillor may not move more than one amendment to an original or substantive motion.
- 1.13. The mover of an amendment has no right of reply at the end of debate on it.
- 1.14. 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 debate on the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.
- 1.15. Unless permitted by the chairman of the meeting, a councillor may speak once in the debate on a motion except:
 - 1.15.1. to speak on an amendment moved by another councillor.
 - 1.15.2. to move or speak on another amendment if the motion has been amended since they last spoke.
 - 1.15.3. to make a point of order.
 - 1.15.4. to give a personal explanation; or
 - 1.15.5. to exercise a right of reply.
- 1.16. During the debate on a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.

- 1.17. A point of order shall be decided by the chairman of the meeting and his decision shall be final.
- 1.18. When a motion is under debate, no other motion shall be moved except:
- 1.18.1. to amend the motion,
 - 1.18.2. to proceed to the next business,
 - 1.18.3. to adjourn the debate,
 - 1.18.4. to put the motion to a vote,
 - 1.18.5. to ask a person to be no longer heard or to leave the meeting,
 - 1.18.6. to refer a motion to a committee or sub-committee for consideration,
 - 1.18.7. to exclude the public and press,
 - 1.18.8. to adjourn the meeting, or
 - 1.18.9. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.
- 1.19. Before an original or substantive motion is put to the vote, the chairman of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.
- 1.20. Excluding motions moved under Standing Order 1.18, the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 3 minutes without the consent of the chairman 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 chairman of the meeting shall request such person(s) to moderate or improve their conduct.
- 2.2. If person(s) disregards the request of the chairman of the meeting to moderate or improve their conduct, any councillor or the chairman of the meeting may move that the person be no longer heard or be 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 is ignored, the chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

3. MEETINGS GENERALLY

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

- 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.**

- 3.2. ● 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.
- 3.3. ● The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice OR [The minimum three clear days' public notice of a meeting does not include the day on which the notice was issued or the day of the meeting].
- 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.
- 3.5. Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.
- 3.6. The period of time designated for public participation at a meeting in accordance with Standing Order 3.5 shall not exceed 15 minutes unless directed by the chairman of the meeting.
- 3.7. Subject to Standing Order 3.6, a member of the public shall not speak for more than 5 minutes.
- 3.8. In accordance with standing order 3.5, a question shall not require a response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a written or oral response be given.
- 3.9. A person shall raise their hand when requesting to speak and speak from a seated position in order to use the microphone provided.
- 3.10. A person who speaks at a meeting shall direct his comments to the chairman of the meeting.
- 3.11. Only one person is permitted to speak at a time. If more than one person wants to speak, the chairman of the meeting shall direct the order of speaking.
- 3.12. ●● Subject to Standing Order 3.13, a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To "report" means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.
- 3.13. ●● A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.
- 3.14. ●● 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.

- 3.15. ● Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in his absence be done by, to or before the Vice-Chairman of the Council (if there is one).
- 3.16. ● The Chairman of the Council, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman of the Council (if there is one) if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.
- 3.17. ●●● Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors and non-councillors with voting rights present and voting.
- 3.18. ●●● The chairman of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote. *See Standing Orders 5.8 and 5.9 for the different rules that apply in the election of the Chairman of the Council at the annual meeting of the Council.*
- 3.19. ● 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.

- 3.20. The minutes of a meeting shall include an accurate record of the following:
- 3.20.1. the time and place of the meeting,
 - 3.20.2. the names of councillors who are present and the names of councillors who are absent,
 - 3.20.3. interests that have been declared by councillors and non-councillors with voting rights,
 - 3.20.4. the grant of dispensations (if any) to councillors and non-councillors with voting rights,
 - 3.20.5. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered,
 - 3.20.6. if there was a public participation session, and the resolutions made.
- 3.21. ●●● 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.

- 3.22. ● **No business may be transacted at a meeting unless at least one- third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three. See Standing Order 4.4.8 for the quorum of a committee or sub-committee meeting.**
- 3.23. ●●● **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.**
- 3.24. A meeting shall not exceed a period of 3 hours unless a resolution to continue for an extra period of time has been carried.
- 3.25. If there are an equal number of votes for and against a matter, the Chairman will have a second or casting vote. There is no restriction on how the Chairman exercises this casting vote.
- 3.26. Public Questions:
- 3.26.1. Members of the public who wish to ask a question at a meeting shall give notice to the Town Clerk of the question it is intended to ask no later than 12 noon on the working day before the meeting. The question stated in the notice given to the Town Clerk shall be the question asked at the meeting.
- 3.26.2. The Chairman will call upon those wishing to speak in turn, each questioner being allowed to speak for a maximum of three minutes. Those wishing to speak shall state their name and address.
- 3.26.3. Answers to questions may take the form of:
- 3.26.3.1. a direct oral response, or
- 3.26.3.2. when the desired information is contained in a publication, a reference to that publication, or
- 3.26.3.3. when it is more convenient to do so a written answer after the meeting.
- 3.26.4. Every question shall be put and answered without discussion.
- 3.26.5. Questions shall not be permitted that relate to the individual affairs of either the questioner or any other named person but should only relate to matters of policy or practice, i.e: matters of a general nature rather than individual concern.
- 3.26.6. The Chairman shall not allow any question that is in their opinion:
- 3.26.6.1. Defamatory, frivolous or offensive.
- 3.26.6.2. Requires the disclosure of exempt or confidential information.
- 3.26.6.3. Relates to complaints about individual Members or Officers

4. COMMITTEES 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:
 - 4.4.1. shall determine their terms of reference,
 - 4.4.2. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of the Council,
 - 4.4.3. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings,
 - 4.4.4. shall, subject to standing orders 4.2 and 3, appoint and determine the terms of office of members of such a committee,
 - 4.4.5. may, subject to standing orders 4.2 and 3, 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 2 days before the meeting that they are unable to attend,
 - 4.4.6. shall, after it has appointed the members of a standing committee, appoint the chairman of the standing committee,
 - 4.4.7. shall permit a committee other than a standing committee, to appoint its own chairman at the first meeting of the committee,
 - 4.4.8. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which, in both cases, shall be no less than three,
 - 4.4.9. shall determine if the public may participate at a meeting of a committee,
 - 4.4.10. 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,
 - 4.4.11. shall determine if the public may participate at a meeting of a subcommittee that they are permitted to attend, and
 - 4.4.12. may dissolve a committee or a sub-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 councillors elected take office.
- 5.2. In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.
- 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 decides.
- 5.5. The first business conducted at the annual meeting of the Council shall be the election of the Chairman and Vice-Chairman (if there is one) of the Council.
- 5.6. The Chairman of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the Council.
- 5.7. The Vice-Chairman of the Council, if there is one, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.
- 5.8. In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he shall preside at the annual meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the Council but shall give a casting vote in the case of an equality of votes.
- 5.9. In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, he shall preside at the annual meeting until a new Chairman of the Council has been elected. He may exercise an original vote in respect of the election of the new Chairman of the Council and shall give a casting vote in the case of an equality of votes.
- 5.10. Following the election of the Chairman of the Council and Vice-Chairman (if there is one) of the Council at the annual meeting, the business shall include:
 - 5.10.1. In an election year, delivery by the Chairman of the Council and councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chairman of the Council of his acceptance of office form unless the Council resolves for this to be done at a later date;
 - 5.10.2. Confirmation of the accuracy of the minutes of the last annual meeting of the Council

5.11. At every other ordinary Council or committee meeting, the order of business shall be as follows:

- 5.11.1. to receive apologies for absence,
- 5.11.2. to receive declarations of interest,
- 5.11.3. to note any Dispensations agreed by the Town Clerk in respect of this agenda prior to the meeting, and to determine any additional Dispensations requested at this meeting in respect of this agenda,
- 5.11.4. to approve the minutes of the last meeting,
- 5.11.5. Chairman's announcements,
- 5.11.6. to receive questions or statements from public,
- 5.11.7. to receive any questions from members,
- 5.11.8. to receive verbal reports from partner organisations,
- 5.11.9. to receive and adopt reports and minutes of standing Committees, advisory Committees and Working Groups, as required,
- 5.11.10. to consider motions under Standing Order 1 in the order in which they have been notified to the Town Clerk,
- 5.11.11. to consider any other business specified in the summons to the meeting,

5.12. The order of business at a meeting may, with the permission of the Chairman, be varied, on the grounds of urgency or convenience

6. EXTRAORDINARY MEETINGS OF THE COUNCIL, COMMITTEES AND SUB-COMMITTEES

- 6.1. **The Chairman of the Council may convene an extraordinary meeting of the Council at any time.**
- 6.2. **If the Chairman of the Council does not 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 shall be signed by the two councillors.**
- 6.3. The chairman 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 chairman of a committee or a sub-committee does not call an extraordinary meeting within 7 days of having been requested to do so by 2 members of the committee or the sub-committee, any 2 members of the committee or the sub-committee may convene an extraordinary meeting of the 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 8 councillors to be given to the Proper Officer in accordance with Standing Order 9, 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 has been disposed of, no similar motion may be moved for 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 chairman 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 for which it is tabled 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 7 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, 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 is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it, so that it can be understood, in writing, to the Proper Officer at least 3 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 Chairman of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
- 9.6. 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 and numbered in the order that they are received.
- 9.8. Motions rejected shall be recorded with an explanation by the Proper Officer of the reason for 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:
 - 10.1.1. to correct an inaccuracy in the draft minutes of a meeting,
 - 10.1.2. to move to a vote,
 - 10.1.3. to defer consideration of a motion,
 - 10.1.4. to refer a motion to a particular committee or sub- committee,
 - 10.1.5. to appoint a person to preside at a meeting,
 - 10.1.6. to change the order of business on the agenda,
 - 10.1.7. to proceed to the next business on the agenda,
 - 10.1.8. to require a written report,
 - 10.1.9. to appoint a committee or sub-committee and their members,
 - 10.1.10. to extend the time limits for speaking,
 - 10.1.11. to exclude the press and public from a meeting in respect of confidential or other information which is prejudicial to the public interest,
 - 10.1.12. to not hear further from a councillor or a member of the public,
- 10.2. to exclude a councillor or member of the public for disorderly conduct,
 - 10.2.1. to temporarily suspend the meeting,
 - 10.2.2. to suspend a particular standing order (unless it reflects mandatory statutory or legal requirements,
 - 10.2.3. to adjourn the meeting,
 - 10.2.4. to close the meeting.

11. MANAGEMENT OF INFORMATION

See also Standing Order 20.

- 11.1. **The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.**
- 11.2. **The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form.**
- 11.3. **The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (e.g: the Limitation Act 1980).**

- 11.4. **The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.**
- 11.5. **Councillors, staff, the Council’s contractors and agents shall not disclose confidential information or personal data without legal justification.**

12. DRAFT MINUTES

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

- 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 10.1.1.
- 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 chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- 12.4. If the chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect: “The chairman of this meeting does not believe that the minutes of the meeting of the () held on [date] in respect of () were a correct record but his view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.”
- 12.5. ●●● **If the Council’s gross annual income or expenditure (whichever is higher) does not exceed £25,000, it shall publish draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place.**
- 12.6. Subject to the publication of draft minutes in accordance with Standing Order 12.5 and Standing Order 20.1 and following a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

13. CODE OF CONDUCT AND DISPENSATIONS

See also Standing Order 3.21.

- 13.1. All councillors and non-councillors with voting rights shall observe the Code of Conduct adopted by the Council.

- 13.2. Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.
- 13.3. Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has another interest if so required by the Council's Code of Conduct. He may return to the meeting after it has considered the matter in which he had the interest.
- 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 the Proper Officer OR by a meeting of the Council, or committee or sub- committee for which the dispensation is required, and that decision is final. A dispensation request shall confirm:
- 13.5.1. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates,
 - 13.5.2. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote,
 - 13.5.3. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought, and
 - 13.5.4. an explanation as to why the dispensation is sought.
- 13.6. Subject to Standing Orders 13.4 and 13.5, a dispensation request shall be considered by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required.
- 13.7. **A dispensation may be granted in accordance with Standing Order 13.5 if having regard to all relevant circumstances any of the following apply:**
- 13.7.1. 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,
 - 13.7.2. granting the dispensation is in the interests of persons living in the Council's area, or
 - 13.7.3. it is otherwise appropriate to grant a dispensation.

(See also the TTC Procedure for the Granting of Dispensations)

14. CODE OF CONDUCT COMPLAINTS

- 14.1. Upon notification by the Unitary Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Council's Code of Conduct, the Proper Officer shall, subject to Standing Order 11, report this to the Council.

14.2. Where the notification in Standing Order 14.1 relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of Council of this fact, and the Chairman shall nominate another staff member to assume

14.2.1. 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.

14.3. The Council may:

14.3.1. provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement.

14.3.2. 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 Unitary Council that a councillor or non-councillor with voting rights has breached the Council's Code of Conduct, the Council shall consider what, if any, action to take against them. Such action excludes disqualification or suspension from office.

15. PROPER OFFICER

15.1. The Proper Officer shall be either:

15.1.1. the clerk or

15.1.2. 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:

15.2.1. **at least three clear days before a meeting of the council, a committee or a sub-committee,**

15.2.1.1. **serve on councillors by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda** (provided the councillor has consented to service by email), and

15.2.1.2. **provide, in a conspicuous place, public notice of the time, place and agenda** (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them)

See Standing Order 3.2 for the meaning of clear days for a meeting of a full council and Standing Order 3.3 for the meaning of clear days for a meeting of a committee;

- 15.2.2. subject to Standing Order 9, include on the agenda all motions in the order received unless a councillor has given written notice at least 5 days before the meeting confirming his withdrawal of it,
 - 15.2.3. **convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office,**
 - 15.2.4. **facilitate inspection of the minute book by local government electors,**
 - 15.2.5. **receive and retain copies of byelaws made by other local authorities,**
 - 15.2.6. hold acceptance of office forms from councillors,
 - 15.2.7. assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures,
 - 15.2.8. liaise, as appropriate, with the Council's Data Protection Officer,
 - 15.2.9. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary,
 - 15.2.10. assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements
 - 15.2.11. arrange for legal deeds to be executed; see also Standing Order 23.
 - 15.2.12. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations
 - 15.2.13. arrange for every planning application notified to the Council and the Council's response to the local planning authority to be recorded,
 - 15.2.14. refer a planning application received by the Council Chairman or in his absence Vice-Chairman (if there is one) 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,
 - 15.2.15. manage access to information about the Council via the publication scheme, and
 - 15.2.16. retain custody of the seal of the Council (if there is one) which shall not be used without a resolution to that effect. See also Standing Order 23.
- 15.3. In addition, the Town Clerk has the delegated authority to undertake the following matters on behalf of the Council:
- 15.3.1. The day-to-day administration and management of services, together with routine inspection and control,

- 15.3.2. Day to day supervision, control and management of all staff employed by the Council including appointment, disciplinary and dismissal, unless other stated in other council policies,
- 15.3.3. Authorisation of routine expenditure within the agreed budget,
- 15.3.4. Emergency expenditure up to £50,000 outside the agreed budget,
- 15.3.5. Accepting tenders for the supply of goods or services for which budget provision is available and authority delegated,
- 15.3.6. Delegated actions of the Town Clerk shall be in accordance with Standing Orders and Financial Regulations, and with directions given by the Council from time to time.

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".
- 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 the Finance and Governance Committee as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:
 - 17.3.1. the Council's receipts and payments (or income and expenditure) for each quarter,
 - 17.3.2. the Council's aggregate receipts and payments (or income and expenditure) for the year to date,
 - 17.3.3. the balances held at the end of the quarter being reported and iv) 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 on 31 March, the Responsible Financial Officer shall provide:
 - 17.4.1. the Finance and Governance Committee with a statement summarising the Council's receipts and payments (or income and expenditure) for the last quarter and the year to date for information, and
 - 17.4.2. to the Council the accounting statements for the year in the form of Section 1 of the annual governance and accountability 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 apply the form of accounts determined by the Council (receipts and payments, or income and expenditure) for the year to 31 March. A completed draft annual governance and accountability return shall be presented to all councillors at least 7 days prior to anticipated approval by the Council. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before relevant date set by external audit.

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:

- 18.1.1. the keeping of accounting records and systems of internal controls,
- 18.1.2. the assessment and management of financial risks faced by the Council,
- 18.1.3. 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,
- 18.1.4. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments, and
- 18.1.5. whether contracts with an estimated value below £30,000 due to special circumstances are exempt from a tendering process or procurement exercise.

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

18.3. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £30,000 but less than the relevant thresholds in standing order 18.6 is subject to Regulations 109 - 114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity.**

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:

- 18.4.1. a specification for the goods, materials, services or the execution of works shall be drawn up,
- 18.4.2. an invitation to tender shall be drawn up to confirm
 - 18.4.2.1. the Council's specification
 - 18.4.2.2. the time, date and address for the submission of tenders

- 18.4.2.3. the date of the Council's written response to the tender and
- 18.4.2.4. the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process,

- 18.4.3. the invitation to tender shall be advertised in any manner that is appropriate,
- 18.4.4. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer,
- 18.4.5. 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,

- 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. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £189,330 for a public service or supply contract or in excess of £4,733,252 for a public works contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.**
- 18.7. **A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £378,660 for a supply, services or design contract; or in excess of £4,733,252 for a works contract; or £8884,720 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.**

19. HANDLING STAFF MATTERS

- 19.1. A matter personal to a member of staff that is being considered by a meeting of Council or the Personnel Committee is subject to Standing Order 11.
- 19.2. The Chairman of the Personnel Committee in conjunction with 2 other members of the Personnel Committee shall conduct an annual review of the performance of the Town Clerk.
- 19.3. Grievance and disciplinary matters will be dealt with in accordance with the Council's adopted policies.
- 19.4. Any persons responsible for all or part of the management of staff shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters.

20. RESPONSIBILITIES TO PROVIDE INFORMATION

See also Standing Order 21.

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

21. RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION

Below is not an exclusive list.

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

22. RELATIONS WITH THE PRESS / MEDIA

- 22.1. 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.

23. EXECUTION AND SEALING OF LEGAL DEEDS

See also Standing Orders 15.2.11 and 16.

- 23.1. A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.
- 23.2. Subject to standing order 23.1, the Council's common seal shall alone be used for sealing a deed required by law. It shall be applied by the Proper Officer in the presence of two councillors who shall sign the deed as witnesses.

24. COMMUNICATING WITH DISTRICT AND COUNTY OR UNITARY COUNCILLORS

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

25. RESTRICTIONS ON COUNCILLOR ACTIVITIES

- 25.1. Unless duly authorised no councillor shall:
 - 25.1.1. inspect any land and/or premises which the Council has a right or duty to inspect, or
 - 25.1.2. issue orders, instructions or directions.

26. URGENT MATTERS

- 26.1. In the event of any matter arising which requires an urgent decision the Town Clerk shall consult the Leader of the Council, the Chairman and Vice Chairman of the relevant Committee and with the concurrence of those Members, shall have delegated power to implement the special delegation procedure on behalf of the Council.
- 26.2. The special delegation forms shall be sent to the Leader of the Council and the Chair and Vice Chair of the committee where the issue would ordinarily have been considered. At least two of the three Councillors consulted must sign as approved for the action to be agreed
- 26.3. Before exercising the delegated powers granted by paragraph 26.1 and 2 above, the Town Clerk and those members consulted shall consider whether the matter is of sufficient interest to justify the summoning of a special meeting of the appropriate committee and where a meeting is so summoned the committee concerned shall have delegated power to act on behalf of the Council in respect of the particular matter then under consideration.
- 26.4. Any action taken under this Scheme of Delegation procedure must be recorded in writing and made available for inspection by any member of the Council. Full details of the circumstances justifying the urgency and of the action taken shall be submitted in writing to the next available meeting of the Committee concerned and of Full Council.

27. THE LEADER OF THE COUNCIL & POLITICAL GROUPS

- 27.1. The Leader of the Council may not also be the Chairman of the Council.
- 27.2. Members shall as soon as possible after being elected notify the Town Clerk to which Political Group, if any, they wish to belong.

- 27.3. The Political Groups will notify the Town Clerk of those Members appointed as Leader, Deputy Leader or Representative of each Group.
- 27.4. Formal communication from the Political Groups relating to the conduct of the Council's business will be undertaken by the Leader / Deputy Leader / Representative of each Political Group.

28. SUBSTITUTE OR REPLACEMENT MEMBERS OF COMMITTEES AND SUBCOMMITTEES

- 28.1. Before either a replacement or temporary substitution can take effect, a minimum of five days written notice in the case of a replacement and 24 hours written notice for temporary substitution, wherever possible, shall be given to the Town Clerk by a Group Leader, or his / her nominated representative
- 28.2. A replacement shall continue in force until further notice.
- 28.3. A temporary substitute shall apply for a particular meeting / meetings only.
- 28.4. At the beginning of the relevant meeting the Chairman shall advise the meeting of the details of the substitution or replacement. Details of substitutions or replacements will be minuted.
- 28.5. The appointment of a replacement or substitute Member under this Procedure Rule shall be deemed to be an expression of the wishes of the Relevant Group and shall be deemed to be an appointment made by the Council.

29. QUESTIONS / STATEMENTS BY MEMBERS

- 29.1. A Member of the Council may ask the Chairman of a meeting any question or make a request to make a statement on any report item of a meeting submitted to the Council, whether for confirmation or for report.
- 29.2. A Member of the Council may:
 - 29.2.1. if notice in writing has been given to the Town Clerk at least one clear day before the next meeting of the Council, ask the Chairman of any meeting any question or make a statement on any matter in relation to which the Council has powers or duties or which affects the Town, and
 - 29.2.2. with the permission of the Chairman of any Committee put to them any question or make a statement relating to urgent business of which such notice has not been given, but a copy of any such question or statement shall be delivered to the Town Clerk not later than three o'clock in the afternoon of the day of the meeting.
- 29.3. The question or statement asked by the Member will be the question or statement submitted to the Town Clerk.
- 29.4. Every question shall be put and answered without discussion but the person to whom a question has been put may decline to answer.

29.5. An answer may take the form of:

- 29.5.1. a direct oral answer,
- 29.5.2. where the desired information is in a publication of the Council or other published work, a reference to that publication, or
- 29.5.3. where the reply cannot conveniently be given orally, a written answer circulated later to the questioner within 10 working days.
- 29.5.4. A Member asking a question under Standing Order 29.2 may ask one supplementary question without notice of the Member to whom the first question was asked. The supplementary question must arise directly out of the original question or the reply.

30. CONFIDENTIAL BUSINESS

- 30.1. No member of the Council shall disclose to any person not a member of the Council any business declared to be confidential by the Council.
- 30.2. The content of any document or report circulated to members which are marked EXEMPT or PRIVATE & CONFIDENTIAL shall not be disclosed to any other person. Such documents will usually be on pink paper.

31. CANVASSING OF AND RECOMMENDATIONS BY MEMBERS

- 31.1. If a candidate for any appointment under the Council is, to their knowledge, related to any Member of, or the holder of any office under the Council, they and the person to whom they are related shall disclose the relationship in writing to the Town Clerk.
- 31.2. A candidate who fails to do so shall be disqualified for such appointment and if appointed, may be dismissed without notice. The Town Clerk shall report to the Council or to the appropriate Committee or Sub-Committee any such disclosure. Where a relationship to a Member is disclosed, the Standing Orders on interests of Members in contracts and other matters shall apply.
- 31.3. Canvassing of Members or of any Committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment.
- 31.4. A Member of the Council shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion; but nevertheless, a Member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for employment.
- 31.5. Standing Orders 31 parts shall apply to tenders as if the person making the Tender were a candidate for any appointment

32. STANDING ORDERS GENERALLY

- 32.1. All or part of a standing order, except one that incorporates mandatory statutory or legal requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- 32.2. A motion to add to or vary or revoke one or more of the Council's standing orders, except one that incorporates mandatory statutory or legal requirements, shall be proposed by a special motion, the written notice by at least 3 councillors to be given to the Proper Officer in accordance with Standing Order 9.
- 32.3. The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible.
- 32.4. The decision of the chairman of a meeting as to the application of Standing Orders at the meeting shall be final.



Taunton Town Council

Financial Regulations & Internal Financial Controls

POLICY UPDATE TIMELINE

Policy Number	Version	Owner	Word File No.	PDF File No.	Date Published	Review Due	Review Team
FR 01	V 1	RFO	****	***	1 April 2023	1 Sept 2023	RFO

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FINANCIAL REGULATIONS

1. General

- 1.1. These Financial Regulations govern the conduct of financial management by the Council and may only be amended or varied by resolution of Full Council. Financial Regulations are one of the council's governing policy documents providing procedural guidance for Members and officers. Financial Regulations must be observed in conjunction with the Council's Standing Orders.
- 1.2. The Council is responsible in law for ensuring that its financial management is adequate and effective, and that the Council has a sound system of internal control which facilitates the effective exercise of the Council's functions, including arrangements for the management of risk.
- 1.3. The Council's accounting control systems must include measures:
 - 1.3.1. For the timely production of accounts
 - 1.3.2. That provide for the safe and efficient safeguarding of public money
 - 1.3.3. To prevent and detect inaccuracy and fraud; and
 - 1.3.4. For identifying the duties of officers.
- 1.4. These Financial Regulations demonstrate how the Council meets these responsibilities and requirements.
- 1.5. At least once a year, prior to approving the Annual Governance Statement, the Council must review the effectiveness of its system of internal control which shall be in accordance with proper practices.
- 1.6. Deliberate or willful breach of these Regulations by an employee may give rise to disciplinary proceedings.
- 1.7. Members of the Council are expected to follow the instructions within these Regulations and not to entice employees to breach them. Failure to follow instructions within these Regulations brings the office or Member into disrepute.
- 1.8. The Responsible Finance Officer (RFO) holds a statutory office to be appointed by the Council. The Council's Town Clerk has been appointed as RFO.
- 1.9. The RFO:
 - 1.9.1. Acts under the policy direction of the Council.
 - 1.9.2. Administers the Council's financial affairs in accordance with all Acts, Regulations and proper practices.
 - 1.9.3. Determines on behalf of the Council its accounting records and accounting control systems.
 - 1.9.4. Ensures the accounting control systems are observed.
 - 1.9.5. Maintains the accounting records of the Council up to date in accordance with proper practices.
 - 1.9.6. Assists the Council to secure economy, efficiency and effectiveness in the use of its resources; and
 - 1.9.7. Produces financial management information as required by the Council.

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

1.11. The accounting records determined by the RFO shall contain:

- 1.11.1. Entries from day to day of all sums of money received and expended by the Council and the matters to which the income and expenditure relate.
- 1.11.2. A record of the assets and liabilities of the Council.
- 1.11.3. Wherever relevant, a record of the Council's income and expenditure in relation to claims made, or to be made, for any contribution, grant or subsidy.

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

- 1.12.1. Ensure that the financial transactions of the Council are recorded as soon as reasonably practicable and as accurately and reasonably as possible.
- 1.12.2. Enable the prevention and detection of inaccuracies and fraud and the ability to reconstruct any lost records.
- 1.12.3. Identify the duties of officers dealing with financial transactions and division of responsibilities of those officers.
- 1.12.4. Ensure that uncollectable amounts, including any bad debts, with a value exceeding £5,000 are submitted to the Finance and Governance Committee for approval to be written off.
- 1.12.5. Ensure that measures are in place to enable risk to be properly managed.

1.13. The Council is not empowered by these Regulations or otherwise to delegate certain specified decisions including:

- 1.13.1. Setting the final budget or the precept.
- 1.13.2. Approving accounting statements.
- 1.13.3. Approving an annual governance statement.
- 1.13.4. Borrowing.
- 1.13.5. Writing off bad debts exceeding £5,000.
- 1.13.6. Declaring eligibility for the General Power of Competence; and
- 1.13.7. Addressing recommendations in any report from the internal or external auditors.

1.14. In addition, the Council must:

- 1.14.1. Determine and keep under regular review the bank mandate for all Council bank accounts.
- 1.14.2. Approve any grant or a single commitment in excess of £100,000; and

1.14.3. In respect of the annual salary for any employee have regard to recommendations about annual salaries of employees made by the Personnel Sub-Committee in accordance with its terms of reference.

1.15. In these Financial Regulations, references to the Accounts and Audit Regulations shall mean the Regulations issued under the provisions of section 27 of the Audit Commission Act 1998, or any superseding legislation, including the Local Audit and Accountability Act 2014, and then in force unless otherwise specified.

1.16. In these Financial Regulations, the term 'proper practice(s)' shall refer to guidance issued in *Governance & Accountability for Local Councils – a Practitioners' Guide (England)* issued by the Joint Practitioners Advisory Group (JPAG), available from the websites of NALC and the Society for Local Council Clerks (SLCC).

2. Accounting and Audit (Internal and External)

- 2.1. All accounting procedures and financial records of the Council shall be determined by the RFO in accordance with the Accounts and Audit Regulations, appropriate guidance and proper practices.
- 2.2. On a regular basis, at least once in each quarter, and at financial year end, the Chair of the Finance and Governance Committee shall verify bank reconciliations produced by the RFO. The Chair shall sign the reconciliations as evidence of verification. Any material discrepancies shall be reported to the Finance and Governance Committee.
- 2.3. The RFO shall complete the annual statement of accounts, annual report and any related documents of the Council contained in the Annual Return as soon as practicable after the end of the financial year and having certified the accounts shall submit them and report thereon to the Council within the timescales set by the Accounts and Audit Regulations.
- 2.4. The Council shall ensure that there is an adequate and effective system of internal audit of its accounting records, and of its system of internal control in accordance with proper practices. Any officer or Member of the Council shall make available such documents and records as necessary for the audit and shall, as directed by the Council, supply the RFO, internal auditor or external auditor with such information and explanation as necessary for that purpose.
- 2.5. The internal auditor shall be appointed by and shall carry out the work in relation to internal controls required by the Council in accordance with proper practices.
- 2.6. The internal auditor shall:
 - 2.6.1. Be competent and independent of the financial operations of the Council.
 - 2.6.2. Report to Council on a regular basis with a minimum of one annual report during each financial year.
 - 2.6.3. Demonstrate competence, objectivity and independence, and be free from any actual or perceived conflicts of interest; and

- 2.6.4. Not be involved in the financial decision making, management or control of the Council.
- 2.7. Internal or external auditors may not under any circumstances:
 - 2.7.1. Perform any operational duties for the Council.
 - 2.7.2. Initiate or approve accounting transactions; or
 - 2.7.3. Direct the activities of any Council employee, except to the extent those employees have been appropriately assigned to assist the internal auditor.
- 2.8. For the avoidance of doubt, in relation to internal audit the terms “independent” and “independence” shall have the same meaning as is described in proper practices.
- 2.9. The RFO shall arrange for the exercise of electors’ rights in relation to the accounts including the opportunity to inspect the accounts, books and vouchers and display or publish any notices and statements of account required by the Audit Commission Act 1998, or any superseding legislation, and the Accounts and Audit Regulations.
- 2.10. The RFO shall bring to the attention of all Members, at the next meeting of Full Council, any report from internal or external auditors.

3. Annual Estimates (Budget) and Forward Planning

- 3.1. The Finance and Governance Committee shall prepare a four-year forecast of revenue and capital income and expenditure. Having regard to the forecast, it shall thereafter formulate and submit proposals for the following financial year to Full Council not later than the end of January each year including any proposals for revising the forecast.
- 3.2. The RFO must each year, by no later than December, prepare detailed estimates of all income and expenditure including the use of reserves and all sources of funding for the following financial year in the form of a budget to be considered by the Finance and Governance Committee and subsequently by Full Council.
- 3.3. The Council shall consider annual budget proposals in relation to the Council’s four-year forecast of revenue and capital income and expenditure including recommendations for the use of reserves and sources of funding and update the forecast accordingly.
- 3.4. The Council shall fix the precept and relevant basic amount of council tax to be levied for the ensuing financial year not later than by the end of January each year. The RFO shall issue the precept to the billing authority and shall supply each Member with a copy of the approved annual budget.
- 3.5. The approved annual budget shall form the basis of financial control for the ensuing year.
- 3.6. The RFO shall maintain a minimum reserve equivalent to two months’ gross expenditure. This level shall be reviewed regularly to consider known capital projects which may impact on levels of reserves and cash flow during the year.

4. Budgetary Control and Authority to Spend

- 4.1. Expenditure on revenue items may be authorised up to the amounts included for that class of expenditure in the approved budget. This authority is determined by the Town Clerk and detailed in the Financial Authorisation Limits for Staff. Such authority is as stated in the Minutes of the Finance and Governance Committee held on ***** 2023. Contracts may not be disaggregated to avoid controls imposed by these regulations.
- 4.2. No expenditure may be authorised that will exceed the amount provided in the revenue budget for that service area other than by resolution of Finance and Governance Committee. During the budget year, the RFO, having considered fully the implications for public services, may move unspent and available amounts to other budget headings or to an earmarked reserve as appropriate (“virement”). All budget virements exceeding £30,000 will be reported to the Finance and Governance Committee.
- 4.3. Unspent provisions in the revenue budget, recurring capital budgets or completed non-recurring capital budgets, shall not be carried forward to a subsequent year. Unspent provisions for uncompleted non-recurring capital budgets may be carried forward following approval of the RFO.
- 4.4. The salary budgets are to be reviewed at least annually in October for the following financial year and such review shall be subject to approval by the Town Clerk.
- 4.5. In cases of extreme risk to the delivery of Council services, the Town Clerk may authorise revenue expenditure on behalf of the Council which in the Clerk’s judgement it is necessary to carry out. Such expenditure includes repair, replacement or other work, whether or not there is any budgetary provision for the expenditure, subject to a limit of £50,000. The Town Clerk shall report such action to the Chair of the Finance and Governance Committee as soon as possible and to the Finance and Governance Committee as soon as practicable thereafter.
- 4.6. No expenditure shall be authorised in relation to any capital project and no contract entered into or tender accepted involving capital expenditure unless the Council is satisfied that the necessary funds are available, or the requisite borrowing approval has been obtained if applicable.
- 4.7. All capital works shall be administered in accordance with the Council’s Standing Orders and Financial Regulations relating to contracts.
- 4.8. The RFO shall regularly provide the Council with a statement of income and expenditure to date under each budget heading, comparing actual expenditure to the appropriate date against that planned as shown in the budget. These statements are to be prepared at least at the end of each financial quarter and shall show explanations of material variances. For this purpose, “material” shall be in excess of £30,000 of the budget.
- 4.9. Changes in earmarked reserves shall be approved by Full Council as part of the budgetary control process.

5. Banking Arrangements and Authorisation of Payments

- 5.1. The Council's banking arrangements, including the bank mandate, shall be made by the RFO, approved by Full Council and regularly reviewed for safety and efficiency. Any transfer of monies between bank accounts shall be made by the RFO. Banking arrangements may not be delegated to a Committee.
- 5.2. The RFO shall have delegated authority to prepare a schedule of payments, together with the relevant invoices, in respect of all authorised items of expenditure. All payments shall require dual authorisation undertaken by the RFO, and a designated Member approved by Full Council.
- 5.3. All invoices for payment shall be examined, verified and certified by the relevant budget holder in accordance with the Scheme of Delegation, or the RFO as appropriate, to confirm that the work, goods or services to which each invoice relates has been received. Invoices shall be posted to the appropriate expenditure heading in the general ledger following certification.
- 5.4. All invoices shall be checked for arithmetical accuracy, and a supporting order where applicable, and allocated to the appropriate expenditure heading. The RFO shall take all reasonable steps to pay all invoices submitted, and which are in order, in accordance with supplier payment terms and conditions.
- 5.5. In respect of expenditure on grants, expenditure shall be approved by the Finance and Governance Committee within budgetary limits and in accordance with any applicable policy.

6. Instructions for the Making of Payments

- 6.1. The Council shall ensure that it has in place safe and efficient arrangements for the making of its payments.
- 6.2. The RFO shall have delegated authority to process payments in respect of all authorised items of expenditure as and when, and on a timely basis, to ensure that all invoices are paid in accordance with terms as far as is practicable.
- 6.3. All payments shall be by BACs. In exceptional circumstances where payment is required by cheque, these shall be signed by the RFO and a designated Member.
- 6.4. Where internet banking arrangements are made with any bank, the RFO shall be appointed as Systems Administrator. The bank mandate approved by Full Council shall clearly state the officers and Members authorised to approve transactions, and the value of those transactions.
- 6.5. Corporate credit cards and trade card accounts opened by the Council shall be specifically designated to named officers, as approved by the RFO, and shall be subject to automatic payment in full each month. Personal debit or credit cards shall not be used under any circumstances.
- 6.6. The RFO shall maintain petty cash floats for the purpose of defraying operational and other expenses. Vouchers for payments made from petty cash shall be kept to substantiate the payment and evidence a claim for reimbursement.

7. Payment of Salaries

- 7.1. As an employer, the Council shall make arrangements to meet fully the statutory requirements placed on all employers by PAYE and National Insurance legislation. The payment of all salaries shall be made in accordance with payroll records and the rules of PAYE and National Insurance currently operating, and salary rates shall be as agreed by the Council.
- 7.2. Payment of salaries and deductions from salary such as may be required for tax, national insurance and pension contributions, or similar statutory or discretionary deductions, must be made in accordance with the payroll records and on the appropriate dates stipulated in employment contracts.
- 7.3. Payments to employees of net salary and to appropriate creditors of the statutory and discretionary deductions shall be confidential. These confidential records are not open to inspection or review (under the Freedom of Information Act 2000 or otherwise) other than:
 - 7.3.1. By any Member who can demonstrate a need to know;
 - 7.3.2. By the internal or external auditor; or
 - 7.3.3. By any person authorised under the Audit Commission Act 1998 or any superseding legislation.
- 7.4. The payroll process shall be undertaken by the RFO in conjunction with another authorised senior officer. Forms for new starters and all subsequent changes to staff terms and conditions, shall be authorised by the relevant line manager and the Town Clerk.
- 7.5. Any termination payments shall be supported by a clear business case and reported to the Personnel Sub-Committee. Termination payments shall only be authorised by Full Council.

8. Loans and Investments

- 8.1. All borrowings shall be in the name of the Council, after obtaining any necessary borrowing approval. Any application for borrowing shall be approved by Full Council as to terms and purpose and subsequent arrangements.
- 8.2. Any financial arrangement which does not require formal borrowing approval from the Secretary of State, such as hire purchase or leasing of tangible assets, shall be subject to approval by Full Council. A report in writing shall be provided to Full Council in respect of value for money for the proposed transaction.
- 8.3. All loans and investments shall be negotiated in the name of the Council and shall be for a set period in accordance with the Council's Annual Investment Strategy which shall be reviewed by Full Council annually, and be in accordance with relevant Regulations, proper practices and guidance.
- 8.4. All investments and money under the control of the Council shall be in the name of the Council.
- 8.5. All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.

9. Income

- 9.1. The collection of all sums due to the Council shall be the responsibility of and under the supervision of the RFO.
- 9.2. Fees and charges to be made for work done, services rendered, or goods supplied shall be reviewed and agreed by the Finance and Governance Committee, and subsequently by Full Council, as part of the annual budget setting process.
- 9.3. Any sums found to be irrecoverable, and any bad debts shall be written off by the RFO in the year. All such sums and debts more than £5,000 shall be reported to the Finance and Governance Committee prior to such items being written off.
- 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. Personal cheques shall not be cashed out of money held on behalf of the Council.
- 9.6. The RFO shall promptly complete any VAT Return that is required. Any repayment claims due in accordance with the VAT Act 1994 section 33 shall be made quarterly.
- 9.7. Where any significant sums of cash are regularly received by the Council, the RFO shall take such steps 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, and that appropriate arrangements are in place to ensure the security of cash taken for deposit.
- 9.8. Any income arising which is the property of a charitable trust shall be paid into a charitable bank account. Instructions for the payment of funds due from the charitable trust to the Council (to meet expenditure already incurred by the authority) will be given by the Managing Trustees of the charity meeting separately from any Council meeting.

10. Orders for Work, Goods and Services

- 10.1. An official order or letter shall be issued for all work, goods and services unless a formal contract is to be prepared or an official order would be inappropriate. Copies of orders shall be retained.
- 10.2. All Members and officers are responsible for obtaining value for money at all times. An officer issuing an official order shall ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction, usually by obtaining three or more quotations or estimates from appropriate suppliers, subject to any de minimis provisions in Regulation 11.8 below.
- 10.3. A Member may not issue an official order or make any contract on behalf of the Council.

11. Contracts

- 11.1. Every contract shall comply with these Financial Regulations, and no exceptions shall be made otherwise than in an emergency provided that this regulation need not apply to contracts which relate to items 11.1.1 to 11.1.6 below:
- 11.1.1. For the supply of gas, electricity, water, sewerage and telephone services.
 - 11.1.2. For specialist services such as are provided by legal professionals acting in disputes.
 - 11.1.3. For work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant.
 - 11.1.4. For work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the Council.
 - 11.1.5. For additional audit work of the external auditor.
 - 11.1.6. For goods or materials proposed to be purchased which are proprietary articles and / or are only sold at a fixed price.
- 11.2. Where the Council intends to procure or award a public supply, public service or public works contract as defined by the Public Contracts Regulations 2015 which is valued at £30,000 or more, the Council shall comply with the relevant requirements of the Regulations:
- 11.2.1. To use the Contract Finder website to advertise contract opportunities.
 - 11.2.2. Set out the procedures to be followed in awarding new contracts; and
 - 11.2.3. To publicise the award of new contracts.
- 11.3. The full requirements of the Public Contracts Regulations 2015, as applicable, shall be followed in respect of the tendering and award of a public supply, public service or public works contract which exceed thresholds set by the Public Contracts Directive 2014/24/EU (per Article 4). See Note below at 11.6.
- 11.4. When applications are made to waive Financial Regulations relating to contracts to enable a price to be negotiated without competition the reason shall be embodied in a recommendation to the Town Clerk.
- 11.5. Invitations to tender shall state the general nature of the intended contract and the Town Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the Town Clerk. Each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract.

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

Note: Thresholds currently applicable (as at 1 January 2022) are:

For public supply and public service contracts £213,477.

For public works contracts £5,336,937

11.7. Any invitation to tender issued under the Public Contracts Regulations 2015 shall be subject to Standing Order 18 (Financial Controls and Procurement) and shall refer to the terms of the Bribery Act 2010.

11.8. When the Council is to enter into a contract of less than £30,000 in value for the supply of goods or materials or for the execution of works or specialist services other than as are excepted in Regulation 11.1 above, three quotations shall be obtained. Where the value is below £10,000 and above £500 officers will strive to obtain three estimates.

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

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

12. Payments under Contracts for Building or Other Construction Works

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

12.2. Where contracts provide for payments by instalments the RFO shall maintain a record of all such payments. In any case where it is estimated that the total cost of the work carried out under a contract, excluding agreed variations, will exceed the contract sum by 10% or more a report shall be submitted to the Finance and Governance Committee.

12.3. Any variation to a contract or addition to or omission from a contract must be approved by the RFO or delegated officer to the contractor in writing.

13. Stores and Equipment

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

- 13.2. Delivery notes shall be obtained in respect of all goods received into store or otherwise delivered and goods must be checked as to order and quality at the time delivery is made.
- 13.3. Stocks shall be kept at minimum levels consistent with operational requirements.
- 13.4. The officer in charge of each function shall be responsible for ensuring periodic checks of stocks and stores at least annually.

14. Assets, Properties and Estates

- 14.1. The Town Clerk shall make appropriate arrangements for the custody of all title deeds and Land Registry Certificates of properties held by the Council and ensure a record is maintained of all properties held by the Council, recording the extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held in accordance with Accounts and Audit Regulations.
- 14.2. No tangible moveable property shall be purchased or otherwise acquired, sold, leased or otherwise disposed of, without the authority of the Finance and Governance Committee, together with any other consents required by law, save where the estimated value of any one item of tangible movable property does not exceed £25,000.
- 14.3. No real property (interests in land) shall be purchased, acquired, sold, leased or otherwise disposed of without the authority of Full Council, together with any other consents required by law. In each case, a report in writing shall be provided to Full Council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).
- 14.4. The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date. The continued existence of tangible assets shown in the Register shall be verified annually.

15. Insurance

- 15.1. The RFO shall keep a record of all insurances effected by the Council and the property and risks covered thereby and annually review it. The RFO shall effect all insurances through an approved broker who will negotiate all claims with the Council's insurers on the Council's behalf.
- 15.2. The RFO shall constantly review all new risks, properties or vehicles which require to be insured and of any alterations affecting existing insurances.
- 15.3. The RFO shall be notified promptly of any loss, liability or damage or of any event likely to lead to a claim.

15.4. All appropriate employees and Members of the Council shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined by the Council.

16. Charities

16.1. Where the Council is the sole managing trustee of a charitable body the RFO shall ensure that separate accounts are kept of the funds held on charitable trusts and separate financial reports made in such form as shall be appropriate, in accordance with Charity Law and legislation, or as determined by the Charity Commission.

16.2. The RFO shall arrange for any audit or independent examination as may be required by Charity Law or any Governing Document.

17. Risk Management

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

18. Suspension and Revision of Financial Regulations

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

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

INTERNAL FINANCIAL CONTROLS

1. General

- 1.1. The Council has in place Standing Orders, Financial Regulations and Policies and Procedures which act as the framework for financial and other internal controls within the Council. All staff are required to act in accordance with these rules and regulations when carrying out their duties.
- 1.2. The Responsible Finance Officer (RFO) has a statutory responsibility under Section 151 of the Local Government Act 1972 to “make arrangements for the proper administration of [the Council’s] financial affairs.”
- 1.3. The Council has adopted Financial Codes of Practice and Accounting and requires managers to ensure that departmental instructions exist in relation to the Council’s activities.
- 1.4. The Council has developed and is committed to having in place systems and procedures which incorporate efficient and effective internal controls, adequate separation of duties wherever possible, and risk and performance management.

2. Internal Controls

- 2.1. A system of checks and balances shall be in place to ensure no one person has control over all parts of a financial transaction.
 - 2.1.1. All purchases, payroll and disbursements shall be authorised by two designated officers and / or Members, in accordance with Annex B.
 - 2.1.2. The receipting of customer payments shall be undertaken by a different Finance Officer to the officer that raised the sales invoices, wherever possible.
 - 2.1.3. Managers shall approve and sign payroll overtime payments, expenses and travel claims before the payroll is prepared.
 - 2.1.4. The payroll shall be run by the RFO approving all net salary payments prior to payment.
- 2.2. The Council’s bank statement shall be reconciled every month.
 - 2.2.1. The bank reconciliation shall be completed every month and filed with the bank statements.
 - 2.2.2. The bank reconciliation shall be checked and finalised by the RFO, and the Chair of the Finance and Governance Committee will sign and date the reconciliation.
- 2.3. Holding accounts for tickets and other goods sold on behalf of third parties shall be regularly reconciled.
- 2.4. The Council’s corporate credit cards shall be used for business purposes only.
 - 2.4.1. It is strictly prohibited to use corporate credit cards for personal use with subsequent re-imbusement.

- 2.4.2. Corporate credit cards shall be kept securely when not in use.
 - 2.4.3. All purchases by corporate credit cards shall be supported by a VAT invoice and / or a receipt for the purchase, as applicable.
 - 2.4.4. Purchasing limits as defined by the Scheme of Delegation shall apply when any officer uses a corporate credit card.
- 2.5. The Council's fuel cards shall be used for business purposes only:
- 2.5.1. It is strictly prohibited to use fuel cards for personal use with subsequent reimbursement.
 - 2.5.2. All fuel purchases shall include the driver's name and vehicle registration number.
- 2.6. Council provided mobile devices shall be used only in accordance with the requirements as laid down in Council policies regarding the proper use of mobile devices.
- 2.7. Petty cash floats shall be the responsibility of the officer to whom they are assigned and held securely by that responsible officer.
- 2.7.1. All expenditure shall be accompanied by a petty cash slip signed by the delegated officer and accompanied by a VAT receipt where applicable.
 - 2.7.2. The petty cash slip shall detail a summary of the goods purchased.
 - 2.7.3. Petty cash floats shall be reconciled monthly and checked by the RFO prior to a replenishment cheque being prepared and signed in accordance with Annex B.
- 2.8. Cheques payable to cash shall be limited to the reimbursement of petty cash only. Only in exceptional circumstances, and with the authority of the RFO, shall any other cheque be payable to cash.

3. Internal Audit

- 3.1. The Council shall employ an independent auditor to carry out internal audits of the Council's systems and procedures. Such a review shall seek to ensure that financial controls are operating effectively and provide assurance that the Council's services are operating in an effective, efficient and economic manner.
- 3.2. The Council shall facilitate effective internal audit by enabling full access to its premises and records to enable reasonable tests and checks to be undertaken, and to ensure that the internal auditor is able to request and receive any explanations as are necessary concerning any matter under examination.

ANNEX A

RESPONSIBLE FINANCE OFFICER - DUTIES AND RESPONSIBILITIES

The Responsible Finance Officer (RFO), under the policy direction of the Council, shall be responsible for the proper administration of the Council's financial affairs. Allowing that delegation to other members of staff may be necessary, the primary RFO's duties and responsibilities are to:

1. Prepare financial reports for the Council and Committees as required. These reports shall cover budget monitoring, fund balances, receipts, payroll, payments of accounts and other relevant financial matters.
2. Prepare draft estimates which, when approved by the Council will form the annual budget for monitoring and control purposes, as well as report on comparisons between actual and budgeted expenditure to appropriate committees and the Council.
3. Submit the precept to the unitary authority or any successor principal authority.
4. Control the banking of all money received and payments expended by the Council, manage cash flow and control investments and bank transfers.
5. Ensure that all money due to the Council is invoiced, collected and banked promptly.
6. Identify the duties of all officers responsible for financial transactions and ensure, as far as possible, the division of responsibilities of those officers to avoid potential conflict.
7. Control and manage all payments by BACS, direct debit, cheque and cash.
8. Undertake the overall management of payroll and ensure the timely payment of salaries, income tax and national insurance, other statutory payments, Pension contributions and voluntary deductions at the correct times.
9. Ensure the timely submission of VAT returns.
10. Ensure that all invoices for payment are allocated to the correct expenditure heads.
11. Ensure the timely production of the Annual Return and Accounting Statements for external audit and report to the appropriate committee and Council in accordance with appropriate legislation.
12. Monitor compliance with the Council's Financial Regulations.
13. Maintain the Council's Asset Register as required by paragraph 14.4 of the Regulations.
14. Ensure all appropriate insurances are in place.

ANNEX B

SAFEGUARDING PUBLIC MONEY – REPEAL OF SECTION 150(5) OF LGA 1972

Following the repeal of Section 150(5) of the Local Government Act 1972, local councils in England may safely take advantage of modern payment methods while protecting the public assets in their care, through the application of the Joint Practitioners Advisory Group Paper (JPAG Issue 20120725) entitled Safeguarding Public Money - A framework to safeguard public money for local councils in England.

This Paper is detailed in the National Association of Local Councils' (NALC's) The Good Councillors' Guide under Section 7 - Rules for Dealing with Public Money.

In accordance with the guidance provided in JPAG Issue 20120725, local councils, through the roles and responsibilities of members, must have in place safe and efficient arrangements to safeguard public money (clause 15), and review regularly the effectiveness of their arrangements (clause 14). Councils must arrange for:

- the proper administration of their financial affairs by ensuring that controls over money are embedded in Standing Orders and Financial Regulations, and
- establish an officer as holding responsibility for those affairs, such as the RFO.

Councils may delegate the role of protecting money to individuals, for example to the Clerk or the RFO, however legal responsibility cannot be delegated so it remains with the council and its members.

The requirement under the repealed Section 150(5) of the LGA, as stated under clause 10 of the guidance, that 'every cheque or other order for the payment of money shall be signed by two members of the council' remains good practice although it is no longer law. Therefore, Councils must put in place safe and efficient arrangements in accordance with the clause 15 of the JPAG guidance. Such arrangements must include:

- councils approving every bank mandate,
- holding a list of authorised signatures for each account,
- determining the limits of authority for each account signature, and
- determining the limits of authority for any amendments to mandates.

Authorised Members and Officers and Designated Limits

Type of Payment	Designated Limit	Authorised Persons (at least three)
BACs Payments, Bank Transfers, Cheques, Direct Debits and Other Bank Deductions	Up to £100,000	Town Clerk and Designated Members/Staff
	Over £100,000	Designated Members



TAUNTON TOWN COUNCIL

SCHEME OF DELEGATION

1. COMMITTEES OF THE COUNCIL

1.1. The Council will appoint 3 Standing Committees:

1.1.1. The Finance and Governance Committee

1.1.2. The Community Services Committee

1.1.3. The Planning, Development & Transportation Committee

1.2. The Council will appoint 2 Sub-Committees:

- 1.2.1. The Personnel Sub-Committee
- 1.2.2. The Grants Sub-Committee
- 1.3. The Council may determine the membership of any or all committees without the need to amend Standing Orders.
- 1.4. Any member of the Town Council may attend meetings of any committee of which they are not a member. They must declare that they are not a member, may speak on any matter only with the permission of the Chair and shall not vote.
- 1.5. Members shall be appointed to the committees in a manner which as nearly as practicable reflects the membership of the political groups represented on the Council.

2. FULL COUNCIL

2.1. Matters Reserved For Full Council

- 2.1.1. Setting the precept and approval of the Council's budget
- 2.1.2. Approval of the Annual Accounts
- 2.1.3. Completion of the Annual Return including the Governance Statement
- 2.1.4. The making, amending or revoking of Standing Orders, Financial Regulations and this Scheme of Delegation
- 2.1.5. Adoption or revision of the Council's Code of Conduct.
- 2.1.6. Confirmation (by resolution) that the Council has satisfied the statutory criteria to exercise the General Power of Competence
- 2.1.7. Matters of principle or policy
- 2.1.8. Nomination or appointment of representatives of the Council to outside bodies (except approved conferences or meetings)
- 2.1.9. Nomination or appointment of representatives of the Council at any inquiry on matters affecting the Council, excluding those matters specific to a committee
- 2.1.10. The making, amending or revoking of byelaws
- 2.1.11. Authorisation as to terms and purpose for any application for Borrowing Approval
- 2.1.12. Approval of purchase, acquisition by other means, lease, sale or disposal of land and property
- 2.1.13. Dismissal of the Town Clerk
- 2.1.14. Dismissal of the RFO (if a separate post)

3. THE FINANCE AND GOVERNANCE COMMITTEE

3.1. Membership and Frequency of Meeting:

3.1.1. 9 members of the Council who will meet as a committee at least 4 times per year

3.1.2. Members to be appointed by Full Council each year

3.2. Matters for consideration and determination:

3.2.1. All matters relating to Finance, including the recommendation of the approval of the Year End Accounts & approval of the Annual Return (Statement of Accounts) to Full Council

3.2.2. To receive all recommendations from the Community Services committee and approve, or otherwise, all matters relating to grants and donations

3.2.3. All matters relating to Internal Audit

3.2.4. Recommendations to Full Council on the proposed Capital and Revenue Budgets of all Council services and activities

3.2.5. Health and Safety

3.2.6. Corporate Governance and Risk Management

3.2.7. Approval of Leases and Licences

3.2.8. Democratic Representation

3.2.9. Any other matter which may be delegated to it by the Full Council from time to time

4. THE COMMUNITY SERVICES COMMITTEE

4.1. Membership and Frequency of Meeting:

4.1.1. 9 members of the Council who will meet as a committee at least 4 times per year

4.1.2. Members to be appointed by Full Council each year.

4.2. Matters for consideration and determination - the strategic management of the following for which there is a previously approved revenue budget, all matters relating to:

4.2.1. Business Services which includes the Offices, Support Services, Communications, Media management.

4.2.2. Customer Service issues

- 4.2.3. Community Services which includes Community Development
- 4.2.4. Environmental Services which includes – Facilities, Street Scene, Parks & Open Spaces, Cemeteries, allotments
- 4.2.5. Environmental Action Plan and associated matters – which includes the monitoring and delivery of any Green / Sustainability plans
- 4.2.6. All matters related to Markets of any form
- 4.2.7. All matters related to Council Events
- 4.2.8. All matters relating to the Mayoral role
- 4.2.9. Any other matter which may be delegated to it by the Full Council from time to time
- 4.2.10. Any matter requiring additional or new budget provision outside that previously agreed by the Council in respect of the above work areas shall be referred to the Finance and Governance Committee for final consideration and determination

5. THE PERSONNEL SUB-COMMITTEE

5.1. Membership and Frequency of Meeting:

5.1.1. 5 members of the Council who will meet as a Sub-Committee as required but at least once per year.

5.1.2. Members to be appointed by Full Council each year.

5.2. Matters for consideration and determination – provided they have no impact on approved budgets

5.2.1. Recommendations to Full Council concerning dismissal of the Town Clerk

5.2.2. Recommendations to Full Council concerning the dismissal of the RFO (if a separate post)

5.2.3. Final decision on staff structures and consideration of staffing reviews

5.2.4. Salaries & Conditions of service

5.2.5. Approval of employment policies, in accordance with TTC's Policy Management Policy

5.2.6. Matters related to grievance, disciplinary and capability matters for the Town Clerk, in accordance with the Council's Grievance Policy and the Council's Disciplinary & Appeals Policy

5.2.7. Appraisal of the Town Clerk

5.2.8. Consideration of appeal against dismissal by Senior Managers, in accordance with the Council's policies

- 5.2.9. Determining the procedure for the recruitment of a Clerk and RFO when required.
- 5.2.10. Recommendations to Full Council for appointment of a Clerk or RFO when required.
- 5.2.11. Any matter requiring additional or new budget provision outside that previously agreed by the Council in respect of the above work areas shall be referred to the Finance and Governance committee for final consideration and determination
- 5.2.11. Any matter may be referred by the Committee to the Full Council or other committee for information or final approval

6. THE PLANNING AND DEVELOPMENT COMMITTEE

6.1. Membership and Frequency of Meeting:

- 6.1.1. 9 members of the Council who will meet as a committee often enough to provide an effective response to planning applications
- 6.1.2. Members to be appointed by Full Council each year.

6.2. Matters for consideration and determination:

- 6.2.1. To comment on planning applications received from the local planning authority
- 6.2.2. To comment on behalf of the Council on Local Plans, Structure Plans, Mineral Plans, Waste Plans, Regional Plans and any other Plan or Studies as considered appropriate, including routine transport issues
- 6.2.3. To comment on Licensing matters received from the local licensing authority
- 6.2.4. To comment on Highway Improvement and Traffic Survey requests as required
- 6.2.5. Street naming when requested
- 6.2.6. To make recommendations regarding waiting restrictions within the Town
- 6.2.7. Consideration of the Community Area Transport Group recommendations
- 6.2.8. Taunton Neighbourhood Development Plan updates
- 6.2.9. Any other matter which may be delegated to it by the Full Council from time to time

7. THE GRANTS SUB COMMITTEE

7.1. Membership and Frequency of Meeting:

7.1.1. 7 members of the Council who will meet as a Sub-Committee as often as is required to administer the Council's Grants programme

7.1.2. Members to be appointed by Full Council each year.

7.2. Matters for consideration and determination:

7.2.1. Administration and initial assessment and recommendations to the Finance and Governance committee in relation to grant applications and in accordance with the Council's Grants Policy

8. OTHER COMMITTEE MATTERS

8.1. There are no other Standing Committees or Sub-Committees, but they may be formed by resolution of the Council at any time and delegated powers may be decided upon at the time the committee or sub-committee is formed by means of a minute detailing the terms of reference.

8.2. Any Committee may refer matters on which it has delegated authority to the Full Council or other committee for a final decision if it so wishes

9. WORKING OR STEERING GROUPS

9.1. Working Groups may be formed by resolution of Full Council or a committee at any time.

9.2. The work of such a working or steering group will be decided upon at the time it is formed by means of a minute detailing the terms of reference which will consider the purpose of the working group, its membership, frequency of meetings, accountability & reporting and areas of interest.

9.3. Working or Steering Groups will report back with recommendations to Full Council, or the committee that formed it, from time to time and as appropriate.

10. TOWN CLERK

10.1. The Town Clerk has the delegated authority to undertake the following matters on behalf of the Council.

10.2. The day to day administration and management of services, together with routine inspection and control.

- 10.3 Day to day supervision, control and management of all staff employed by the Council including appointment, disciplinary and dismissal, unless otherwise stated in other Council policies.
- 10.4. Authorisation of routine expenditure within the agreed budget.
- 10.5. Emergency expenditure up to £50,000 outside the agreed budget, to be reported at the next Council meeting.
- 10.6. Accepting tenders for the supply of goods or services for which budget provision is available and authority delegated.
- 10.7. Submission of comments/feedback on behalf of the Town Council to notifications of Planning applications in the area, when required and in the occasion where there is an inability of the Planning Committee to meet within the required deadlines.
- 10.8. Delegated actions of the Town Clerk shall be in accordance with the Standing Orders and Financial Regulations, and with directions given by Council from time to time.

11. DELEGATION - LIMITATIONS

- 11.1. Committees and Sub-Committees shall, at all times, act in accordance with the Council's Standing Orders and Financial Regulations, and where applicable, any other rules, regulations, schemes, statutes, byelaws or orders made and with any directions given by the Council from time to time.



TAUNTON TOWN COUNCIL

DISPENSATIONS POLICY

POLICY UPDATE TIMELINE:

Policy Number	Version	Owner	Word File No.	PDF File No.	Date Published	Review Due	Review Team
DP 01	1	TC	****	****	1 April '23	Sept '23	TC

Distribution:

Internal: All TTC Staff

External: Website / Councillors / Partners

Procedure for the Granting of Dispensations by the Town Clerk:

1. Introduction:

- 1.1. At the meeting of the Full Council on ***** 2023 it was agreed that the Town Clerk may grant a dispensation to a councillor who has a Disclosable Pecuniary Interest to participate in any discussion of a matter at a meeting and / or to participate in any vote on the matter if they consider that:
 - 1.1.1. Without the dispensation, the number of members prohibited from participating in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of business
 - 1.1.2. Without the dispensation the representation of different political groups of the Council transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business
 - 1.1.3. Granting the dispensation is in the interests of persons living in the Council's area or
 - 1.1.4. It is otherwise appropriate to grant a dispensation.
- 1.2. When considering their decision, the Town Clerk will take onto account the following factors:
 - 1.2.1. The nature of the councillor's interest, e.g: is it substantial or remote?
 - 1.2.2. The need to maintain public confidence in the conduct of the council's business
 - 1.2.3. The need for efficient and effective conduct of the council's business
 - 1.2.4. The councillor's particular expertise or knowledge in the matter that may be useful in its consideration (e.g: the councillor could be granted a dispensation to speak but not to vote)
 - 1.2.5. The interest is common to the councillor and a significant proportion of the inhabitants of the authority's area
 - 1.2.6. Any other relevant circumstances
- 1.3. For potential controversial dispensations the Town Clerk will refer the granting of the dispensation to the Chair of the meeting at which the issue is due to be discussed. The Town Clerk will forward the request for dispensation to the Chair of that committee and inform the member requesting the dispensation that this is their decision.

2. Procedure:

- 2.1. Any councillor who wishes to apply for a dispensation must do so in writing. The Dispensation Request Form is attached to the procedure.
- 2.2. The written request must be made to the Town Clerk as soon as possible before the meeting at which the dispensation is required.

2.3. Dispensation applications should not be made at the council meeting at which the business itself is to be discussed unless the nature of the interest has only become apparent to the councillor at that meeting. Where a dispensation request is being considered by a meeting of the council, the councillor making the request may participate and vote on the business of whether to grant the dispensation.

3. Terms of Dispensations:

3.1. Dispensations may be granted:

- 3.1.1. for one or more meetings of the council, or
- 3.1.2. for a period not exceeding four years

3.2. In either case, the dispensation must specify the period for which it has effect.

4. Notification and Disclosure of Decision:

- 4.1. The Town Clerk will notify the councillor as soon as possible of the decision taken.
- 4.2. A sample dispensation decision notice is attached to this overleaf to this procedure
- 4.3. Any councillor who has been granted a dispensation must declare the nature and existence of the dispensation before the commencement of any business to which it relates.
- 4.4. A copy of any dispensation granted will be forwarded to the Monitoring Officer of Somerset Council and kept with the Register of Councillor's interests.
- 4.5. There is a flowchart attached to this procedure for guidance

Taunton Town Council

Councillor's Request for Dispensation to be granted by the Town Clerk

Councillors seeking dispensations under Section 33 of the Localism Act 2011 may do so using this Form.

The matter for which dispensation is sought (refer to agenda item number, date of meeting etc if appropriate)	
Details of your interest in that matter:	
Date of meeting or time period (up to 4 years) for which dispensation is sought	
Dispensation requested to: participate, or participate further, in any discussion of that matter	Yes / No
Dispensation requested to: participate in any vote, or further vote , taken on that matter	Yes / No
REASON(S) FOR DISPENSATION	
33(2)(a) without the dispensation the number of persons unable to participate in the transaction of business would be so great as to impede the transaction of the business	Yes / No
33(2)(b) without the dispensation the representation from different political groups of the Council transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business	Yes / No
33(2)(c) the dispensation is in the interests of persons living in the council's area	Yes / No
33(2)(e) that it is otherwise appropriate to grant a dispensation	Yes / No

Details of reason why you are requesting a dispensation :		
Name:		
Signature:		
Date:		

DECISION:	
Dispensation given:	YES / NO / Refer to committee
Length of Dispensation :	
Date:	
Signed:	TOWN CLERK

Dispensation Decision Notice:

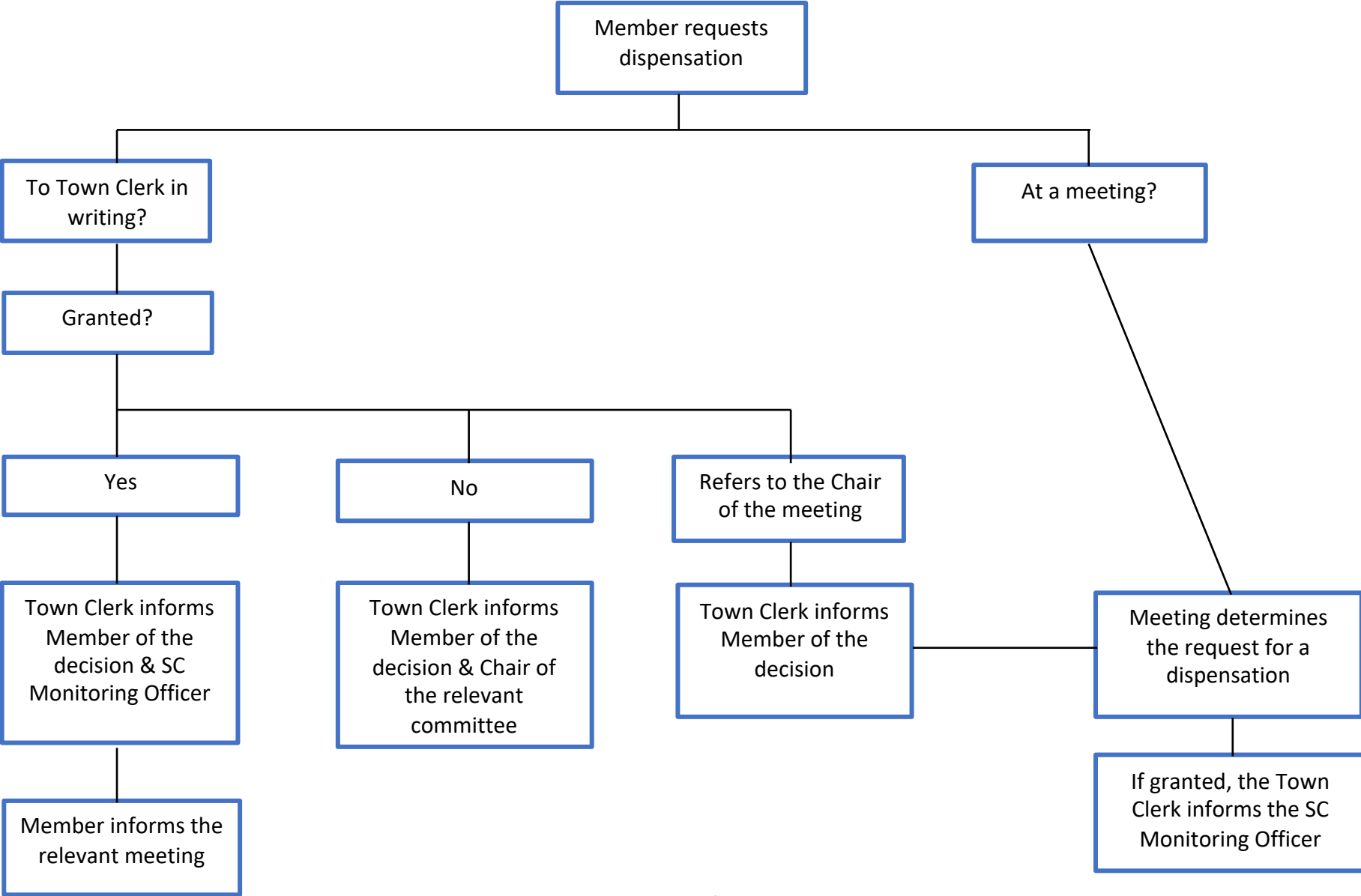
Taunton Town Council

Date Dispensation Request Considered	
Name of Councillor requesting dispensation	
Dispensation Grants	Yes / No / Referred to Chair (given name of committee)
Reasons for the Decisions (if granted, also specify on what ground decision was made, in, the dispensation is in the interests of persons living in the Town area	
The business of the Council for which the dispensation is being given (if appropriate)	
Length of Dispensation	
Signed	
Date	

Councillors are reminded that once they have been granted a dispensation that they must declare the nature and existence of the dispensation before the commencement of the any business to which it relates.

A copy of this dispensation decision notice will be forwarded to the Monitoring Officer of Somerset Council and kept with the Register of Councillors interests.

FLOWCHART FOR THE ISSUE OF A MEMBER DISPENSATION:





Taunton Town Council

Annual Investment Strategy

POLICY UPDATE TIMELINE

Policy Number	Version	Owner	Word File No.	PDF File No.	Date Published	Review Due	Review Team
AIS 01	V 1	TC	****	****	1 April 2023	1 Sept 2023	TC

Distribution:

Internal: All TTC Staff

External: Website / Councillors / Partners

Annual Investment Strategy

1. General:

- 1.1 Taunton Town Council (the Council) acknowledges the importance of prudent investment of treasury funds through adherence to the Statutory Guidance on Local Government Investments (3rd Edition) issued under section 15(1)(a) of the Local Government Act 2003, effective from 1 April 2018.
- 1.2 This Strategy should be read in conjunction with the Council's Financial Regulations and Internal Financial Controls.
- 1.3 This Strategy sets out the requirement to achieve the prudent management of treasury balances throughout the financial year.
- 1.4 This Strategy sets out to balance its investments with the Council's duty to manage daily revenue expenditure alongside an affordable capital programme.

2. Investment Objectives:

- 2.1 Under Section 12 of the 2003 Act, a local authority has the power to invest for "any purpose relevant to its functions under any enactment, or for the purposes of the prudent management of its financial affairs".
- 2.2 The policy of the Council is to ensure that its investments contribute to the objectives of the local authority and its functions, through effective treasury management activities and the prudent management of its finances. The policy will adhere to the principle to prioritise Security, Liquidity and Yield in that order of importance, and to ensure that any risks are effectively mitigated.

3. Liquidity of Investments:

- 3.1 The Town Clerk, in consultation with the Chair of the Council, will determine the period investments can be prudently committed and shall risk assess fixed term investments.
- 3.2 The Town Clerk may, with due consideration to the economic climate, the Council's current resources and liquidity, its expenditure commitments and contingencies, determine that none of the Council's balances can be prudently committed to fixed term or longer-term investments.

4. Specified Investments:

- 4.1 A specified investment, as provided in paragraph 31 of the Statutory guidance, is one where:
 - The investment and any payments in respect of the investment are in sterling.

- The investment is not long term, such that the local authority has contractual right to repayment within 12 months if required.
- The making of the investment is not defined as capital expenditure by Regulation 25(1)(d) of the Local Authorities (Capital Finance and Accounting) (England) Regulations 2003
- The investment is made with a body or investment scheme of “high credit quality” or the United Kingdom Government, a local authority (as defined in section 23 of the 2003 Act) or a parish council or community council.

4.2 The Council will invest in:

- bank deposit accounts of “high credit quality” from instant access up to twelve months in term.
- the Public Sector Deposit Fund, a UK FCA Qualifying Money Market Fund managed by the CCLA, one of the UK’s largest charity fund managers.

4.3 The Council will have, or has, has in place two specified investments.

5. Non-Specified Investments:

5.1 Non-specified investments, as provided in paragraphs 35 and 36 of the statutory guidance are where:

- The investment is not a loan and does not meet the criteria to be treated as a specified investment.
- Procedures are set out determining which categories of investments may be prudently used.
- Categories for investments have been defined as suitable for use.
- State the upper limits for the maximum amounts both individually and cumulatively that may be held in each identified amount and for the overall amount held in non-specified investments.

5.2 As part of this Investment Strategy, the Council will consider best value, based on an examination of Security, Liquidity and Yield, of the defined non-specified investment provided by the CCLA’s Public Sector Property Fund.

6. Council Investments:

6.1 The Council holds its day-to-day funds in a non-interest bearing business current account at a local banking branch in Taunton. This account has periodically, as a consequence of the bi-annual receipt of the precept, periods when material funds are held in this account.

6.2 The Council will also hold a specified investment in the form of a 12-month fixed interest deposit at a commercial bank, as well as funds in the Public Sector Deposit Fund which is a variable term, variable interest investment vehicle that facilitates flexibility in investments and withdrawals.

6.3 The Council will assess the CCLA's Local Authorities' Property Fund following thorough consideration of the Council's financial position and monthly cash flows. This consideration will finalise, if any, the categories for investment and the upper limits for maximum amounts held individually and cumulatively.

7. Review of the Strategy:

7.1 This Investment Strategy will be reviewed annually and reported to Full Council.

Responsible Finance Officer
Taunton Town Council
Deane House
Belvedere Road
Taunton
TA1 1HE

Tel: *****

Email: finance@tauntontowncouncil.gov.uk

**Taunton Parish
Council Draft Member
Code of Conduct**

Introduction

The Local Government Association (LGA) has developed this Model Councillor Code of Conduct, in association with key partners and after extensive consultation with the sector, as part of its work on supporting all tiers of local government to continue to aspire to high standards of leadership and performance. It is a template for councils to adopt in whole and/or with local amendments.

All councils are required to have a local Councillor Code of Conduct.

The LGA will undertake an annual review of this Code to ensure it continues to be fit-for-purpose, incorporating advances in technology, social media and changes in legislation. The LGA can also offer support, training and mediation to councils and councillors on the application of the Code and the National Association of Local Councils (NALC) and the county associations of local councils can offer advice and support to town and parish councils.

Definitions

For the purposes of this Code of Conduct, a “councillor” means a member or co-opted member of a local authority or a directly elected mayor. A “co-opted member” is defined in the Localism Act 2011 Section 27(4) as “a person who is not a member of the authority but who

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee”.

For the purposes of this Code of Conduct, “local authority” includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct. The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

General principles of councillor conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the [Seven Principles of Public Life](#), also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.

This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- you misuse your position as a councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor;

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring

Officer.

Standards of councillor conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

General Conduct

1. Respect

As a councillor:

1.1 I treat other councillors and members of the public with respect.

1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor-officer protocol.

2. Bullying, harassment and discrimination

As a councillor:

2.1 I do not bully any person.

2.2 I do not harass any person.

2.3 I promote equalities and do not discriminate unlawfully against any person.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and

contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

3. Impartiality of officers of the council

As a councillor:

3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

4. Confidentiality and access to information

As a councillor:

4.1 I do not disclose information:

- a. given to me in confidence by anyone**
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**
 - i. I have received the consent of a person authorised to give it;**
 - ii. I am required by law to do so;**
 - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or**
 - iv. the disclosure is:**
 - 1. reasonable and in the public interest; and**
 - 2. made in good faith and in compliance with the reasonable requirements of the local authority; and**
 - 3. I have consulted the Monitoring Officer prior to its release.**

4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.

4.3 I do not prevent anyone from getting information that they are entitled to by law.

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. Disrepute

As a councillor:

5.1 I do not bring my role or local authority into disrepute.

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower the public's confidence in you or your local authority's ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

6. Use of position

As a councillor:

6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

6.2 I will not take part in the scrutiny of any decision I have been involved in making. However, I may provide evidence or opinion to those undertaking any scrutiny process.

Your position as a member of the local authority provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7. Use of local authority resources and facilities

As a councillor:

7.1 I do not misuse council resources.

7.2 I will, when using the resources of the local authority or authorising their use by others:

- a. act in accordance with the local authority's requirements; and**
- b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.**

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor.

Examples include:

- office support

- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

7B Consideration of advice

As a councillor:

7B.1 I will, when reaching decisions on any matter, consider and pay due regard to any relevant advice provided to me by:-

- a) the Council's Chief Finance Officer (S151) and/or**
- b) the Council's Monitoring Officer or the Council's Monitoring Officer and legal advisor (if separate individuals);**

in accordance with their legal requirements.

7B2 I will give reasons for departing from the advice of the Chief Finance Officer (S151) or Monitoring Officer/legal advisor

It is extremely important for you as a councillor to have regard to advice from your Chief Finance Officer or Monitoring Officer where they give that advice under their statutory duties. As a councillor you must give reasons for all decisions in accordance with any legal requirements and any reasonable requirements imposed by your local authority.

8. Complying with the Code of Conduct

As a Councillor:

8.1 I undertake Code of Conduct training provided by my local authority.

8.2 I do not make trivial or malicious complaints against other councillors.

8.3 I cooperate with any Code of Conduct investigation and/or determination.

8.4 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings including the complainant and any witnesses.

8.5 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

Protecting your reputation and the reputation of the local authority

8 Interests

As a councillor:

8.4 I register and disclose my interests.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority.

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in **Table 1**, is a criminal offence under the Localism Act 2011.

Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

9 Gifts and hospitality

As a councillor:

- 9.4** I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.
- 9.5** I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.
- 9.6** I register with the Monitoring Officer any gift or ~~_____~~ hospitality with an estimated value of at least £50 that I have been offered but have refused to accept within 28 days of the offer.

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

Appendices

Appendix A – The Seven Principles of Public Life

The principles are:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Appendix B Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office or within 28 days of your interests changing you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

"Disclosable Pecuniary Interest" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

8. Where a matter arises at a meeting which **affects** –
 - a. your own financial interest or well-being;
 - b. a financial interest or well-being of a relative or close associate; or
 - c. a financial interest or wellbeing of a body included under Other Registerable Interests as set out in **Table 2**you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied.

9. Where a matter (referred to in paragraph 8 above) **affects** the financial interest or well-being:
 - a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

In the event that your non-registerable interest relates to -

- (1) an unpaid directorship on a company owned by your authority or
- (2) another local authority of which you are a member,

subject to your declaring that interest, you are able to take part in any discussion and vote on the matter.

10. Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the

	<p>councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council —</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land and Property	<p>Any beneficial interest in land which is within the area of the council.</p> <p>‘Land’ excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.</p>
Licenses	<p>Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer</p>
Corporate tenancies	<p>Any tenancy where (to the councillor’s knowledge)—</p> <p>(a) the landlord is the council; and</p> <p>(b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.</p>
Securities	<p>Any beneficial interest in securities* of a body where—</p> <p>(a) that body (to the councillor’s knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were</p>

	spouses/civil partners have a beneficial interest exceeds one hundredth of the total issued share capital of that class.
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* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registrable Interests

<p>You must register as an Other Registerable Interest :</p> <ul style="list-style-type: none"> a) any unpaid directorships b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority c) any body <ul style="list-style-type: none"> (i) exercising functions of a public nature (ii) directed to charitable purposes or (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) <p>of which you are a member or in a position of general control or management</p>

Appendix C – the Committee on Standards in Public Life

The LGA has undertaken this review whilst the Government continues to consider the recommendations made by the Committee on Standards in Public Life in their report on [Local Government Ethical Standards](#). If the Government chooses to implement any of the recommendations, this could require a change to this Code.

The recommendations cover:

- Recommendations for changes to the Localism Act 2011 to clarify in law when the Code of Conduct applies
- The introduction of sanctions
- An appeals process through the Local Government Ombudsman
- Changes to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012
- Updates to the Local Government Transparency Code
- Changes to the role and responsibilities of the Independent Person
- That the criminal offences in the Localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished

The Local Government Ethical Standards report also includes Best Practice recommendations. These are:

Best practice 1: Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.

Best practice 2: Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation and prohibiting trivial or malicious allegations by councillors.

Best practice 3: Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.

Best practice 4: An authority's code should be readily accessible to both councillors and the public, in a prominent position on a council's website and available in council premises.

Best practice 5: Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.

Best practice 6: Councils should publish a clear and straightforward public interest test against which allegations are filtered.

Best practice 7: Local authorities should have access to at least two Independent Persons.

Best practice 8: An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to

review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.

Best practice 9: Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.

Best practice 10: A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.

Best practice 11: Formal standards complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council, rather than the clerk in all but exceptional circumstances.

Best practice 12: Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.

Best practice 13: A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.

Best practice 14: Councils should report on separate bodies they have set up or which they own as part of their annual governance statement and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness and publish their board agendas and minutes and annual reports in an accessible place.

Best practice 15: Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.

The LGA has committed to reviewing the Code on an annual basis to ensure it is still fit for purpose.

Appendix D

Guidance on Bias and Predetermination –This does not form part of the Code of Conduct

- Where you have been involved in campaigning in your political role on an issue which does not impact on your personal and/or professional life, you may participate in a decision on the issue in your political role as a councillor. However, you must not place yourself under any financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.
- The courts have sought to distinguish between situations which involve predetermination or bias on the one hand and predisposition on the other. The former is indicative of a ‘closed mind’ approach and likely to leave a decision susceptible to challenge by Judicial Review. Whereas being predisposed on a matter is acceptable provided you remain open to listening to all the arguments and changing your mind in light of all the information presented at the meeting.
- Section 25 of the Localism Act 2011 provides that a councillor should not be regarded as having a closed mind simply because they previously did or said something that, directly or indirectly, indicated what view they might take in relation to any particular matter.
- In the circumstances, when making a decision, consider the matter with an open mind and on the facts made available to the meeting at which the decision is to be taken.
- As a councillor you will always be judged against an objective test of whether the reasonable onlooker, with knowledge of the relevant facts, would consider that you were biased. If you have predetermined your position, you should withdraw from being a member of the decision-making body for that particular matter.

Month	April 2023	May 2023	June 2023	July 2023	August 2023	September 2023	October 2023	November 2023	December 2023	January 2024	February 2024	March 2024	April 2024	May 2024
Day														
Monday														
Tuesday														
Wednesday			1					1						1
Thursday			2					2						2
Friday			3			1		3	1			1		3
Saturday	1		4	1		2		4	2			2		4
Sunday	2		5	2		3		5	3			3		5
Monday	3	1 - Mayday BH	5	3		4	2	6	4	1 - New Year BH	5	4	1 - Easter Monday	6 - Mayday BH
Tuesday	4	2	6	4	1	5	3	7	5	2	6	5	2	7
Wednesday	5	3	7	5	2	6	4	8	6	3	7	6	3	8
Thursday	6	4 - Election Day	8	6	3	7	5	9	7	4	8	7	4	9
Friday	7 - Good Friday	5	9	7	4	8	6	10	8	5	9	8	5	10
Saturday	8	6	10	8	5	9	7	11	9	6	10	9	6	11
Sunday	9	7	11	9	6	10	8	12	10	7	11	10	7	12
Monday	10 - Easter Monday	8 - Coronation BH	12 - Finance and Governance Cttee at 6pm	10 - Grants Sub-Cttee at 6pm	7	11 - Finance and Governance Cttee at 6pm	9 - Grants Sub-Cttee at 6pm	13	11 - Finance and Governance Cttee at 6pm	8 - Grants Sub-Cttee at 6pm	12	11 - Finance and Governance Cttee at 6pm	9 - Grants Sub-Cttee at 6pm	13
Tuesday	11	9	13 - Council at 6pm	11 - Council at 6pm	8 - Council at 6pm	12 - Council at 6pm	10 - Council at 6pm	14 - Council at 6pm	12 - Council at 6pm	9 - Council at 6pm	13 - Council at 6pm	12 - Council at 6pm	9 - Council at 6pm	14 - Council at 6pm
Wednesday	12	10	14	12	9	13	11	15	13	10	14	13	10	15
Thursday	13	11	15	13	10	14	12	16	14	11	15	14	11	16
Friday	14	12	16	14	11	15	13	17	15	12	16	15	12	17
Saturday	15	13	17	15	12	16	14	18	16	13	17	16	13	18
Sunday	16	14	18	16	13	17	15	19	17	14	18	17	14	19
Monday	17	15	19	17	14	18	16	20	18	15	19	18	15	20
Tuesday	18	16 - Annual Meeting of the Parish Council at 6pm	20 - Planning and Development Committee at 6pm	18 - Planning and Development Committee at 6pm	15 - Planning and Development Committee at 6pm	19 - Planning and Development Committee at 6pm	17 - Planning and Development Committee at 6pm	21 - Planning and Development Committee at 6pm	19 - Planning and Development Committee at 6pm	16 - Planning and Development Committee at 6pm	20 - Planning and Development Committee at 6pm	19 - Planning and Development Committee at 6pm	16 - Planning and Development Committee at 6pm	21 - Planning and Development Committee at 6pm
Wednesday	19	17	21 - Personnel Sub-Committee at 6pm	19	16	20 - Personnel Sub-Committee at 6pm	18	22	20 - Personnel Sub-Committee at 6pm	17	21	20 - Personnel Sub-Committee at 6pm	17	22
Thursday	20	18	22 - Community Services Sub-Cttee at 6pm	20 - Community Services Sub-Cttee at 6pm	17	21	19 - Community Services Sub-Cttee at 6pm	23	21	18 - Community Services at 6pm	22	21	18 - Community Services at 6pm	23
Friday	21	19	23	21	18	22	20	24	22	19	23	22	19	24
Saturday	22	20	24	22	19	23	21	25	23	20	24	23	20	25
Sunday	23	21	25	23	20	24	22	26	24	21	25	24	21	26
Monday	24	22	26	24	21	25	23	27	25	22 - Christmas Day	22	26	25	27 - Spring BH
Tuesday	25	23	27	25	22	26	24	28	26	26 - Boxing Day	23	27	26	28
Wednesday	26	24	28	26	23	27	25	29	27 - keep clear	24	28	27	24	29
Thursday	27	25	29	27	24	28	26	30	28 - keep clear	25	29	28	25	30
Friday	28	26	30	28	25	29	27	31	29 - keep clear	26	30	29 - Good Friday	26	31
Saturday	29	27	31	29	26	30	28		30	27		30	27	
Sunday	30	28		30	27				31			31		
Monday		29 - Spring BH		31	28 - Summer BH		30			29			29	
Tuesday		30			29		31						30	
Wednesday		31			30					30				
Thursday					31									
Friday														

Standing Committees	Duration
Finance and Governance	Quarterly
Planning and Development	Monthly
Community Services	Quarterly
Sub-Committees	Quarterly
Personnel	Quarterly/as required
Grants	Quarterly/as required

Taunton Town Council - Shadow Council

Meeting	Draft Agenda Items	Lead Officer
03-Nov-22	Appointment of Chair	Marcus Prouse
	Appointment of Vice-Chair	Chair
	Terms of Reference	Marcus Prouse
	Adoption of Procedure Rules	Marcus Prouse
	Introduction to the Implementation Plan/Project Governance	Various
	Forward Plan	Marcus Prouse/ Dan Webb
01-Dec-22	Vision Statement	Dan Webb/Marcus Prouse
	Implementation Plan Update	Dan Webb/Marcus Prouse
	Technical Advisor Project Overview	Reg Williams - SLCC
	Building/Office Options Paper	Marcus Prouse/Chris Hall
	Town Clerk Recruitment Update	Reg Williams/Tony Bryant
	Judicial Review Update	Tom Woodhams
	NO MORE ITEMS	
31-Jan-23	Implementation Plan Update & Programme Vision Statement	Various
	23/24 Budget Update	P. Fitzgerald & P. McClean
	Taunton Garden Town Briefing	J Clifford
	Civic Activity/Cover for Vesting to the AGM	M. Prouse
	Judicial Review Update	Tom Woodhams
	Appointment of Town Clerk - Update	Donna Ford
	NO MORE ITEMS	
28-Feb-23	Implementation Plan Update	Various
	Standing Orders and Financial Procedure Rules & Scheme of Delegation	Donna Ford / Reg Williams/ Marcus Prouse
	Elections Update (verbal)	Elisa Day
	Taunton Local Community Network Update	Cllr V Keitch/ A Jones/ S Skirton
	HR Update (exclusion notice)	Tony Bryant + Donna Ford

	Judicial Review Update	Tom Woodhams
	NO MORE ITEMS	
30-Mar-23	Implementation Plan Update	Various
	Town Council Branding/Logo	Town Clerk
TO BE CONFIRMED		