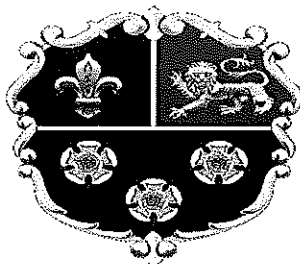


# PRESCOT TOWN COUNCIL



Prescot Town Hall, 1 Warrington Road, Prescot, Merseyside. L34 5QX

Telephone: 0151-426-3933

email: [enquiries@prescot-tc.gov.uk](mailto:enquiries@prescot-tc.gov.uk)

Dated this 11<sup>th</sup> Day of May 2023

To the Mayor and Members of Prescot Town Council

---

**YOU ARE HEREBY SUMMONED TO ATTEND**

**The Annual Meeting of the Council for the Town of Prescot**

**to be held on Thursday 18<sup>th</sup> May 2023 at 6.30pm**

**OR at the conclusion of The Annual Town Meeting**

**at**

**Prescot Town Hall**

A handwritten signature in black ink, appearing to read 'Alex Spencer', written in a cursive style.

Alex Spencer  
TOWN CLERK

# A G E N D A

<b>1</b>	<b>Election of the Town Mayor for the Civic Year 2023/24</b>	Verbal
<b>2</b>	<p><b>Mayors Declaration of Acceptance of Office</b></p> <p>The Town Mayor to officially accept office by signing the acceptance of office book.</p>	Verbal
<b>3</b>	<b>To Receive Apologies</b>	Verbal
<b>4</b>	<p><b>Declarations of Interest</b></p> <p>In accordance with Standing Order 4.G.ii, members are invited to indicate any interests they may have in relation to items on the agenda for the meeting.</p>	Verbal
<b>5</b>	<p><b>Vote of Thanks to the Retiring Town Mayor</b></p> <p>To receive</p> <ul style="list-style-type: none"> <li>a. A vote of thanks in recognition of the retiring Town Mayor</li> <li>b. A response from the retiring Town Mayor</li> </ul>	Verbal
<b>6</b>	<p><b>Election of Deputy Mayor for the Civic Year 2023/24</b></p> <p>To receive nomination and elect by vote the Deputy Town Mayor for the civic year 2023/24</p>	Verbal
<b>7</b>	<p><b>Deputy Mayors Declaration of Acceptance of Office</b></p> <p>The Deputy Town Mayor to officially accept office by signing the acceptance of office book.</p>	Verbal
<b>8</b>	<p><b>Minutes of the Previous Council Meeting</b></p> <p>To <b>APPROVE AND SIGN</b> the minutes of Town Council held on Thursday 23<sup>rd</sup> March 2023 as a true and accurate record of the business transacted.</p>	<p>Pages</p> <p>5 - 11</p>

9	<p><b>Minutes of Council Committee Meetings</b></p> <p>To <b><u>NOTE</u></b> the minutes of the following Committee meetings:</p> <p>None</p>	<p>Page</p> <p>12</p>
10	<p><b>Review of Town Council Committees and Associated Terms of Reference 2023/24</b></p> <p>Members are asked to <b><u>CONSIDER</u></b> the report and <b><u>AGREE</u></b> the recommendations contained within.</p>	<p>Pages</p> <p>13 - 19</p>
11	<p><b>Standing Orders and Financial Regulations 2023/24</b></p> <p>Members are asked to <b><u>CONSIDER</u></b> the report and <b><u>AGREE</u></b> the recommendations contained within.</p>	<p>Pages</p> <p>20 - 64</p>
12	<p><b>Representatives to Outside Bodies 2023/24</b></p> <p>Members are asked to <b><u>CONSIDER</u></b> the report and <b><u>AGREE</u></b> the recommendations contained within.</p>	<p>Pages</p> <p>65 - 71</p>
13	<p><b>Council Meeting Schedule 2023/24</b></p> <p>Members are asked to <b><u>CONSIDER</u></b> the report and <b><u>AGREE</u></b> the recommendations contained within.</p>	<p>Pages</p> <p>72 - 74</p>
14	<p><b>Announcements from the Leader</b></p> <p>To receive announcements from the Leader for Information and to Receive Questions from Members</p>	<p>Verbal</p>
15	<p><b>Announcements from the Town Clerk</b></p> <p>To receive announcements from the Leader for Information and to Receive Questions from Members</p>	<p>Pages</p> <p>75 - 76</p>
16	<p><b>Mayoral Engagements</b></p> <p>To receive the schedule of the Town Mayor engagement</p>	<p>Pages</p> <p>77 - 78</p>

<b>17</b>	<b>Planning Applications</b>  Members are asked to <b><u>CONSIDER</u></b> any planning applications Received and <b><u>AGREE</u></b> to make comment on those they feel require a response.	Pages  79 - 81
<b>18</b>	<b>Planning Decisions</b>  Members are asked to <b><u>NOTE</u></b> any planning decisions received	Page  82
<b>19</b>	<b>Community Funding Applications</b>  Members are asked to <b><u>CONSIDER</u></b> and <b><u>APPROVE, DEFER</u></b> or <b><u>REJECT</u></b> funding applications from:-	Page  83
<b>20</b>	<b>Annual Governance Statement 2022/23 – Section One</b>  Members are asked to <b><u>CONSIDER</u></b> the report and <b><u>AGREE</u></b> the recommendations contained within.	Pages  84 - 91
<b>21</b>	<b>Report of the Independent Remuneration Panel</b>  Members are asked to <b><u>CONSIDER</u></b> the report and <b><u>AGREE</u></b> the recommendations contained within.	Pages  92 - 99
<b>22</b>	<b>Proposed Working Group for Clock to be Sited at Prescott Town Hall</b>  Members are asked to <b><u>CONSIDER</u></b> the report and <b><u>AGREE</u></b> the recommendations contained within.	Pages  100 - 101
<b>23</b>	<b>RESOLUTION TO EXCLUDE THE PRESS AND PUBLIC</b>  By virtue of Standing Order 3D, that members of the press and public be excluded for the remainder of the meeting given the confidential nature of the business to be transacted or for other special reasons.	Verbal
<b>24</b>	<b>Approval of Jaka Ltd Bar Prices under Bar Concession</b>  Members are asked to <b><u>CONSIDER</u></b> the report and <b><u>AGREE</u></b> the recommendations contained within.	Pages  102 - 106

**PRESCOT TOWN COUNCIL**

**ANNUAL MEETING**

**18<sup>th</sup> MAY 2023**

**REPORT TITLE:**

Minutes of Previous Town Council Meeting

**BACKGROUND TO THE REPORT:**

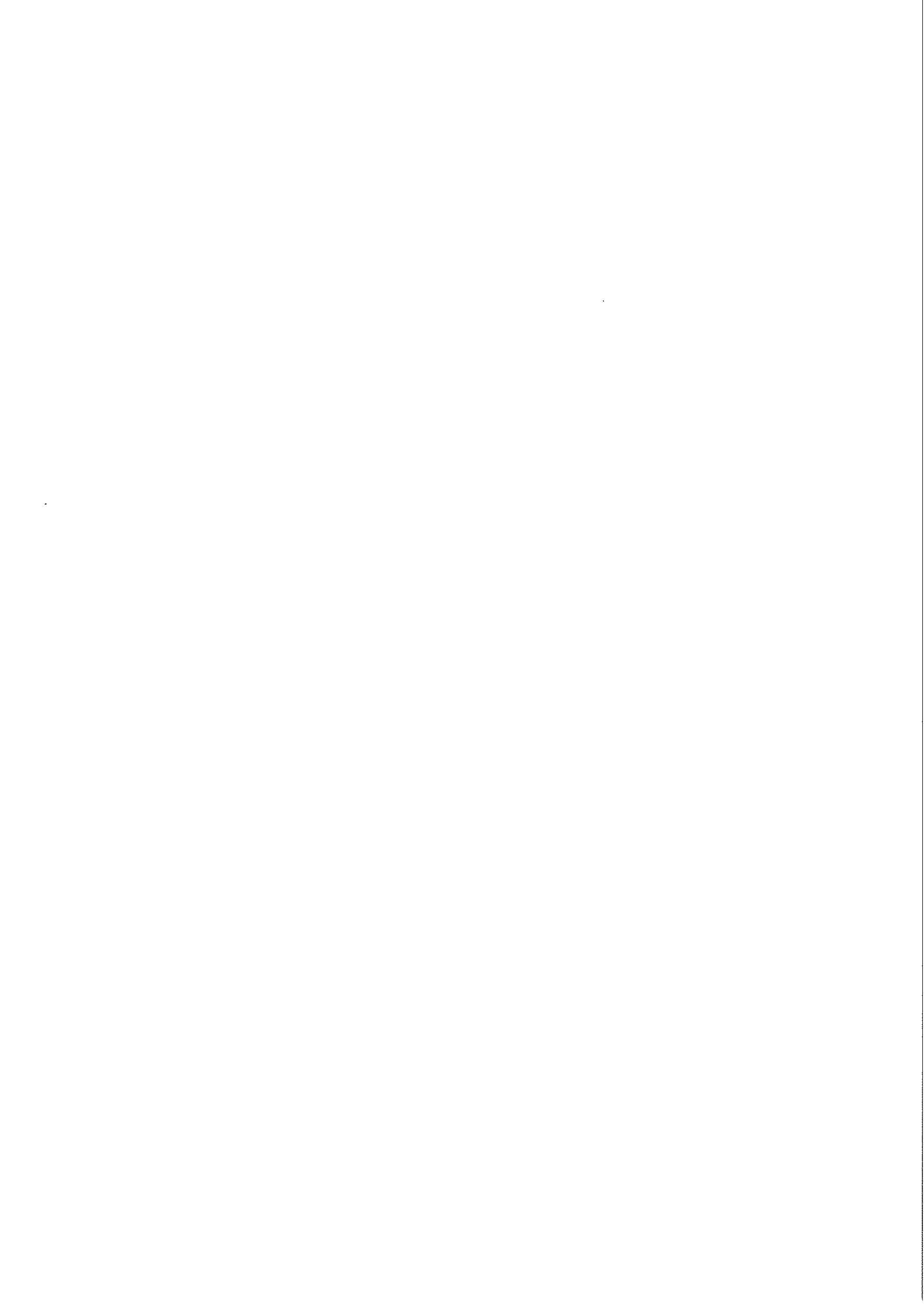
As members are aware the minutes of all Town Council Meetings are required to be agreed as a true and accurate record of the business transacted at the meeting.

**PURPOSE OF REPORT:**

To **APPROVE** and **SIGN** the minutes of the Meeting of the Town Council held on 23<sup>rd</sup> March 2023.

**REPORTS PREPARED BY:**

Alex Spencer – Town Clerk



**PRESCOT TOWN COUNCIL**

A meeting of the **COUNCIL** for the **TOWN OF PRESCOT** was held on **THURSDAY, 23<sup>rd</sup> MARCH 2023** in the **PRESCOT TOWN HALL**, commencing at **6.00 P.M.**

**ELECTED MEMBERS PRESENT**

Councillors J. Burke, M. Burke, P.Cook, C. Krelle, T. Murray, I. Smith, T. Smith, K.Taylor, F. Wynn & G. Wickens

**TOWN COUNCIL OFFICERS PRESENT**

L. Sephton (Deputy Town Clerk)  
L. Johnson (Administration Officer)

**PUBLIC GALLERY**

None

**123. TO RECEIVE APOLOGIES**

Apologies were received from Cllrs L. Rigby and T. Large.

**124. PUBLIC OPEN FORUM**

There were no members of the public in attendance and no questions had been submitted in advance of the meeting.

**125. DECLARATIONS OF INTEREST**

There were no declarations of interest received.

**126. MINUTES OF THE PREVIOUS COUNCIL MEETING**

It was **RESOLVED** that the minutes of the previous council meeting held on 23<sup>rd</sup> February 2023 be **APPROVED AND SIGNED** as a true and accurate record of the business transacted.

**127. MINUTES OF COUNCIL COMMITTEES**

It was **UNANIMOUSLY RESOLVED** to **NOTE** the minutes of the following committee meetings: -

Events Committee – 7<sup>th</sup> March 2023 – DRAFT

128. **ANNOUNCEMENTS FROM THE LEADER**

None

129. **ANNOUNCEMENTS FROM THE TOWN CLERK**

**Implementation of Peninsula Health & Safety System**

The Town Clerk recently undertook a full health and safety audit with Peninsula as part of Council's implantation of the health and safety system.

The outcome of this audit was positive with health and safety embedded within the organisation, although perhaps unsurprisingly areas have been identified for improvement in the main these relate to record keeping and ensuring that regular checks are carried out on building utilities

Peninsula is in the process of producing an action plan where areas for improvement can be identified and actioned.

The Town Clerk is keen to commence training with staff, councillors and wider volunteers by accessing the suite of online training courses. Peninsula will be holding an online tutorial with the town clerk to navigate the system, and once this half day tutorial is completed, training will be offered and rolled out.

**Community Skip Days**

The Town Clerk would like to extend thanks to councillors who supported or will be supporting Prescot Town Council's Community Skips Days

Feedback from the North Ward Skip Day held at Prescot Town Hall on Saturday 4<sup>th</sup> March has been positive, with a number of residents calling after the event to thank officers and councillors.

The South Ward Skip Day will be held on Saturday 18<sup>th</sup> March at St Pauls Church. The Town Clerk has already liaised with the Church, Kirkby Skips and Van Hire company to ensure the smooth running of the event.

130. **REPORTS AND PRESENTATIONS FROM REPRESENTATIVES AT CONFERENCES OR OUTSIDE BODIES**

None.



### 131. MAYORAL ENGAGEMENTS

It was **UNANIMOUSLY RESOLVED**:

1. That engagements attended by the Mayor be **NOTED** and that the following mayoral engagements also be noted:-
  - 11<sup>th</sup> February 2023 – Imaginarium Theatre – Performance of A Strangle Tale (the Mayor attended the Shakespeare North Theatre and was informed that no tickets had been left for the Mayor and therefore was unable to see the performance).
  - 19<sup>th</sup> March 2023 – Phoenix Plant Based Eatery – Visit new business.
  - 20<sup>th</sup> March 2023 – Evelyn Primary School – Launch Penny in the Parks.

Cllr K Taylor left the room.

### 132. PLANNING APPLICATIONS

Application Ref	Location	Comments
22/00723/FUL	Clock Face Public House 54 Derby Street Prescott	It was <b>Unanimously resolved</b> to make a comment as follows: - Advise the applicant to take extra care and properly assess the importance of the area to be demolished.
22/00724/LBC	Clock Face Public House 54 Derby Street Prescott	It was <b>Unanimously resolved</b> to make a comment as follows: - Advise the applicant to take extra care and properly assess the importance of the area to be demolished.
23/00023/FUL	The Bard 57 High Street Prescott	It was <b>Unanimously resolved</b> to make a comment as follows: - Applicant must consult neighbours regarding the opening and closing hours.
23/00067/FUL	10 Coniston Avenue Prescott	No Objections
23/00051/FUL	Land Adjacent to 13 Brookside Road and to Rear of 2-16 Brookside Close Prescott	No Objections
23/00080/FUL	155 Cross Lane Prescott	No Objections

**133. PLANNING DECISIONS**

None

Cllr K Taylor re-joined the meeting.

**134. COMMUNITY FUNDING BIDS**

There were no funding applications received.

**135. ARMISTICE DAY 2022 FEEDBACK REPORT**

It was **UNANIMOUSLY RESOLVED** to **APPROVE** the recommendations under 3.1 being: -

Using the powers granted to them under the terms of reference for Prescot Town Council Events Committee members should recommend to full council that:

- The Armistice Day Service is retained in its current format for future years and that the budget for the event is increased to £150.

**136. CHRISTMAS CRACKER 2022 FEEDBACK REPORT**

It was **UNANIMOUSLY RESOLVED** to **APPROVE** the recommendations under 4.1 being: -

Using the powers granted to them under the terms of reference for Prescot Town Council Events Committee, members should recommend to full council that:

- The Christmas Cracker Event is retained for future years, with the location remaining at Prescot Town Hall.

And

- The Deputy Town Clerk research costings for the Town Council to purchase a stage and storage options.

**137. SENIOR CITIZEN CHRISTMAS DROP IN 2022 FEEDBACK REPORT**

It was **UNANIMOUSLY RESOLVED** to **APPROVE** the recommendations under 5.1 being: -

Using the powers granted to them under the terms of reference for Prescot Town Council Events Committee, members should recommend to full council that:

- The Senior Citizen Christmas Drop in Events are retained for future years, with the locations remaining at Prescot Town Hall and St Paul's Church, Bryer Road

**138. EVENTS CALENDAR 2023-2024**

It was **UNANIMOUSLY RESOLVED** to **APPROVE** the recommendations under 4.1 being: -

Using the powers granted to them under the Local Government Act 1972 s.145 members are asked to resolve to

- Agree the draft Events Calendar with associated budget as shown at 3.1.

**139. RESOLUTION TO EXCLUDE THE PRESS AND PUBLIC**

It was **UNANIMOUSLY RESOLVED** to:-

1. By virtue of Standing Order 3D, exclude members of the press and public for the remainder of the meeting given the confidential nature of the business to be transacted or for other special reasons.

**140. PROPOSED CLOCK TO BE SITED AT PRESCOT TOWN HALL**

It was **UNANIMOUSLY RESOLVED** to **DEFER** this item and to set up a working group to research further options.

Cllrs J. Burke and P. Cook left the meeting due to a commitment to attend a Mayoral Engagement. The Deputy Town Mayor, Cllr M. Burke chaired the meeting.

**141. BAR TENDER 2023**

It was **UNANIMOUSLY RESOLVED** to **APPROVE** the recommendations under 3.1 being: -

Members are asked to consider the recommendations below :-

- That they consider the submissions of shortlisted respondents Jaka Ltd, Liam Basnett & Francesco La Rocco in addition to information to be provided by the Town Clerk in advance of their meeting on 23<sup>rd</sup> March 2023, and formally award a contract for the operation of the bar at Prescott Town Hall.  
Members **UNANIMOUSLY RESOLVED** to **APPROVE** that the contract be awarded to Jaka Ltd who gained the highest overall weighting of 95%.
- That the Town Clerk liaises with Howard Nulty of St Helens Law and the successful respondent, to produce a contract for the operation of the bar at Prescott Town Hall.

**The meeting closed at 6.55 p.m.**

**Dated: 18<sup>th</sup> May 2023**

**Signed:.....  
Cllr Joanne Burke (Mayor of Prescott)**

**PRESCOT TOWN COUNCIL**

**ANNUAL MEETING**

**18<sup>th</sup> MAY 2023**

**REPORT TITLE:**

Minutes of Committees

**BACKGROUND TO THE REPORT:**

In order to ensure all members are kept up to date with the decisions reached by committees a copy of the minutes for each council committee meeting is provided.

**PURPOSE OF REPORT:**

To **NOTE** the minutes of the committee meetings provided.

**REPORTS PREPARED BY:**

Alex Spencer – Town Clerk



**PRESCOT TOWN COUNCIL****ANNUAL MEETING****18<sup>th</sup> MAY 2023****REPORT TITLE:**

Review of Town Council Committees and Associated Terms of Reference

**BACKGROUND TO THE REPORT:**

In accordance with Standing Order 5 J iv. council is required to review the terms of reference for committees and appointment of members to existing committees.

**PURPOSE OF REPORT:**

The purpose of this report is for members to agree the use of committees, their terms of reference and elect members to each committee.

**REPORTS PREPARED BY:**

Alex Spencer – Town Clerk





# **PRESCOT TOWN COUNCIL**

## **Review of Town Council Committees and Associated Terms of Reference**

### **1. INTRODUCTION**

- 1.1 The Town Council's Standing Orders require the Council to consider the memberships and terms of reference for its committees at the Annual Meeting of the Town Council.
- 1.2 The business of running Prescott Town Council comprises a wide variety of activities and legal requirements often diverse in nature. To address this workload in the most effective and efficient way the Town Council has for many years employed the use of committees to which certain delegate powers are bestowed. The Town Council currently uses two committees namely Finance, Policy & Human Resources and Events Committee.
- 1.3 The existing system has proved effective over a number of years with each committee discharging its duties effectively.

### **2. THE COMMITTEE SYSTEM**

- 2.1 A committee is defined as 'a group of people appointed for a specific function by a larger group and typically consisting of members of that group'. The use of committees is widespread within all tiers of government and the private sector.
- 2.2 Committees can be bestowed with the power to make decisions or can act in an advisory capacity. They would typically be formed of people with a specialist knowledge or particular interest in a specific area of work.
- 2.3 The parameters and powers of these committees are determined through their terms of reference which are agreed each year by the Town Council at its annual meeting, terms of reference for committees are attached to this report as appendix 1.

### **3. AMENDMENTS TO TERMS OF REFERENCE**

- 3.1 Appendix 1 provides details of proposed terms of reference for Committees in the 2023/24 Civic Year.
- 3.2 No amendments are proposed for the 2023/24 Civic Year.

### **4. RECOMMENDATIONS**

- 4.1 In accordance with Standing Order 5 J iv, Council reviews the terms of reference for committees and the appointment of nine members to existing committees.

# Prescot Town Council



## **Terms of reference for committees 2023-24**

## **FINANCE, POLICY AND HUMAN RESOURCE COMMITTEE (2023/24)**

### **TERMS OF REFERENCE**

1. To observe all duties as prescribed to the committee through the Town Council's Financial Regulations.
2. Acting under full delegated powers (in accordance with the Local Government Act 1972) to consider and decide upon all revenue expenditure within its delegated authority as defined by financial regulation 4.1.
3. Acting under full delegated powers (in accordance with the Local Government Act 1972), to consider and approve the financing and design of all Town Council capital projects within its delegated authority as defined by financial regulation 4.1 unless otherwise prescribed by Council.
4. Acting under full delegated powers (in accordance with the Local Government Act 1972) to consider and decide all Town Council fees and charges through its Charging Policy.
5. Acting under full delegated powers (in accordance with the Local Government Act 1972), to consider applications from organisations or individuals for concessionary use of Town Council facilities beyond the parameters of the Charging Policy.
6. Acting under full delegated powers to approve the investment of reserves in accordance with the Town Council's Treasury Management Policy.
7. Acting under full delegated powers (in accordance with the Local Government Act 1972) to consider all human resource functions but acting subject to the approval of the Council in relation to the appointment of the Town Clerk.
8. Acting under full delegated powers (in accordance with the Local Government Act 1972) to oversee the conduct of all staff and act as the Town Council's Disciplinary, Grievance and Appeals Panel as appropriate.
9. Acting under full delegated powers (in accordance with the Local Government Act 1972) to determine the remuneration, superannuation, terms of service and severance of all Town Council staff as appropriate.
10. To ensure that the Town Council has in place good human resources' policies including workplace smoking, attendance, key holding, equal opportunities, disciplinary and grievance etc.
11. To monitor the annual attendance statistics of the workforce.
12. Acting under full delegated powers (in accordance with the Local Government Act 1972) to co-opt non-voting members with specialist knowledge where appropriate.

**Committee Membership (9 Members)**

## **EVENTS COMMITTEE (2023/24)**

### **TERMS OF REFERENCE**

1. To produce an annual events calendar for submission and approval to the Town Council.
2. Acting under full delegated powers (in accordance with the Local Government Act 1972) to assume full responsibility for the apportionment of the agreed events budget between events as per the events calendar.
3. Acting under full delegated powers (in accordance with the Local Government Act 1972) to assume full responsibility for the design and organisation of all events agreed through the events calendar.
4. To ensure that the expenditure on events do not exceed the budget approved by the Town Council.
5. To submit an event report for each event to the next appropriate Town Council meeting. Submitted reports to contain information such as activities undertaken, finance, numbers attending, recommendations for the future of the event and suggestions for the allocation of any incomes derived from the operation of the event.
6. Acting under full delegated powers (in accordance with the Local Government Act 1972) and acting under a resolution of the committee to Co-op non-voting members on to the committee and or sub committees to deal with specific events such as a Carnival committee.

### **Committee Membership (9 Members)**

**PRESCOT TOWN COUNCIL****ANNUAL MEETING****18<sup>th</sup> MAY 2023****REPORT TITLE:**

Review of Standing Orders and Financial Regulations  
2023-24

**BACKGROUND TO THE REPORT:**

In accordance with Standing Orders 5 J v. a review of the Town Council's Standing Orders will be conducted at the Annual Meeting of the Town Council.

In accordance with Financial Regulations 18.1 a review of the Council's Financial Regulations will be conducted at the Annual Meeting of the Town Council

**PURPOSE OF REPORT:**

This report proposes Standing Orders and Financial Regulations for the 2023/24 civic year and seeks Member approval.

**REPORTS PREPARED BY:**

Alex Spencer – Town Clerk





# PRESCOT TOWN COUNCIL

## Review of Standing Orders and Financial Regulations

### 1. INTRODUCTION

- 1.1 As members are aware the Town Council should complete an annual review of its Standing Orders and Financial Regulations to ensure they are fit for purpose and in line with current legal requirements.

### 2. REVIEW

- 2.1 The Town Council's Standing Orders and Financial Regulations have been compiled in line with the respective models for these documents. To ensure they comply with current best practice, both documents are subject to annual internal audit examination.
- 2.2 The Town Council's 2022/23 internal audit was completed on 5<sup>th</sup> April 2023. No revisions to council's 2023/24 Standing Orders and Financial Regulations have been recommended following completion of this work.
- 2.3 The Town Clerk, in previous meetings with Members has discussed the introduction of a "Resolutions report" for each council and committee meeting – the purpose of which would be to update members on the progress made against their previous resolutions.

If Members are minded to include such a report, The Town Clerk recommends amendment to Council Standing Order 5K with the insertion of a new point v. ("Previous Resolutions Report"), with remaining order of business items renumbered to reflect.

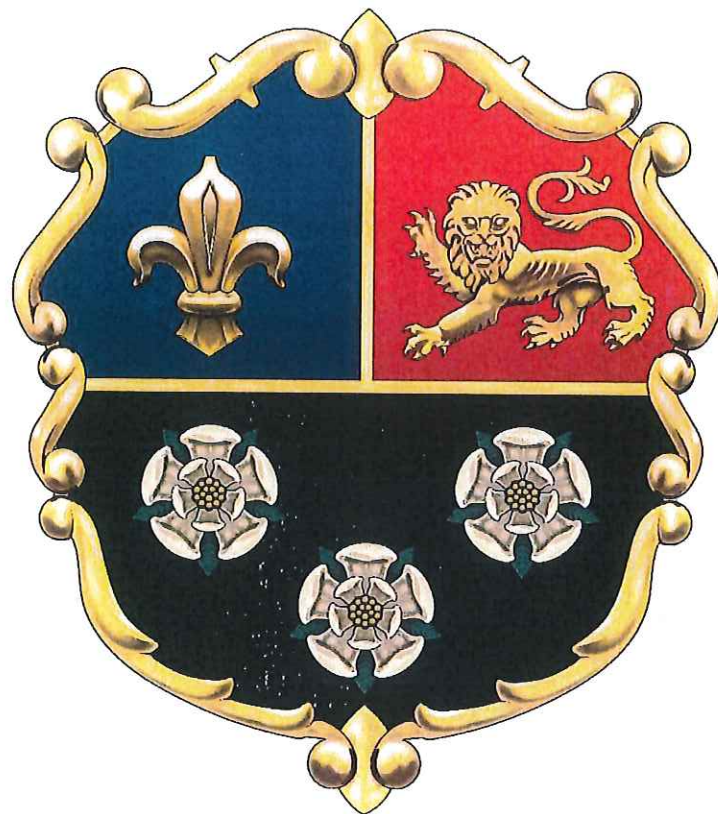
- 2.4 No legislative changes have occurred which require amendment to either governing document.

### 3 RECOMMENDATIONS

- 3.1 In accordance with Standing Order 5 J v. and Financial Regulation 18.1, that Members review both governing documents as proposed in Appendix One and approve for the 2023/24 Civic Year.



# PRESCOT TOWN COUNCIL



## STANDING ORDERS 2023-24

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**Items in bold are statutory and must be included in all local council standing orders**

# 1. Rules of debate at meetings

- a Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chairman of the meeting.
- b A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- c A motion on the agenda that is not moved by its proposer may be treated by the chairman of the meeting as withdrawn.
- d If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- e An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- f If an amendment to the original motion is carried, the original motion becomes the substantive motion upon which further amendment(s) may be moved.
- g Any councillor may propose an amendment to a committee recommendation or business motion by giving notice of it in writing to the Proper Officer at least 2 days before the starting time of the meeting. The Proper Officer will provide all councillors at the meeting with copies of the amendments.
- h A councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- i If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chairman.
- j Subject to standing order 1(k) below, only one amendment shall be moved and debated at a time, the order of which shall be directed by the chairman of the meeting.
- k 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.
- l A councillor may not move more than one amendment to an original or substantive motion.
- m The mover of an amendment has no right of reply at the end of debate on it.

- n Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate of the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.
- o Unless permitted by the chairman of the meeting, a councillor may speak once in the debate on a motion except:
  - i. to speak on an amendment moved by another councillor;
  - ii. to move or speak on another amendment if the motion has been amended since he last spoke;
  - iii. to make a point of order;
  - iv. to give a personal explanation; or
  - v. in exercise of a right of reply.
- p During the debate of a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.
- q Subject to Standing Orders above, a motion or amendment shall not be considered unless it has been proposed and seconded.
- r During a debate, but between speakers, any councillor may move a procedural motion:
  - i. That the question be put to the vote immediately.
  - ii. That the meeting move to the right of reply of the mover and then to the vote.
  - iii. That a councillor named be not further heard.
  - iv. That a councillor named leaves the meeting immediately.
  - v. That the motion/amendment be referred to a committee.
  - vi. That the motion/amendment be amended.
  - vii. That the press and public be excluded.
  - viii. That the debate be adjourned.
  - ix. That the Council proceeds to the next business.
  - x. That the meeting be adjourned.
- s 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.
- t Excluding motions moved under standing order 1(r) above, the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 3 minutes without the consent of the chairman of the meeting.

## 2. Disorderly conduct at meetings






- a All councillors shall observe the Code of Conduct adopted by the Council.
- b As paragraph 12(2) of the Code of Conduct contained in the Local Authorities (Model Code of Conduct) Order 2007 (SI No.1159) has been adopted by the Council, councillors may exercise the rights contained in Standing Order 14.3 below only if members of the public are permitted to (i) make representations, (ii) answer questions and (iii) give evidence relating to the business being transacted.
- c Councillors with a prejudicial interest in relation to any item of business being transacted at the meeting may (i) make representations, (ii) answer questions and (iii) give evidence relating to the business being transacted but must, thereafter leave the meeting room.
- d A councillor when speaking must always address the Chairman.
- e If a councillor persistently disregards the ruling of the Chairman by behaving improperly or offensively or deliberately obstructing business, the Chairman may move that the councillor be not heard further in the meeting. If the motion is seconded, it must be put to the vote immediately without discussion.
- f If a councillor continues to behave improperly after a motion that the councillor be not further heard, the Chairman may move that the councillor leaves the meeting or that the meeting is adjourned for a specific period. If the motion is seconded, it must be put to the vote immediately without discussion.
- g If there is a general disturbance at the meeting, involving any person present, making the orderly conduct of business impracticable, the Chairman may adjourn the meeting as long as he considers necessary.
- h A councillor cannot individually exercise any functions of the Council on behalf of the Council. A councillor must not issue any orders, instructions or directions relating to work being done for or on behalf of the Council (to either staff or contractors) or claim to enter property on behalf of the Council.
- i Canvassing councillors or the members of a committee or sub committee, directly or indirectly, for the appointment to or by the Council shall disqualify the candidate from such an appointment. The Proper Officer shall disclose the requirements of this Standing Order to every candidate.





- j A councillor or member of a committee or sub committee shall not solicit a person for appointment to or by the Council or recommend such a person for such appointment or promotion; but, nevertheless any such person may give a written reference of a candidate's ability, experience or character for submission to the Council with an application for appointment.
- k If a candidate for any Council appointment is to his knowledge related to any councillor or employee of the Council, he and the person to whom he is related shall disclose the relationship in writing to the Proper Officer. A candidate who fails to do so shall be disqualified for such an appointment, and, if appointed will be dismissed without notice. The Proper Officer shall report to the Council any such disclosure.
- l Standing Orders l to K inclusive shall apply to tenders as if the person making the tender were a candidate for an appointment.
- m Any councillor in breach of the provisions contained in the previous Standing Order shall be removed from any committee or sub committee by the Council. Councillors in such breach will also not be permitted to attend the committee in an advisory capacity.

### 3. Meetings generally

- Full Council meetings
- Committee meetings
- Sub-committee meetings
- a **Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.**
- b **The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**
- c **The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice**
- ■ d **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**



- e Upon arrival each member will ensure that they sign the attendance sheet for the meeting. All Elected Members and Staff are required to wear appropriate smart dress.
- f The period of time designated for public participation at a meeting shall not exceed 15 minutes unless directed by the chairman of the meeting. A member of the public shall not speak for more than 5 minutes.
- g In accordance with standing order 3(e) above, 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.
- h A Councillor or member of the public shall raise his hand when requesting to speak and only do so once permitted by the chairman.
- i A person who speaks at a meeting shall direct his comments to the chairman of the meeting.
- j 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.
-  k **Photographing, recording, broadcasting or transmitting the proceedings of a meeting is permitted**, but must not interfere with the administration of the meeting (see 3 k below).
-  l **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.**
-  m **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 any).**
-  n **The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, 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.**
-  o **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors or councillors with voting rights present and voting.** The quorum is 1/3 of the total membership of the Full Council or Committee.

-  p **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(i) and (j) below for the different rules that apply in the election of the Chairman of the Council at the annual meeting of the council.*
- q **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 the vote takes place.
- r The minutes of a meeting shall include an accurate record of the following:
 
  - i. the time and place of the meeting;
  - ii. the names of councillors present and absent;
  - iii. interests that have been declared by councillors and non-councillors with voting rights;
  - iv. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
  - v. if there was a public participation session; and
  - vi. the resolutions made.
-  s **(England) 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.**
-  t **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.**
-  u **If a meeting is or becomes inquorate no business shall be transacted** and the meeting shall be closed. Any remaining business on the agenda for the meeting shall be adjourned to another meeting
- v A meeting shall not exceed a period of 3 hours. Any remaining business on the agenda for the meeting shall be adjourned to another meeting.

## 4. Committees, sub-committees and working groups

- a **Unless the council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**
- b **The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the council.**
- c **Unless the council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**
- d The council at each annual meeting may appoint standing committees or other committees as may be necessary, and:
  - i. shall determine their terms of reference;
  - ii. shall permit a committee, to determine the number and time of its meetings;
  - iii. shall, appoint the members of a committee,
  - iv. shall allow committees to appoint its own chairman at the first meeting of the committee;
  - v. shall appoint replacement councillors to a committee in the event that a member resigns from or is unable to attend that committee,
  - vi. may dissolve a committee.
- e The Chairman of the committee or the Chairman of the Council may summon a meeting of that committee. A special meeting may also be summoned on the requisition in writing by no less than a quorum of the membership of the committee. The summons shall set out the business to be considered at the meeting and no other business shall be transacted at that meeting.
- f The Chairman of the committee, or in his absence the Vice-Chairman, will chair the meetings of the committee. In their absence, the committee will select a person to chair the meeting.
- g The order of business unless the chair otherwise decides on the grounds of urgency shall be as follows:
  - i. Apologies for absence.
  - ii. Declarations of interest in items on the agenda.
  - iii. Approve the minutes of the previous committee meeting
  - iv. Other business placed on the agenda.
- h The following Standing Orders as applicable to Council meetings shall equally apply to meetings of committees:
  - i. Meetings (Standing Order No. 1).
  - ii. Motions Requiring Written Notice (Standing Order No. 5).

- iii. Motions Not Requiring Written Notice (Standing Order No. 6).
  - iv. Rules Of Debate (Standing Order No. 7).
  - v. Questions (Standing Order No. 8)
  - vi. Admission Of Public And Press To Meetings (Standing Order No. 11)
  - vii. Rescission Of Previous Resolutions (Standing Order No. 12).
  - viii. Minutes (Standing Order No. 13).
  - ix. Conduct (Standing Order No.14).
- i Any councillor not being a member of a committee may attend any meeting of a committee (except committees dealing specifically with human resources' issues). Non-committee members are not allowed to speak or vote.
  - j The council may decide to utilise working groups to address a particular matter affecting the council that would benefit from multiple contributors. The purpose of the working group will be to address a single matter as directed by Council such as the council's annual plan. The working group will then report its findings back to full council for consideration. All council working groups will
    - i. be approved by the council
    - ii. membership of a working group will be agreed at a meeting of the council
    - iii. be free to agree their own times of meetings
    - iv. not be decision makers and will have no devolved powers
    - v. not require terms of reference as they can only address the matter for which they are convened
    - vi. not be required to produce minutes of meetings
    - vii. not be subject to requirements statutory notice periods
    - viii. be disbanded at the conclusion of its purpose

## **5. Ordinary council meetings**

- a **In an election year, the annual meeting of the council shall be held on or within 14 days following the day on which the new councillors elected take office.**
- b **In a year which is not an election year, the annual meeting of a council shall be held on such day in May as the council may direct.**
- c **If no other time is fixed, the annual meeting of the council shall take place at 6pm.**
- d **In addition to the annual meeting of the council, at least three other ordinary meetings shall be held in each year on such dates and times as the council directs. All ordinary meetings shall take place at 6.00pm.**
- e **The first business conducted at the annual meeting of the council shall be the election of the Chairman and Vice-Chairman of the Council.**

- f **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.**
- g **The Vice-Chairman of the Council, if any, 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.**
- h **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 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 must give a casting vote in the case of an equality of votes.**
- i **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 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 must give a casting vote in the case of an equality of votes.**
- j Following the election of the Chairman of the Council and Vice-Chairman (if any) of the Council at the annual meeting of the council, the business of the annual meeting shall include:
  - i. **In an election year, delivery by the 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;**
  - ii. Confirmation of the accuracy of the minutes of the last meeting of the council;
  - iii. Receipt of the minutes of the last meeting of a committee;
  - iv. Review of the terms of reference for committees and appointment of members to existing committees;
  - v. Review and adoption of appropriate standing orders and financial regulations;
  - vi. Review of representation on or work with external bodies and arrangements for reporting back;
  - vii. Determining the time and place of ordinary meetings of the full council up to and including the next annual meeting of full council.
  - viii. Other Items as determined by the Town Clerk
- k At all other council meetings, the order of business shall be as follows
  - i. Apologies for absence – all councillors not attending a meeting should notify the Proper Officer before commencement of the meeting.
  - ii. Public Open Forum.

- iii. Declaration of interest in items on the agenda.
- iv. Approve and sign the minutes of previous Council meetings.
- v. Note the minutes of Council committees.
- vi. Announcements from the Council Leader.
- vii. Announcements from the Proper Officer / Town Clerk.
- viii. Reports and presentations from representatives at conferences or outside bodies.
- ix. Mayoral Engagements.
- x. Consideration of planning applications, may include representations from the public.
- xi. Notation of planning decisions.
- xii. Funding Applications Received
- xiii. Other Items as determined by the Town Clerk

## **6. Extraordinary meetings of the council and committees and sub-committees**

- a **The Chairman of the Council may convene an extraordinary meeting of the council at any time.**
- b **If the Chairman of the Council does not or refuses to call an extraordinary meeting of the council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the council. The public notice giving the time, place and agenda for such a meeting must be signed by the two councillors.**
- c The chairman of a committee [or a sub-committee] may convene an extraordinary meeting of the committee [or the sub-committee] at any time.
- d If the chairman of a committee [or a sub-committee] does not or refuses to call an extraordinary meeting within ( 7 ) days of having been requested to do so by ( 2 ) members of the committee [or the sub-committee], those ( 2 ) members or any ( 2 ) members of the committee [and the sub-committee] may convene an extraordinary meeting of a committee [and a sub-committee].

## **7. Previous resolutions**

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

## **8. Voting on appointments**

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

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

- a A motion shall relate to the responsibilities of the meeting which it is tabled for and in any event shall relate to the performance of the council's statutory functions, powers and obligations or an issue which specifically affects the council's area or its residents.
- b No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least 14 clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- c The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9(b) above, correct obvious grammatical or typographical errors in the wording of the motion.
- d If the Proper Officer considers the wording of a motion received in accordance with standing order 9(b) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer so that it can be understood at least 7 clear days before the meeting.
- e If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the chairman of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
- f Subject to standing order 9(e) above, the decision of the Chairman and Proper Officer as to whether or not to include the motion on the agenda shall be final.
- g Motions received shall be recorded in a book for that purpose and numbered in the order that they are received.

- h Motions rejected shall be recorded in a book for that purpose with an explanation by the Proper Officer for their rejection.

## **10. Motions at a meeting that do not require written notice**

- a The following motions may be moved at a meeting without written notice to the Proper Officer;
  - i. to correct an inaccuracy in the draft minutes of a meeting;
  - ii. to move to a vote;
  - iii. to defer consideration of a motion;
  - iv. to refer a motion to a particular committee or sub-committee;
  - v. to appoint a person to preside at a meeting;
  - vi. to change the order of business on the agenda;
  - vii. to proceed to the next business on the agenda;
  - viii. to require a written report;
  - ix. to appoint a committee or sub-committee and their members;
  - x. to extend the time limits for speaking;
  - xi. to exclude the press and public from a meeting in respect of confidential or sensitive information which is prejudicial to the public interest;
  - xii. to not hear further from a councillor or a member of the public;
  - xiii. to exclude a councillor or member of the public for disorderly conduct;
  - xiv. to temporarily suspend the meeting;
  - xv. to suspend a particular standing order (unless it reflects mandatory statutory requirements);
  - xvi. to adjourn the meeting; or
  - xvii. to close a meeting.
  - xviii. to appoint a person to preside at a meeting.
  - xix. to approve the absences of councillors.
  - xx. to approve the accuracy of the minutes of the previous meeting.
  - xxi. to correct an inaccuracy in the minutes of the previous meeting.
  - xxii. to dispose of business, if any, remaining from the last meeting.

## **11. Handling confidential or sensitive information**

- a The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential or sensitive information which for special reasons would not be in the public interest. Documents containing confidential or sensitive information will be produced on green paper to differentiate their nature.



- b Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest. The Town Clerk will make a reasonable adjustment for any member unable to digest the information in the usual written format, ensuring that the confidential nature of the information is preserved.
- c No councillor or any member of a committee or sub committee shall disclose to any person not a member of the Council any business declared to be confidential or sensitive by the Council, the committee or sub committee as the case may be.

## 12. Code of conduct and dispensations

*See also standing order 3(t) above.*

- a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the council.
- b Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.
- c Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has another interest if so required by the council's code of conduct. He may return to the meeting after it has considered the matter in which he had the interest.
- d **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- e A decision as to whether to grant a dispensation shall be made by a meeting of the council, or committee or sub-committee for which the dispensation is required and that decision is final.
- f A dispensation request shall confirm:
  - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
  - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
  - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
  - iv. an explanation as to why the dispensation is sought.
- g Subject to standing orders 12(d) and (f) above, dispensations requests shall be

considered [by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required] OR [at the beginning of the meeting of the council, or committee or a sub-committee for which the dispensation is required].

- h A dispensation may be granted in accordance with standing order 12(e) above if having regard to all relevant circumstances the following applies:**
  - i. without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business or**
  - ii. granting the dispensation is in the interests of persons living in the council's area or**
  - iii. it is otherwise appropriate to grant a dispensation.**

## **13. Code of conduct complaints**

- a Upon notification by the District or 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 above, report this to the council.**
- b Where the notification in standing order 13(a) above 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 the duties of the Proper Officer in relation to the complaint until it has been determined (England) and the council has agreed what action, if any, to take in accordance with standing order 14(d) below.**
- c The council may:**
  - i. provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;**
  - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;**
- d Upon notification by the District or 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 him. Such action excludes disqualification or suspension from office.**

## **14. Proper Officer**

- a The Proper Officer shall be either (i) the clerk or (ii) other staff member(s) nominated by the council to undertake the work of the Proper Officer when the Proper Officer is**

absent.

- b The Proper Officer shall:
- i. **at least three clear days before a meeting of the council, a committee and a sub-committee serve on councillors, by delivery or post at their residences, a signed summons confirming the time, place and the agenda.**  
OR  
at least three clear days before a meeting of the council, a committee and a sub-committee serve on councillors a summons, by email, confirming the time, place and the agenda provided any such email contains the electronic signature and title of the Proper Officer.  
*See standing order 3(b) above for the meaning of clear days for a meeting of a full council and standing order 3 (c) above for a meeting of a committee.*
  - ii. **give public notice of the time, place and agenda at least three clear days before a meeting of the council or a meeting of a committee or a sub-committee (provided that the public notice with agenda of an extraordinary meeting of the council convened by councillors is signed by them);**  
*See standing order 3(b) above for the meaning of clear days for a meeting of a full council and standing order 3(c) above for a meeting of a committee.*
  - iii. subject to standing order 9 above, include on the agenda all motions in the order received unless a councillor has given written notice at least 3 days before the meeting confirming his withdrawal of it;
  - iv. **convene a meeting of full council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;**
  - v. facilitate inspection of the minute book by local government electors;
  - vi. **receive and retain copies of byelaws made by other local authorities;**
  - vii. retain acceptance of office forms from councillors;
  - viii. retain a copy of every councillor's register of interests;
  - ix. assist with responding to requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the council's policies and procedures relating to the same;
  - x. receive and send general correspondence and notices on behalf of the council except where there is a resolution to the contrary;
  - xi. manage the organisation, storage of, access to and destruction of information held by the council in paper and electronic form;
  - xii. arrange for legal deeds to be executed;  
*See also standing order 22 below.*
  - xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the council in accordance with the council's financial regulations;
  - xiv. record every planning application notified to the council and the council's response to the local planning authority in a book for such purpose;
  - xv. refer a planning application received by the council to the Chairman or in his absence the Vice-Chairman of the Council or Chairman or in his absence Vice-Chairman of the Finance and General Purpose 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 council or Finance and General Purpose Committee;
- xvi. manage access to information about the council via the publication scheme; and
  - xvii. retain custody of the seal of the council (if any) which shall not be used without a resolution to that effect.

*See also standing order 22 below.*

## **15. Responsible Financial Officer**

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

## **16. Accounts and accounting statements**

- a "Proper practices" in standing orders refer to the most recent version of Governance and Accountability for Local Councils – a Practitioners' Guide (England).
- b All payments by the council shall be authorised, approved and paid in accordance with the law, proper practices and the council's financial regulations.
- c The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:
  - i. the council's receipts and payments for each quarter;
  - ii. the council's aggregate receipts and payments for the year to date;
  - iii. the balances held at the end of the quarter being reported

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

- d As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
  - i. each councillor with a statement summarising the council's receipts and payments for the last quarter and the year to date for information; and
  - ii. to the full council the accounting statements for the year in the form of Section 1 of the annual return, as required by proper practices, for consideration and approval.
- e The year end accounting statements shall be prepared in accordance with proper practices and applying the form of accounts determined by the council (receipts and payments, or income and expenditure) for a year to 31 March. A completed draft annual return shall be presented to each councillor before the end of the following month of May. The annual return of the council, which is subject to external audit, including the annual governance statement, shall be presented to council for

consideration and formal approval before 30 June.

## 17. Financial controls and procurement

- a The council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
- i. the keeping of accounting records and systems of internal controls;
  - ii. the assessment and management of financial risks faced by the council;
  - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
  - iv. the inspection and copying by councillors and local electors of the council's accounts and/or orders of payments; and
  - v. procurement policies (subject to standing order 18(c) below) including the setting of values for different procedures where a contract has an estimated value of less than [£60,000].
- b Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c **Financial regulations shall confirm that a proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of [£60,000] shall be procured on the basis of a formal tender as summarised in standing order 18(d) below.**
- d Subject to additional requirements in the financial regulations of the council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
- i. a specification for the goods, materials, services or the execution of works shall be drawn up;
  - ii. an invitation to tender shall be drawn up to confirm (i) the council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
  - iii. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
  - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;  
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;
  - v. tenders are to be reported to and considered by the appropriate meeting of the council or a committee or sub-committee with delegated responsibility.

- e Neither the council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- f **Where the value of a contract is likely to exceed £138,893 (or other threshold specified by the Office of Government Commerce from time to time) the council must consider whether the Public Contracts Regulations 2006 (SI No. 5, as amended) and the Utilities Contracts Regulations 2006 (SI No. 6, as amended) apply to the contract and, if either of those Regulations apply, the council must comply with EU procurement rules.**

## 18. Handling staff matters

- a A matter personal to a member of staff that is being considered by a meeting of council OR its committee's is subject to standing order 11 above.
- b Subject to the council's policy regarding absences from work, the council's most senior member of staff shall notify the leader and chairman of the Human Resources committee or, if he is not available, the vice-chairman of the Human Resources committee of absence occasioned by illness or other reason and that person shall report such absence to the Human Resources committee at its next meeting.
- c Each year an appraisal committee consisting of the Leader, Mayor and the Chairs of Finance and General Purpose Committee and Human Resources will conduct a review of the performance and annual appraisal of the work of the Proper Officer. The reviews and appraisal shall be reported in writing and is subject to approval by resolution by the Human Resources committee.
- d Subject to the council's policy regarding the handling of grievance matters, the council's most senior employee (or other employees) shall contact the leader and chairman of the Human Resources committee or in his absence, the vice-chairman of the Human Resources committee in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Human Resources committee.
- e Subject to the council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by an employee relates to the leader, chairman or vice-chairman of the Human Resources committee, this shall be communicated to another member of the Human Resources committee, which shall be reported back and progressed by resolution of the Human Resources committee.
- f Any persons responsible for all or part of the management of staff shall treat the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters as confidential and secure.
- g The council shall keep all written records relating to employees secure. All paper

records shall be secured and locked and electronic records shall be password protected.

- h Only persons with line management responsibilities shall have access to staff records referred to in standing orders 18(f) and (g) above if so justified.
- i Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 18(f) and (g) above shall be provided only to (post holder) and/or the Proper Officer.

## 19. Requests for information

- a Requests for information held by the council shall be handled in accordance with the council's policy in respect of handling requests under the Freedom of Information Act 2000 and the Data Protection Act 1998.
- b Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the chairman of the Finance and General Purposes committee. The said committee shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000.

## 20. Relations with the press/media

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

## 21. Execution and sealing of legal deeds

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

- a A legal deed shall not be executed on behalf of the council unless authorised by a resolution.
- b **[Subject to standing order 21(a) above, the council's common seal shall alone be used for sealing a deed required by law. It shall be applied by the Proper Officer in the presence of two councillors who shall sign the deed as witnesses.]**  
*The above is applicable to a council with a common seal.*

## 22. Communicating with District and County or Unitary councillors

- a In the interests of consistency, the Town Council communicate with all individuals in

the same manner, therefore no special privileges will be extended to any individuals outside of the Council including the ward councillor(s) of the [(England) [District and County Council] OR [Unitary Council]] [(Wales) [County Borough] OR [County Council]] representing the area of the council.

## **23. Restrictions on councillor activities**

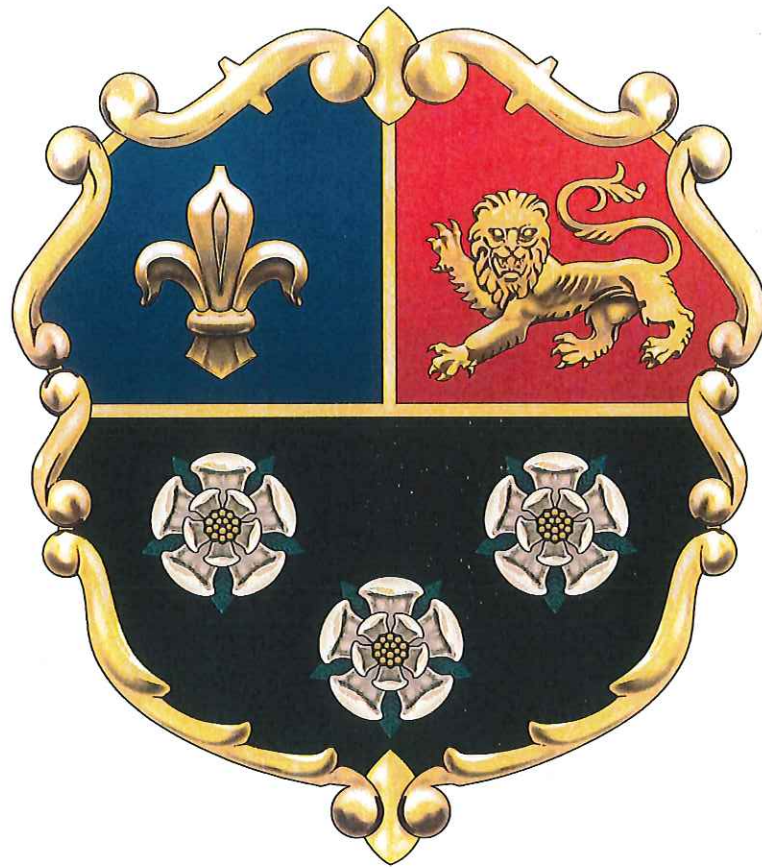
- a. Unless authorised by a resolution, no councillor shall:
  - i. inspect any land and/or premises which the council has a right or duty to inspect;  
or
  - ii. issue orders, instructions or directions.
- b. Social Media – All councillors must act in accordance with the Town Council's adopted Press, Media and Social Media Policy.
- c. Any councillor wishing to spend time with the Town Clerk should in the first instance, check with the Deputy Town Clerk or the Administration Officer as to his availability and if necessary make an appointment at the next mutually convenient time. They should also provide an indication of the matter which they would like to discuss.

## **24. Standing orders generally**

- a. All or part of a standing order, except one that incorporates mandatory statutory requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b. A motion to add to or vary or revoke one or more of the council's standing orders, except one that incorporates mandatory statutory requirements, shall be proposed by a special motion, the written notice by at least 6 councillors to be given to the Proper Officer in accordance with standing order 9 above.
- c. The Proper Officer shall provide a copy of the council's standing orders to a councillor as soon as possible after he has delivered his acceptance of office form and following any revisions following the annual review.
- d. The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final.



# PRESCOT TOWN COUNCIL



## FINANCIAL REGULATIONS 2023-24

**PRESCOT TOWN COUNCIL  
FINANCIAL REGULATIONS**

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## **1. GENERAL**

- 1.1. These financial regulations govern the conduct of financial management by the council and may only be amended or varied by resolution of the council. Financial regulations are one of the council's three governing policy documents providing procedural guidance for members and officers. Financial regulations must be observed in conjunction with the council's standing orders<sup>1</sup> and any individual financial regulations relating to contracts.
- 1.2. The council is responsible in law for ensuring that its financial management is adequate and effective and that the council has a sound system of internal control which facilitates the effective exercise of the council's functions, including arrangements for the management of risk.
- 1.3. The council's accounting control systems must include measures:
  - for the timely production of accounts;
  - that provide for the safe and efficient safeguarding of public money;
  - to prevent and detect inaccuracy and fraud; and
  - identifying the duties of officers.
- 1.4. These financial regulations demonstrate how the council meets these responsibilities and requirements.
- 1.5. At least once a year, prior to approving the Annual Governance Statement, the council must review the effectiveness of its system of internal control which shall be in accordance with proper practices.
- 1.6. Deliberate or wilful breach of these Regulations by an employee may give rise to disciplinary proceedings.
- 1.7. Members of Council are expected to follow the instructions within these Regulations and not to entice employees to breach them. Failure to follow instructions within these Regulations brings the office of councillor into disrepute.
- 1.8. The Responsible Financial Officer (RFO) holds a statutory office to be appointed by the council. The Town Clerk has been appointed as RFO for this council and these regulations will apply accordingly.

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<sup>1</sup> Model standing orders for councils are available in Local Councils Explained © 2013 National Association of Local Councils

1.9. The RFO;

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

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 record of receipts and payments and additional information, as the case may be, or management information prepared for the council and its committees from time to time comply with the Accounts and Audit Regulations.

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

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

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

- procedures to ensure that the financial transactions of the council are recorded as soon as reasonably practicable and as accurately and reasonably as possible;
- procedures to enable the prevention and detection of inaccuracies and fraud and the ability to reconstruct any lost records;
- identification of the duties of officers dealing with financial transactions and division of responsibilities of those officers in relation to significant transactions;

- procedures to ensure that uncollectable amounts, including any bad debts are not submitted to the council for approval to be written off except with the approval of the RFO and that the approvals are shown in the accounting records; and
- measures to ensure that risk is properly managed.

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

- setting the final budget or the precept (council tax requirement);
- approving accounting statements;
- approving an annual governance statement;
- borrowing;
- writing off bad debts;
- declaring eligibility for the General Power of Competence; and
- addressing recommendations in any report from the internal or external auditors,

shall be a matter for the full council only.

1.14. In addition the council must:

- determine and keep under regular review the bank mandate for all council bank accounts;
- approve any grant commitment in excess of [£1,000]; and
- in respect of the annual salary for any employee have regard to recommendations about annual salaries of employees made by the relevant committee in accordance with its terms of reference.

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

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

1.16 In these financial regulations references to the council also include Finance, Policy and Human Resources Committee except in those circumstances prohibited in section 1.13 above.

## **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 each financial year end, a member other than the Chairman [or a cheque signatory] shall be appointed to verify bank reconciliations (for all accounts) produced by the RFO. The member shall sign the reconciliations and the original bank statements (or similar document) as evidence of verification. This activity shall on conclusion be reported, including any exceptions, to and noted by the council.
- 2.3. The RFO shall complete the annual statement of accounts, annual report, and any related documents of the council contained in the Annual Return (as specified in proper practices) as soon as practicable after the end of the financial year and having certified the accounts shall submit them and report thereon to the council within the timescales set by the Accounts and Audit Regulations.
- 2.4. The council shall ensure that there is an adequate and effective system of internal audit of its accounting records, and of its system of internal control in accordance with proper practices. Any officer or member of the council shall make available such documents and records as appear to the council to be necessary for the purpose of the audit and shall, as directed by the council, supply the RFO, internal auditor, or external auditor with such information and explanation as the council considers necessary for that purpose.
- 2.5. The internal auditor shall be appointed by and shall carry out the work in relation to internal controls required by the council in accordance with proper practices.
- 2.6. The internal auditor shall:
  - be competent and independent of the financial operations of the council;
  - report to council in writing, or in person, on a regular basis with a minimum of one annual written report during each financial year;
  - to demonstrate competence, objectivity and independence, be free from any actual or perceived conflicts of interest, including those arising from family relationships; and
  - have no involvement in the financial decision making, management or control of the council.
- 2.7. Internal or external auditors may not under any circumstances:
  - perform any operational duties for the council;
  - initiate or approve accounting transactions; or

- direct the activities of any council employee, except to the extent that such employees have been appropriately assigned to assist the internal auditor.
- 2.8. For the avoidance of doubt, in relation to internal audit the terms 'independent' and 'independence' shall have the same meaning as is described in proper practices.
- 2.9. The RFO shall make arrangements for the exercise of electors' rights in relation to the accounts including the opportunity to inspect the accounts, books, and vouchers and display or publish any notices and statements of account required by Audit Commission Act 1998, or any superseding legislation, and the Accounts and Audit Regulations.
- 2.10. The RFO shall, without delay, bring to the attention of all councillors any correspondence or report from internal or external auditors.

### **3. ANNUAL ESTIMATES (BUDGET) AND FORWARD PLANNING**

- 3.1. [Each committee (if any) shall review its three year forecast of revenue and capital receipts and payments. Having regard to the forecast, it shall thereafter formulate and submit proposals for the following financial year to the council not later than the end of [November] each year including any proposals for revising the forecast].
- 3.2. The RFO must each year, by no later than January (subject to provision of information by the principle authority), prepare detailed estimates of all receipts and payments including the use of reserves and all sources of funding for the following financial year in the form of a budget to be considered by the relevant committee and the council.
- 3.3. The council shall consider annual budget proposals in relation to the council's three-year forecast of revenue and capital receipts and payments including recommendations for the use of reserves and sources of funding and update the forecast accordingly.
- 3.4. The council shall fix the precept (council tax requirement), and relevant basic amount of council tax to be levied for the ensuing financial year not later than by the end of January each year (subject to provision of information by the principle authority). The RFO shall issue the precept to the billing authority and shall supply each member with a copy of the approved annual budget.
- 3.5. The approved annual budget shall form the basis of financial control for the ensuing year.

#### 4. BUDGETARY CONTROL AND AUTHORITY TO SPEND

- 4.1. Expenditure on revenue items may be authorised up to the amounts included for that class of expenditure in the approved budget. This authority is to be determined by:
- the council for all items over [£50,000];
  - a duly delegated committee of the council or tender opening panel for items over [£5,000];
- and
- the Clerk, in conjunction with Leader of the Council and Chairman of the Finance and General-Purpose committee, for any items between [£5,000 and above £2,500].
  - The Town Clerk has delegated power to enter into a contract costing less than £2,500 in value for the supply of goods or materials for the execution of works, goods or specialist services. Such expenditure must be included in the monthly financial reports to the Finance Policy and Human Resources Committee as detailed in these Financial Regulations.

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

- 4.2. No expenditure may be authorised that will exceed the amount provided in the revenue budget for that class of expenditure other than by resolution of the council, or duly delegated committee. During the budget year and with the approval of council having considered fully the implications for public services, unspent and available amounts may be moved to other budget headings or to an earmarked reserve as appropriate ('virement').
- 4.3. Unspent provisions in the revenue or capital budgets for completed projects shall not be carried forward to a subsequent year.
- 4.4. The salary budgets are to be reviewed at least annually in [January] for the following financial year and such review shall be evidenced by a hard copy schedule signed by the Clerk and the Chairman of Council or relevant committee. The RFO will inform committees of any changes impacting on their budget requirement for the coming year in good time.
- 4.5. In cases of extreme risk to the delivery of council services, reasons of public safety or matters of extreme urgency, the clerk or in their absence the deputy clerk in conjunction with the Leader, Chair and Vice Chair of Finance Policy and Human Resources Committee 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 [£5,000]. The Clerk shall report such action to the chairman as soon as possible and to the council as soon as practicable thereafter.
- 4.6. No expenditure shall be authorised in relation to any capital project and no contract entered into or tender accepted involving capital expenditure unless the council is



satisfied that the necessary funds are available, and the requisite borrowing approval has been obtained.

- 4.7. All capital works shall be administered in accordance with the council's standing orders and financial regulations relating to contracts.
- 4.8. The RFO shall regularly provide the Finance Policy and Human Resources Committee with a statement of receipts and payments to date under each head of the budgets, comparing actual expenditure to the appropriate date against that planned as shown in the budget. These statements are to be prepared at least at the end of each financial quarter and shall show explanations of material variances. For this purpose "material" shall be in excess of £500 or 0.001% of the councils budget.
- 4.9. Changes in earmarked reserves shall be approved by council as part of the budgetary control process.

## **5. BANKING ARRANGEMENTS AND AUTHORISATION OF PAYMENTS**

- 5.1. The council's banking arrangements, including the bank mandate, shall be made by the RFO and approved by the council; banking arrangements may not be delegated to a committee. They shall be regularly reviewed for safety and efficiency. The RFO shall prepare a schedule of payments, forming part of the Agenda for the Meeting and, together with the relevant invoices, present the schedule to council. The council / committee shall review the schedule for compliance and, having satisfied itself shall authorise payment by a resolution of the council. The approved schedule shall be ruled off and initialled by the Chairman of the Meeting. A detailed list of all payments shall be disclosed within or as an attachment to the minutes of the meeting at which payment was authorised. Personal payments (including salaries, wages, expenses and any payment made in relation to the termination of a contract of employment) may be summarised to remove public access to any personal information.
- 5.2. All invoices for payment shall be examined, verified and certified by the RFO to confirm that the work, goods or services to which each invoice relates has been received, carried out, examined and represents expenditure previously approved by the council.
- 5.3. The RFO shall examine invoices for arithmetical accuracy and analyse them to the appropriate expenditure heading. The RFO shall take all steps to pay all invoices submitted, and which are in order, at the next available council meeting.

- 5.4. The RFO shall have delegated authority to authorise the payment of items only in the following circumstances:
- a) If a payment is necessary to avoid a charge to interest under the Late Payment of Commercial Debts (Interest) Act 1998, and the due date for payment is before the next scheduled Meeting of council, where the RFO certifies that there is no dispute or other reason to delay payment, provided that a list of such payments shall be submitted to the next appropriate meeting of council;
  - b) An expenditure item authorised under 5.6 below (continuing contracts and obligations) provided that a list of such payments shall be submitted to the next appropriate meeting of council; or
  - c) fund transfers within the councils banking arrangements up to the sum of [£20,000], provided that a list of such payments shall be submitted to the next appropriate meeting of council.
- 5.5. For each financial year the RFO may draw up a list of due payments which arise on a regular basis as the result of a continuing contract, statutory duty, or obligation (such as but not exclusively) Salaries, PAYE and NI, Superannuation Fund and regular maintenance contracts and the like for which council may authorise payment for the year provided that the requirements of regulation 4.1 (Budgetary Controls) are adhered to, provided also that a list of such payments shall be submitted to the next appropriate meeting of council.
- 5.6. A record of regular payments made under 5.5 above shall be drawn up and be signed by two members on each and every occasion when payment is authorised - thus controlling the risk of duplicated payments being authorised and / or made.
- 5.7. In respect of grants a duly authorised committee shall approve expenditure within any limits set by council and in accordance with any policy statement approved by council. Any Revenue or Capital Grant shall before payment, be subject to ratification by resolution of the council.
- 5.8. Members are subject to the Code of Conduct that has been adopted by the council and shall comply with the Code and Standing Orders when a decision to authorise or instruct payment is made in respect of a matter in which they have a disclosable pecuniary or other interest, unless a dispensation has been granted.
- 5.9. The council may aim to rotate the duties of members in these Regulations so that onerous duties are shared out as evenly as possible over time.
- 5.10. Any changes in the recorded details of suppliers, such as bank account records, shall be evidenced through external email or other external communique.

## **6. INSTRUCTIONS FOR THE MAKING OF PAYMENTS**

- 6.1. The council will make safe and efficient arrangements for the making of its payments.
- 6.2. Following authorisation under Financial Regulation 5 above, the council, a duly delegated committee or, if so delegated, the RFO shall give instruction that a payment shall be made.
- 6.3. All payments shall be effected by direct bank transfer, cheque or other instructions to the council's bankers, or otherwise, in accordance with a resolution of council.
- 6.4. The Town Council will operate a company credit card for online purchases where a council purchase order is not appropriate or unacceptable to the vendor. The Credit card is to be held in the safe located within the Town Clerks office and will only be used by the Clerk or Deputy Clerk in accordance with the requirements of Financial Regulation 5 above. The Credit Card limit will be capped at £500.00.
- 6.5. Cheques or orders for payment drawn on the bank account in accordance with the schedule as presented to council or committee shall be signed by two member[s] of council and countersigned by the Clerk or Deputy Clerk in accordance with a resolution instructing that payment. A member who is a bank signatory, having a connection by virtue of family or business relationships with the beneficiary of a payment, should not, under normal circumstances, be a signatory to the payment in question.
- 6.6. To indicate agreement of the details shown on the cheque or order for payment with the counterfoil and the invoice or similar documentation, the signatories shall each also initial the cheque counterfoil.
- 6.7. Cheques or orders for payment shall not normally be presented for signature other than at a council or committee meeting (including immediately before or after such a meeting). Any signatures obtained away from such meetings shall be reported to the council at the next convenient meeting.
- 6.8. If thought appropriate by the RFO, payment for utility supplies (energy, telephone and water) and any National Non-Domestic Rates may be made by variable direct debit provided that the instructions are signed by two members and any payments are reported to council as made. The approval of the use of a variable direct debit shall be renewed by resolution of the council at least every two years.
- 6.9. If thought appropriate by the council, payment for certain items (principally salaries) may be made by banker's standing order provided that the instructions are signed, or otherwise evidenced by two members are retained and any payments are reported to council as made. The approval of the use of a banker's standing order shall be renewed by resolution of the council at least every two years.
- 6.10. If thought appropriate by the council, payment for certain items may be made by BACS or CHAPS methods provided that the instructions for each payment are signed, or otherwise evidenced, by two authorised bank signatories, are retained and any

payments are reported to council as made. The approval of the use of BACS or CHAPS shall be renewed by resolution of the council at least every two years.

- 6.11. No employee or councillor shall disclose any PIN or password, relevant to the working of the council or its bank accounts, to any person not authorised in writing by the council.
- 6.12. Regular back-up copies of the records on any computer shall be made and shall be stored securely away from the computer in question, and preferably off site.
- 6.13. The council, and any members using computers for the council's financial business, shall ensure that anti-virus, anti-spyware and firewall software with automatic updates, together with a high level of security, is used.
- 6.14. Access to any internet banking accounts will be directly to the access page Remembered or saved passwords facilities must not be used on any computer used for council banking work. Breach of this Regulation will be treated as a very serious matter under these regulations.
- 6.15. Changes to account details for suppliers, which are used for internet banking may only be changed on notification by the supplier.
- 6.16. Any corporate credit card or trade card account opened by the council will be specifically restricted to use by the RFO [and in his absence the Deputy Town Clerk] and shall be subject to automatic payment in full at each month-end. Personal credit or debit cards of members or staff shall not be used under any circumstances.
- 6.17. The RFO may provide petty cash to officers for the purpose of defraying operational and other expenses. Vouchers for payments made shall be forwarded to the RFO with a claim for reimbursement.
  - a) The RFO shall maintain a petty cash float of [£250] for the purpose of defraying operational and other expenses. Vouchers for payments made from petty cash shall be kept substantiating the payment.
  - b) Income received must not be paid into the petty cash float but must be separately banked, as provided elsewhere in these regulations.
  - c) Payments to maintain the petty cash float shall be shown separately on the schedule of payments presented to council under 5.2 above.

## **7. PAYMENT OF SALARIES**

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

- 7.2. Payment of salaries and payment of deductions from salary such as may be required to be made for tax, national insurance and pension contributions, or similar statutory or discretionary deductions must be made in accordance with the payroll records and on the appropriate dates stipulated in employment contracts, provided that each payment is reported to the next available council meeting, as set out in these regulations above.
- 7.3. No changes shall be made to any employee's basic pay, emoluments, or terms and conditions of employment without the prior consent of the Human Resource Committee.
- 7.4. Each and every payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a separate confidential record (confidential cash book). This confidential record is not open to inspection or review (under the Freedom of Information Act 2000 or otherwise) other than:
- a) by any councillor who can demonstrate a need to know;
  - b) by the internal auditor;
  - c) by the external auditor; or
  - d) by any person authorised under Audit Commission Act 1998, or any superseding legislation.
- 7.5. The total of such payments in each calendar month shall be reported with all other payments as made as may be required under these Financial Regulations, to ensure that only payments due for the period have actually been paid.
- 7.6. An effective system of personal performance management should be maintained for the senior officers.
- 7.7. Any termination payments shall be supported by a clear business case and reported to the council. Termination payments shall only be authorised by council.
- 7.8. Before employing interim staff the council must consider a full business case.

## **8. LOANS AND INVESTMENTS**

- 8.1. All borrowings shall be effected in the name of the council, after obtaining any necessary borrowing approval. Any application for borrowing approval shall be approved by the Council as to terms and purpose. The application for borrowing approval, and subsequent arrangements for the loan shall only be approved by full council.
- 8.2. Any financial arrangement which does not require formal borrowing approval from the Secretary of State/Welsh Assembly Government (such as Hire Purchase or Leasing of tangible assets) shall be subject to approval by the full council. In each case a report in writing shall be provided to council in respect of value for money for the proposed transaction.

- 8.3. All loans and investments shall be negotiated in the name of the council and shall be for a set period in accordance with council policy.
- 8.4. The council shall consider the need for an Investment Strategy and Policy which, if drawn up, shall be in accordance with relevant regulations, proper practices and guidance. Any Strategy and Policy shall be reviewed by the council at least annually.
- 8.5. All investments of money under the control of the council shall be in the name of the council.
- 8.6. All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.
- 8.7. Payments in respect of short term or long-term investments, but not including transfers between bank accounts held in the same bank, or branch, shall be made in accordance with Regulation 5 (Authorisation of payments) and Regulation 6 (Instructions for payments).

## **9. INCOME**

- 9.1. The collection of all sums due to the council shall be the responsibility of and under the supervision of the RFO.
- 9.2. Particulars of all charges to be made for work done, services rendered or goods supplied shall be agreed annually by the council, notified to the RFO and the RFO shall be responsible for the collection of all accounts due to the council.
- 9.3. The council will review all fees and charges at least annually, following a report of the RFO.
- 9.4. Any sums found to be irrecoverable and any bad debts shall be reported to the council and shall be written off in the year.
- 9.5. All sums received on behalf of the council shall be banked intact as directed by the RFO. In all cases, all receipts shall be deposited with the council's bankers with such frequency as the RFO considers necessary.
- 9.6. As a result of local branch closures the Town Council will utilise a debit card for the purpose of paying cash and cheques into its account via post office counters. In order to safeguard the Town Council from the possibility of card cloning the debit card will be attached a separate income only account from which income will be electronically transferred to the main business account via internet banking.
- 9.7. The origin of each receipt shall be entered on the paying-in slip.
- 9.8. Personal cheques shall not be cashed out of money held on behalf of the council.
- 9.9. The RFO shall promptly complete any VAT Return that is required. Any repayment claim due in accordance with VAT Act 1994 section 33 shall be made on a quarterly basis

- 9.10. Where any significant sums of cash are regularly received by the council, the RFO shall take such steps as are agreed by the council to ensure that more than one person is present when the cash is counted in the first instance, that there is a reconciliation to some form of control such as ticket issues, and that appropriate care is taken in the security and safety of individuals banking such cash.
- 9.11. [Any income arising which is the property of a charitable trust shall be paid into a charitable bank account. Instructions for the payment of funds due from the charitable trust to the council (to meet expenditure already incurred by the authority) will be given by the Managing Trustees of the charity meeting separately from any council meeting (see also Regulation 16 below)].

## **10. ORDERS FOR WORK, GOODS AND SERVICES**

- 10.1. An official order or letter shall be issued for all work, goods and services unless a formal contract is to be prepared or an official order would be inappropriate. Copies of orders shall be retained.
- 10.2. Order books shall be controlled by the RFO.
- 10.3. All members and officers are responsible for obtaining value for money at all times. An officer issuing an official order shall ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction, usually by obtaining three or more quotations or estimates from appropriate suppliers, subject to any *de minimis* provisions in Regulation 11.1 below or above the value of £500 or if a recent quotation exercise has been performed in that area.
- 10.4. A member may not issue an official order or make any contract on behalf of the council, without having gained prior approval from the RFO and the council or duly appointed committee, such approval will be recorded separately in the minutes
- 10.5. The RFO shall verify the lawful nature of any proposed purchase before the issue of any order, and in the case of new or infrequent purchases or payments, the RFO shall ensure that the statutory authority shall be reported to the meeting at which the order is approved so that the minutes can record the power being used.

## **11. CONTRACTS**

- 11.1. Procedures as to contracts are laid down as follows:
- a. Every contract shall comply with these financial regulations, and no exceptions shall be made otherwise than in an emergency provided that this regulation need not apply to contracts which relate to items (i) to (vi) below:
    - i. for the supply of gas, electricity, water, sewerage, telephone services and insurance;

- ii. for specialist services such as are provided by solicitors, accountants, surveyors and planning consultants;
  - iii. for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant;
  - iv. for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the council;
  - v. for additional audit work of the external auditor up to an estimated value of £500 (in excess of this sum the RFO shall act after consultation with the Chairman and Vice Chairman of council); and
  - vi. for goods or materials proposed to be purchased which are proprietary articles and / or are only sold at a fixed price.
- b. Where the council intends to procure or award a public supply contract, public service contract or public works contract as defined by The Public Contracts Regulations 2015 ("the Regulations") which is valued at £25,000 or more, the council shall comply with the relevant requirements of the Regulations<sup>2</sup>.
  - c. The full requirements of The Regulations, as applicable, shall be followed in respect of the tendering and award of a public supply contract, public service contract or public works contract which exceed thresholds in The Regulations set by the Public Contracts Directive 2014/24/EU (which may change from time to time)<sup>3</sup>.
  - d. When applications are made to waive financial regulations relating to contracts to enable a price to be negotiated without competition the reason shall be embodied in a recommendation to the council.
  - e. Such invitation to tender shall state the general nature of the intended contract and the Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the Clerk in the ordinary course of post. Each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract.
  - f. All sealed tenders shall be opened at the same time on the prescribed date by the Clerk in the presence of at least three members of council usually the Leader and the Chair and Vice Chair of Finance, Policy and Human Resources

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<sup>2</sup> The Regulations require councils to use the Contracts Finder website to advertise contract opportunities, set out the procedures to be followed in awarding new contracts and to publicise the award of new contracts

<sup>3</sup> Thresholds currently applicable are:

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



Committee and at least one other officer, this individual may be external to the council.

- g. Any invitation to tender issued under this regulation shall be subject to Standing Orders 18d,

<sup>4</sup> Subject to additional requirements in the financial regulations of the council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:

- i. a specification for the goods, materials, services or the execution of works shall be drawn up;
  - ii. an invitation to tender shall be drawn up to confirm (i) the council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
  - iii. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
  - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;  
tenders shall be opened by the Proper Officer in the presence of at least three members of council usually the Leader and the Chair and Vice Chair of Finance, Policy and Human Resources Committee and at least one other officer, this individual may be external to the council. After the deadline for submission of tenders has passed;
  - v. tenders are to be reported to and considered by the appropriate meeting of the council or a committee or sub-committee with delegated responsibility.
- h. and shall refer to the terms of the Bribery Act 2010.
- i. When it is to enter into a contract of less than £20,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the RFO shall obtain 3 quotations (priced descriptions of the proposed supply). Otherwise, Regulation 10.3 above shall apply.
  - j. The council shall not be obliged to accept the lowest or any tender, quote or estimate.
  - k. Should it occur that the council, or duly delegated committee, does not accept any tender, quote or estimate, the work is not allocated and the council requires further pricing, provided that the specification does not change, no person shall be permitted to submit a later tender, estimate or quote who was present when the original decision making process was being undertaken.

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<sup>4</sup> Based on NALC's model standing order 18d in Local Councils Explained © 2013 National Association of Local Councils

## **12. PAYMENTS UNDER CONTRACTS FOR BUILDING OR OTHER CONSTRUCTION WORKS (PUBLIC WORKS CONTRACTS)**

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

## **13. STORES AND EQUIPMENT**

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

## **14. ASSETS, PROPERTIES AND ESTATES**

- 14.1. The RFO shall make appropriate arrangements for the custody of all title deeds and Land Registry Certificates of properties held by the council. The RFO shall ensure a record is maintained of all properties held by the council, recording the location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held in accordance with Accounts and Audit Regulations.
- 14.2. No tangible moveable property shall be purchased or otherwise acquired, sold, leased or otherwise disposed of, without the authority of the council, together with any other consents required by law, save where the estimated value of any one item of tangible movable property does not exceed £250.
- 14.3. No real property (interests in land) shall be sold, leased or otherwise disposed of without the authority of the council, together with any other consents required by law. In each case a report in writing shall be provided to council in respect of valuation and

surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).

- 14.4. No real property (interests in land) shall be purchased or acquired without the authority of the full council. In each case a report in writing shall be provided to council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).
- 14.5. Subject only to the limit set in Regulation 14.2 above, no tangible moveable property shall be purchased or acquired without the authority of the full council. In each case a report in writing shall be provided to council with a full business case.
- 14.6. The 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 at least annually, possibly in conjunction with a health and safety inspection of assets.
- 14.7. The RFO shall ensure that an independent valuation of the rebuild or replacement cost of Town Council owned buildings is obtained on a five-yearly cycle. In accordance with the JPAG guidance in place at that time.

## **15. INSURANCE**

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

## **16. RISK MANAGEMENT**

- 16.1. The council is responsible for putting in place arrangements for the management of risk. The RFO 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.

- 16.2. When considering any new activity, the RFO shall prepare a draft risk assessment including risk management proposals for consideration and adoption by the council or appropriate committee.

## **17. CHARGING POLICY**

- 17.1 The Charging Policy is a key strand of the Town Council's Annual Budget Strategy. The Town Council aims to:

- i. ensure that current charges are set and uplifted correctly.
- ii. ensure that fees and charges levied are collected effectively and efficiently.
- iii. explore and implement new charging opportunities.

- 17.2 The Town Council's Charging Policy identifies five key principles to be considered when reviewing or introducing new charges:

- i. charging decisions should be consistent with the Town Council's overall corporate policies, priorities and service objectives.
- ii. options for charging should be considered for all services when informed by a clear understanding of the full cost of providing the service, prevailing market rates and the risks associated with differing charging levels.
- iii. concessions should be targeted at groups assessed as being in need of a service and should take account of the ability to pay.
- iv. the efficient administration of charges are detailed in these Financial Regulations.
- v. charges and concession schemes should be reviewed on a regular basis to ensure that they are appropriate. There should be a fundamental review of charges every three years against the agreed Town Council's policies, priorities and service objectives. A review of charges and concession schemes should take place on an annual basis as part of the budget setting exercise.
- vi. The Town Clerk or Deputy Town Clerk in conjunction with the Chair and Vice Chair of Finance, Policy and Human Resources Committee together with the Leader, may exercise some discretion in the granting of concessions for room hire, in instances deemed to be of wider benefit to the township. In all cases these will be reported back at the next Finance, Policy and Human Resources Committee meeting.

## **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 Clerk shall make arrangements to monitor changes in legislation or proper practices and shall advise the council of any requirement for a consequential amendment to these Financial Regulations.
- 18.2. The council may, by resolution of the council duly notified prior to the relevant meeting of council, suspend any part of these Financial Regulations provided that reasons for

the suspension are recorded and that an assessment of the risks arising has been drawn up and presented in advance to all members of council.

\* \* \*



**PRESCOT TOWN COUNCIL****ANNUAL MEETING****18<sup>th</sup> MAY 2023****REPORT TITLE:**

Representatives on Outside Bodies

**BACKGROUND TO THE REPORT:**

In accordance with Standing Orders 5 J v. a review of the representation on or work with external bodies and arrangements for reporting back.

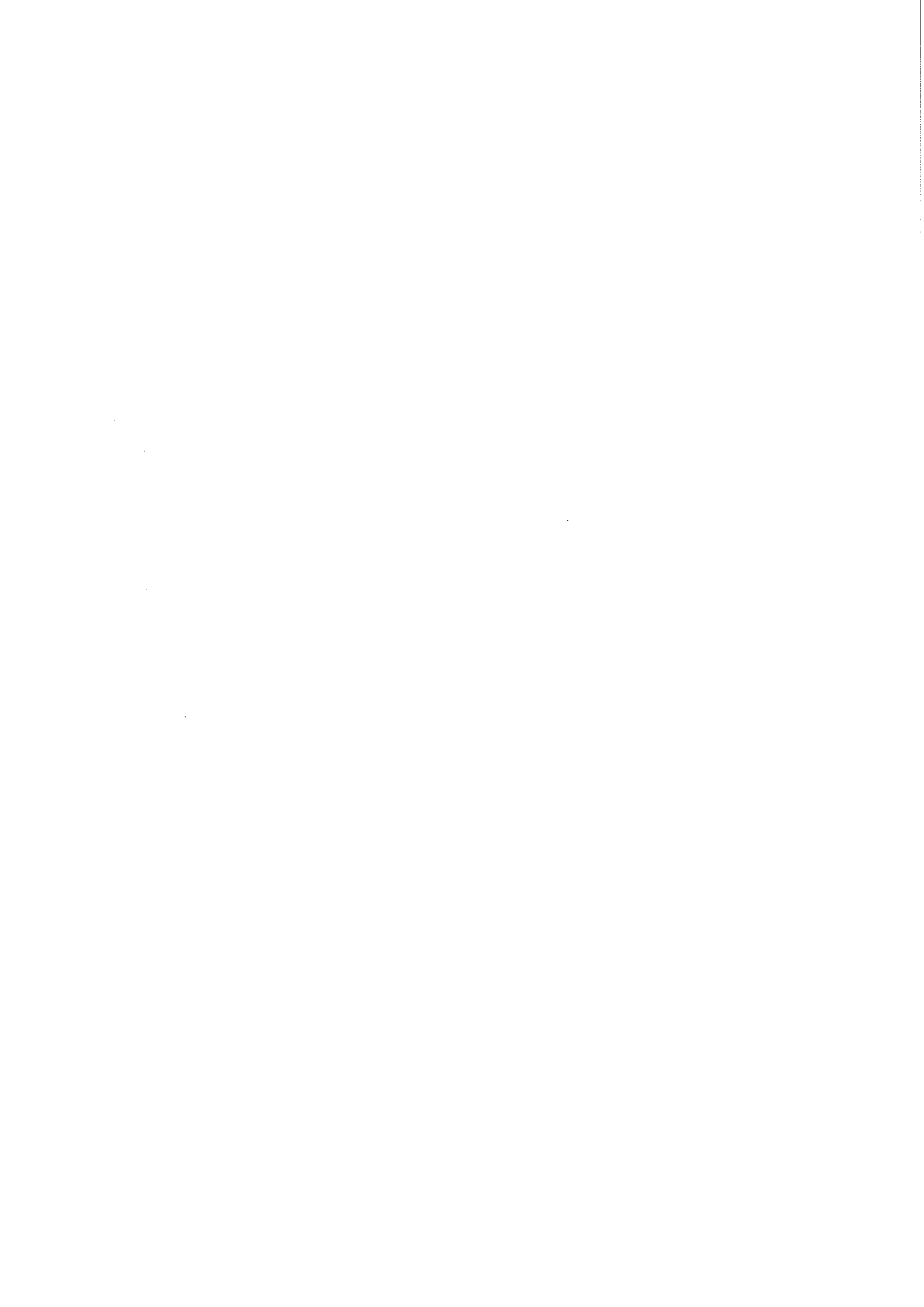
Each year the Town Council make appointments for representation to Outside Bodies who have contacted the Town Council seeking support or representation. Representation can be through staff or elected members.

**PURPOSE OF REPORT:**

For Members to approve the proposed appointment of representatives to Outside Bodies for 2023/24.

**REPORTS PREPARED BY:**

Alex Spencer – Town Clerk





# Prescot Town Council

## Representation on Outside Bodies

### 1. INTRODUCTION

- 1.1 As members are aware, town councils across the country have three main purposes one of which is to represent the local community. This is achieved in several ways, including through election, surgery and involvement in community activities.
- 1.2 Representation serves many purposes, including the following:
- enable the Council to contribute to and influence, the decision making of the organisation;
  - enable the organisation to have direct information about Council policy and practice;
  - provide, through particular appointees, a local perspective;
  - satisfy a legal requirement for the Council to serve on the body;
  - provide an essential lead focus on behalf of the Council;
  - facilitate the objectives of the Council
- 1.3 In order to deliver this role, each year the Town Council makes appointments for representation to outside bodies who have contacted the Town Council seeking support or representation - however a request for representation can be received at any time. Representation can be through staff or elected members, and it may be the case that an outside body prescribe a preference depending on the type of support they seek.

### 2. REQUESTS FOR REPRESENTATION

- 2.1 The Town Council are currently formally represented on several groups within the Town by officers and members alike. There are often also a number of informal connections between officers and elected members with community groups, these connections are inevitable in any Town the size of Prescot and to some degree are unavoidable for those living or working in the Town.
- 2.2 Requests that require member representation or considerable support will need to be considered by the Town Council or the appropriately delegated committee with advice from the Town Clerk or Deputy Town Clerk. In order to identify the likely resource requirement those seeking representation / support need to

provide a brief outline of the nature of the representation / support required, a request form for this purpose is available on the Town Council's website.

2.3 There are many types of body that request or require Council representation or on which the Council chooses to appoint representatives. The main ones are as follows:-

- other statutory services providers;
- voluntary sector groups (whether funded by the Council or not)
- local government associations and affiliated bodies;
- charities;
- companies
- trusts
- non-elected, government appointed bodies
- pressure groups of local authorities / councils;
- joint meetings of local authorities / councils;
- multi-agency consultative ; and
- panels from which others (usually Government Departments) select members.

2.4 The act of providing representation reflects directly on the Town Council as a corporate body therefore any elected member agreeing to provide representation on a group must be able to:-

- commit the necessary time required
- ensure that they act in accordance with elected members code of conduct
- provide regular updates to council either verbally or should a decision of the Council be required submit to the Town Clerk an appropriate report, within 14 days of the next council meeting, to the Town Clerk to review and include on the next council agenda and present the report to council.

2.5 At the time of writing, no formal requests for outside representation have been submitted for 2023/24. However, to err on the side of caution, it is proposed that representation on groups identified for 2022/23 continues, and that representation for additional groups is approved during 2023/24.

### **3. THE LIABILITIES AND RESPONSIBILITIES OF THE REPRESENTATIVE.**

3.1. The legal status of an organisation can affect the personal position of the Council's representatives on it. Some examples are given below to illustrate this.

- Voluntary organisation/Societies: These have no legal status and therefore cannot be sued. Therefore, members of their management committees could find themselves bearing some personal liability for any outstanding debts, in the event of the organisation being wound up. In some instances, there could also be some contractual liability falling on the individual members of the management committee.
- It should be pointed out that anyone seeking to recover damages from an individual member of the management committee would have to prove that the individual was at fault. Damages for the actions of an organisation cannot be recovered from the individual members of the management committee unless individual fault is proved.
- Members of the management committee of an organisation are liable to criminal liability in certain circumstances. They have a responsibility therefore to ensure that any activities of the organisation are conducted in accordance with the law, and that illegal acts are not knowingly permitted.
- Trusts: As a Trustee or Director, Council representatives will have the same responsibilities and obligations as other Trustee/Directors. These will guide Council representatives in their approach to the role and will be explained to Council representatives by the body concerned.
- The whole area of the responsibilities of Trustee and Directors is a complex one, particularly in the legal sense. The guidance in this publication can therefore only be very general.
- It is very important that the emphasis of your role should be that of representing the Council. Council representatives do however owe a duty to the Trust or Company. This can place Council representatives in a position where there may be conflict of interest with those of the Council. In many situations, this will be obvious. In others, less so.
- Council representatives are invited to discuss particular situations with the Town Clerk if they are unsure about their position.
- Remember, Council representatives are placed on the body as a representative of the Council. Council representatives should not take on additional responsibilities because the Trust or Company wants to use any specialist knowledge they may have.

- Although at first glance the information above may seem discouraging, the Council is very positive about supporting its representatives in all these matters, providing they discharge their duties in a responsible manner to the best of their abilities. It is as well to record that the incidence of personal liability issues is very small.

#### **4. RECOMMENDATIONS**

4.1 In accordance with the Standing Order 5 J vi members are asked to:-

- Review representation on or work with external bodies and arrangements for reporting back.
- Consider those organisations identified for the 2022/23 civic year and approve continued representation.

**Appendix 1**

<b>Outside Organisation Identified During 2022/23 Civic Year and Groups Town Clerk has attended</b>			
<b>Organisation</b>	<b>Approved Representation during 2022/23</b>	<b>Requirement</b>	<b>Town Clerk Update</b>
Prescot Business Club	Town Clerk	Monthly Meetings / advice and guidance minimal support	The Town Clerk is attended meetings of the Prescot Business Club during 2022/23 which proved useful for having joined up work between the Town Council, local businesses and Knowsley Council.
Friends of Eaton Street Park	Town Clerk	Quarterly Meetings / advice and guidance minimal support	In early March 2023, the Town Clerk met with the Friends of Eaton Street Park as he was keen to foster closer relations with the group to improve the onsite pavilion and park.  The Town Clerk has been liaising with the Secretary of the Friends to help reignite the master-plan for Eaton Street, and moving forward into 2023/24, he is keen to help deliver projects such as inclusive roundabout and pathway to rear of park.

Local Clerks Network	Town Clerk	Quarterly Meetings at each Town / Parish Council	<p>During 2022/23 The Town Clerk has attended several meetings with his fellow clerks from Whiston PC, Halewood TC and Knowsley Village TC.</p> <p>These meetings has proven useful for sharing information between town clerks and to help resolve communication issues with Knowsley Council.</p>
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**PRESCOT TOWN COUNCIL****ANNUAL MEETING****18<sup>th</sup> MAY 2023****REPORT TITLE:**

Meetings Calendar for the 2023-24 Civic Year

**BACKGROUND TO THE REPORT:**

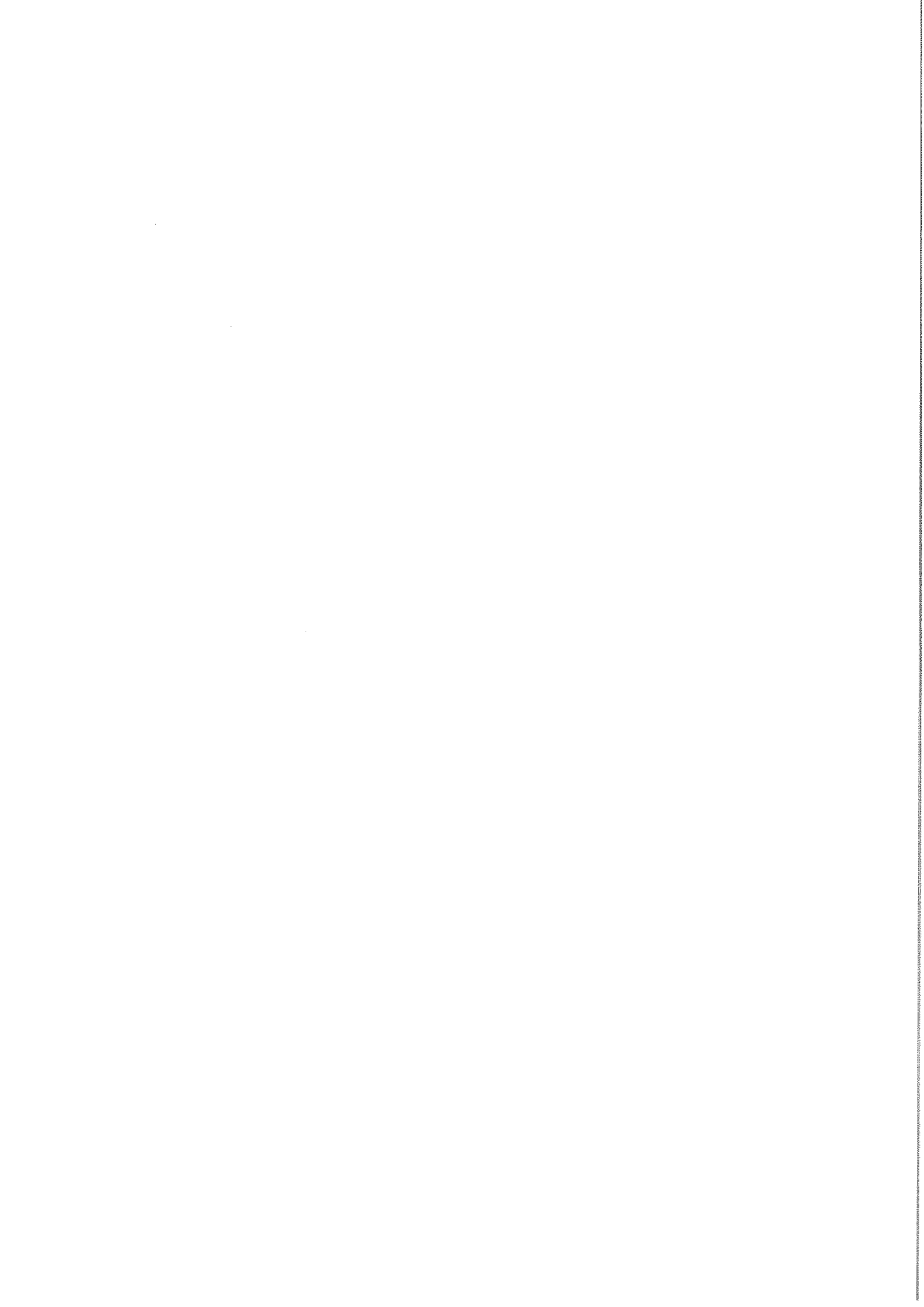
In accordance with Standing Order 5 J vii. Council is required to determine the time and place of ordinary meetings of the full council, up to and including the next annual meeting of Full Council

**PURPOSE OF REPORT:**

To provide members with a proposed meeting calendar for the 2023-24 civic year.

**REPORTS PREPARED BY:**

Alex Spencer – Town Clerk





# PRESCOT TOWN COUNCIL

## Annual Meetings Calendar for the 2023-24 Civic Year

### 1. INTRODUCTION

- 1.1 In order to pre-advise both Elected members of the Council and members of the Public, the Town Council will agree and advertise its annual meetings calendar for all Council meetings.
- 1.2 The Town Council is keen to attract members of the public to its meetings and it is believed that the provision of the dates and times of these meetings well in advance of the statutory 3 clear days will help to enable increased public participation.

### 2. CALENDAR

- 2.1 A draft meetings calendar has been attached to this report as appendix 1.
- 2.2 In the case of Committee meetings, they have been marked TBC (to be confirmed) as each committee will determine its own meeting dates and times in due course.

### 3. RECOMMENDATIONS

- 3.1 Members are asked to consider and approve the annual meetings calendar attached as appendix 1.



# PRESCOT TOWN COUNCIL

## Calendar of Meetings for the Civic year 2023-24

Month	Date	Time	Meeting
June	15	6:00pm	Events Committee
	22	6:00pm	Finance Policy & Human Resources Committee
	29	6:00pm	Prescot Town Council
July	TBC	6:00pm	Events Committee
	27	6:00pm	Prescot Town Council
August	N/A	6:00pm	Prescot Town Council – Interregnum (if required)
September	14	6:00pm	Events Committee
	28	6:00pm	Prescot Town Council
October	12	6:00pm	Events Committee
	19	6:00pm	Finance Policy & Human Resources Committee
	26	6:00pm	Prescot Town Council
November	16	6:00pm	Events Committee
	30	6:00pm	Prescot Town Council
December	N/A	N/A	No meetings will be scheduled
January	18	6:00pm	Finance Policy & Human Resources Committee
	25	6:00pm	Prescot Town Council
February	1	6:00pm	Events Committee
	15	6:00pm	Prescot Town Council (Budget Meeting)
March	14	6:00pm	Events Committee
	28	6:00pm	Prescot Town Council
April	N/A	N/A	No meetings will be scheduled
May	16	6:00pm	Annual Town Meeting
	16	6.30pm	Annual Meeting of Prescot Town Council
	23	6:00pm	Finance Policy & Human Resources Committee

TBC - To Be Confirmed

**PRESCOT TOWN COUNCIL****ANNUAL MEETING****18<sup>th</sup> MAY 2023****REPORT TITLE:**

Announcements from the Town Clerk

**BACKGROUND TO THE REPORT:**

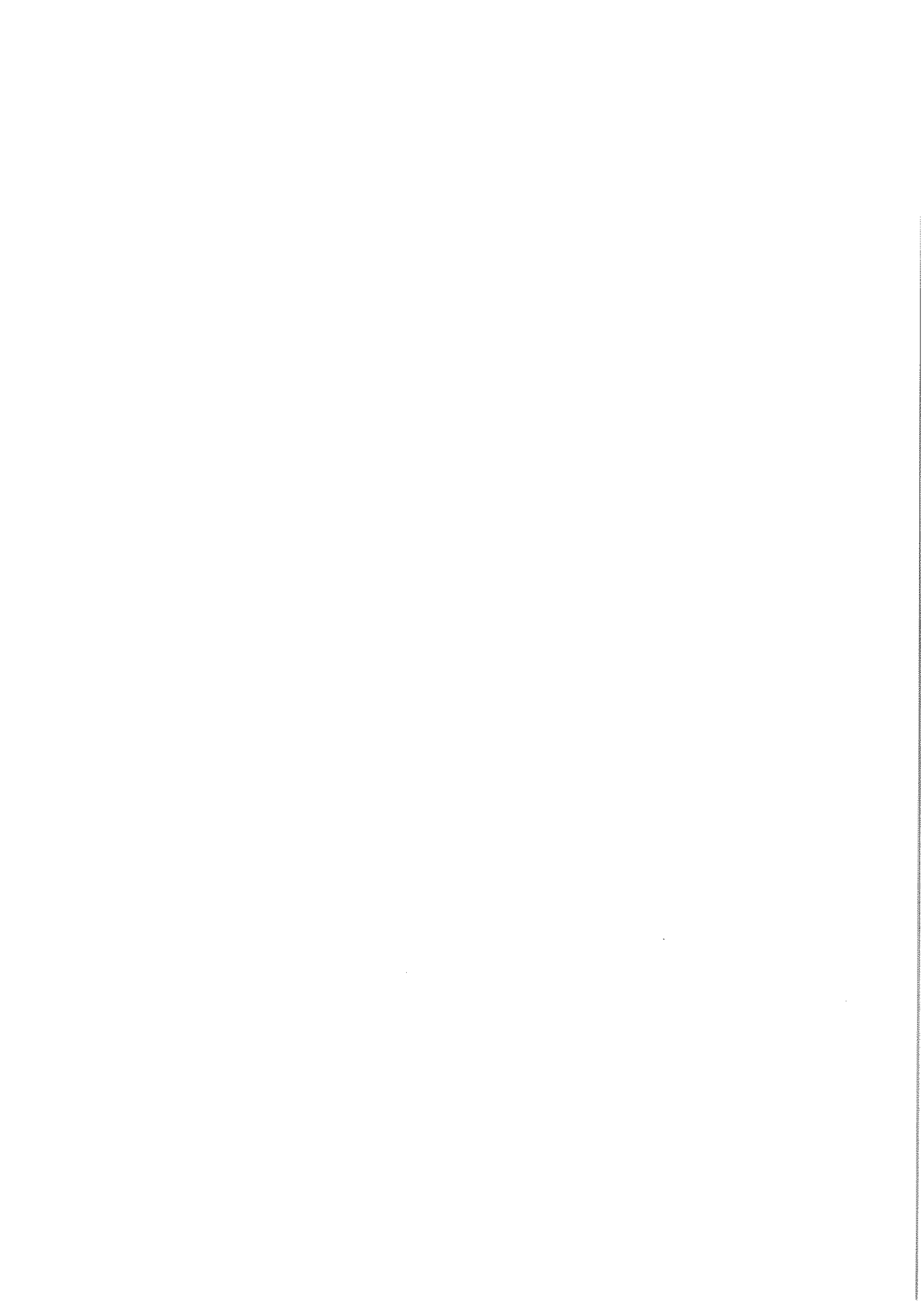
To provide Members with an update of work progressed and meetings attended by the Town Clerk.

**PURPOSE OF REPORT:**

For information and to receive questions from members.

**REPORTS PREPARED BY:**

Alex Spencer – Town Clerk



## **Town Clerk Announcements**

**18<sup>th</sup> May 2023**

### **Completion of Internal Audit 2022/23**

David Blanchflower, Council's appointed internal auditor for 2022/23 completed council's internal audit on 5<sup>th</sup> April 2023, and has produced his report for members consideration (at agenda item 20 of Annual Council report pack)

The Town Clerk can report that the internal auditor was satisfied with our internal control processes – which forms the first section of Council's Annual Governance and Accountability Return.

The internal auditor did make some recommendations regarding the production of an investment strategy, checking the eligibility criteria for community funding applications and potentially formalising a policy for mayoral allowances – all of which will be reported to Finance, Policy and HR Committee.

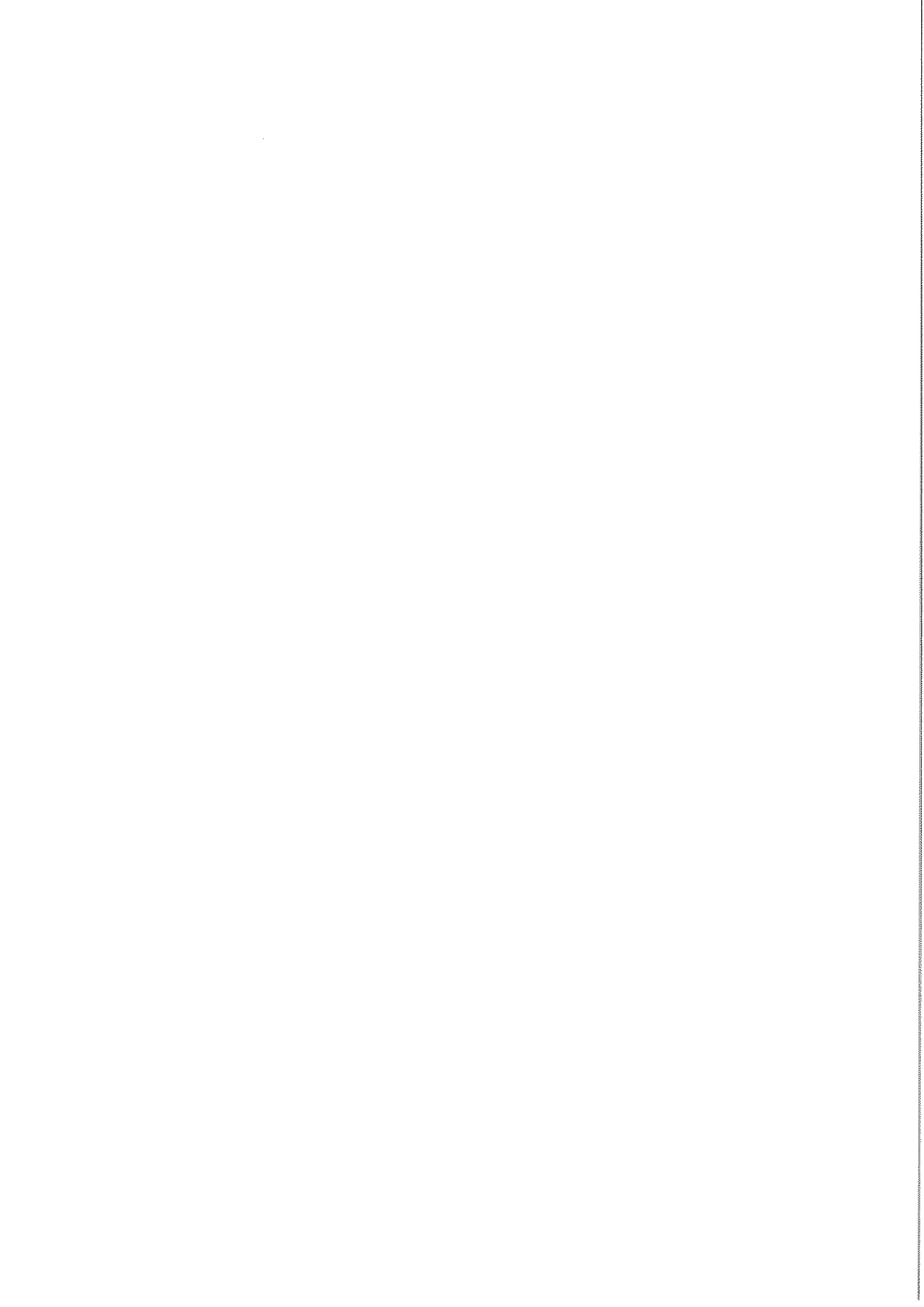
### **Leases relating to Eaton Street Park and Brown's Field**

Having received legal advice from Council's solicitor, considerable progress has been made in determining roles and responsibilities under both leases.

The Town Clerk has requested a meeting with Knowsley Council week commencing 15<sup>th</sup> May 2023 to review leases in light of this legal advice and is awaiting a response back.

### **Bar Concession – Jaka Ltd**

Since Council awarded the bar concession to Jaka Ltd at its meeting in March 2023, the Town Clerk has held several meetings to discuss sale prices, logistics of taking over, advertising and plans for the future. In light of this, there is confidence that functions booked for May and June will run smoothly.



**PRESCOT TOWN COUNCIL**

**ANNUAL MEETING**

**18<sup>th</sup> MAY 2023**

**REPORT TITLE:**

Mayoral Engagements

**BACKGROUND TO THE REPORT:**

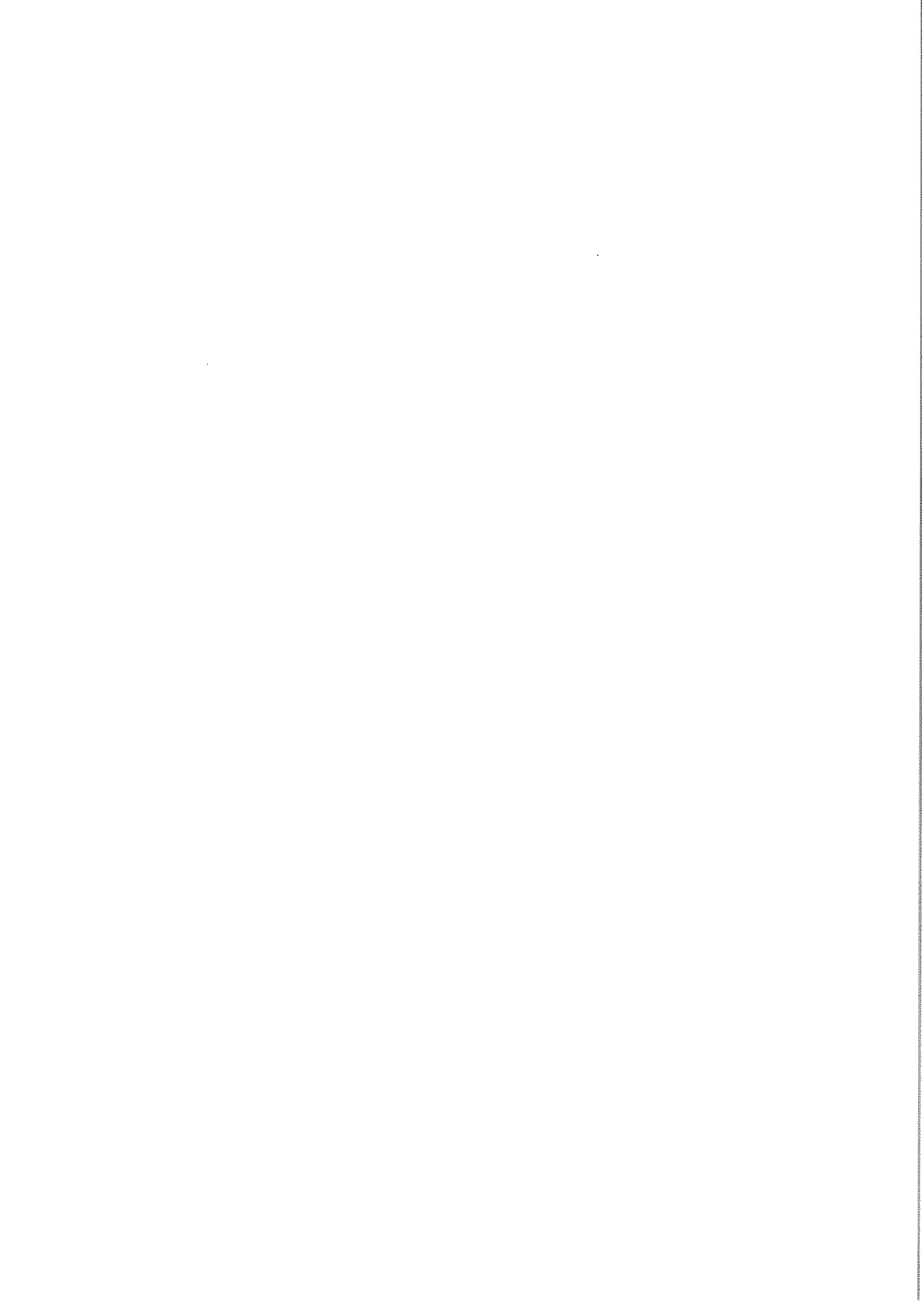
Details of Mayoral Engagements are attached.

**PURPOSE OF REPORT:**

This report is submitted **FOR INFORMATION ONLY**

**REPORTS PREPARED BY:**

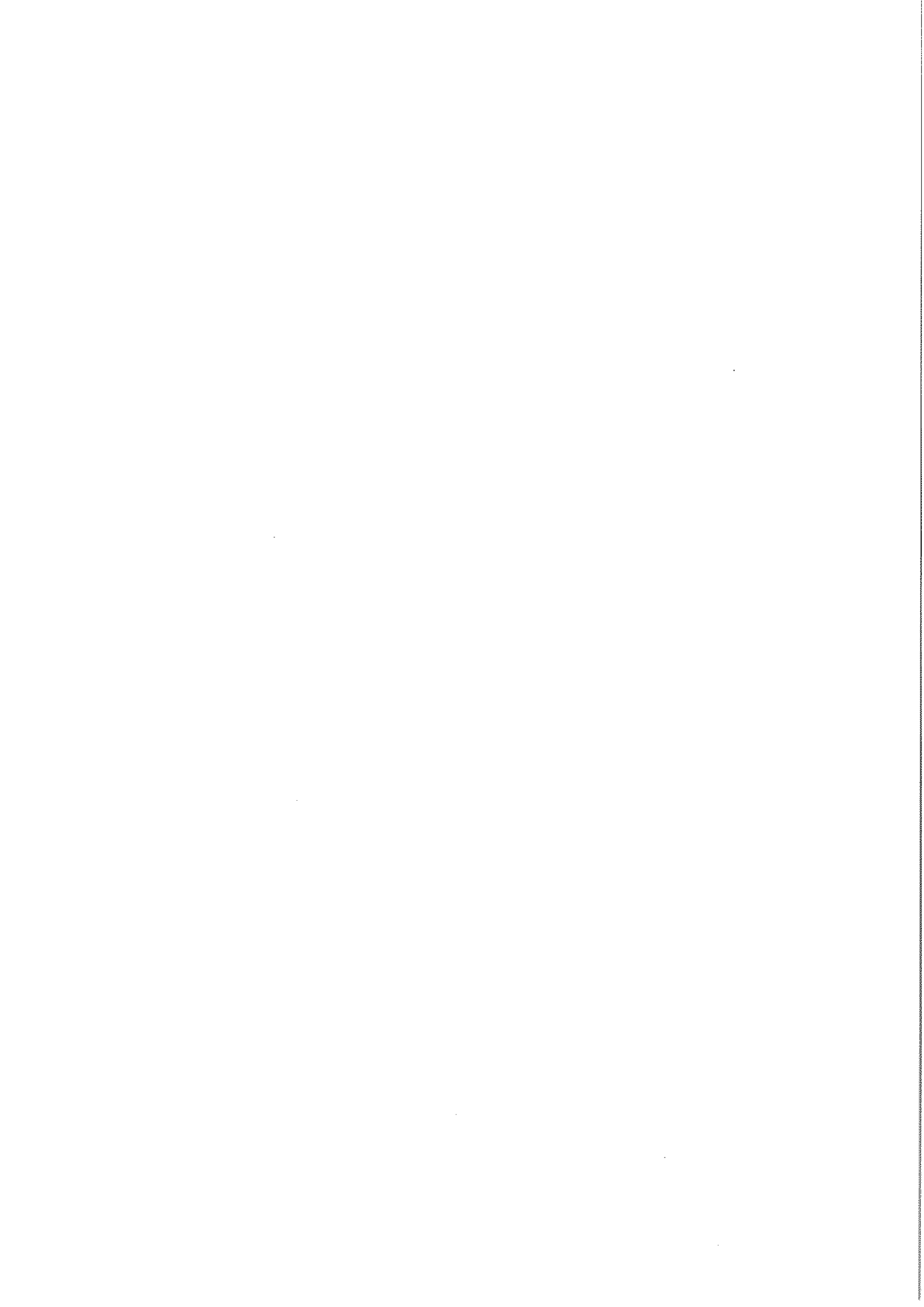
Alex Spencer – Town Clerk





## **MAYORAL ENGAGEMENTS**

<b>Date</b>	<b>Organisation</b>	<b>Event Name</b>
24 <sup>th</sup> March 2023	Skelmersdale Prize Band	Concert at Prescott Parish Church
16 <sup>th</sup> May 2023	Margaret Harding-Shepard	Attendance at Shakespeare Theatre to see "A Play for the Living in at time of extinction"



**PRESCOT TOWN COUNCIL**

**ANNUAL MEETING**

**18<sup>th</sup> MAY 2023**

**REPORT TITLE:**

Planning Applications

**BACKGROUND TO THE REPORT:**

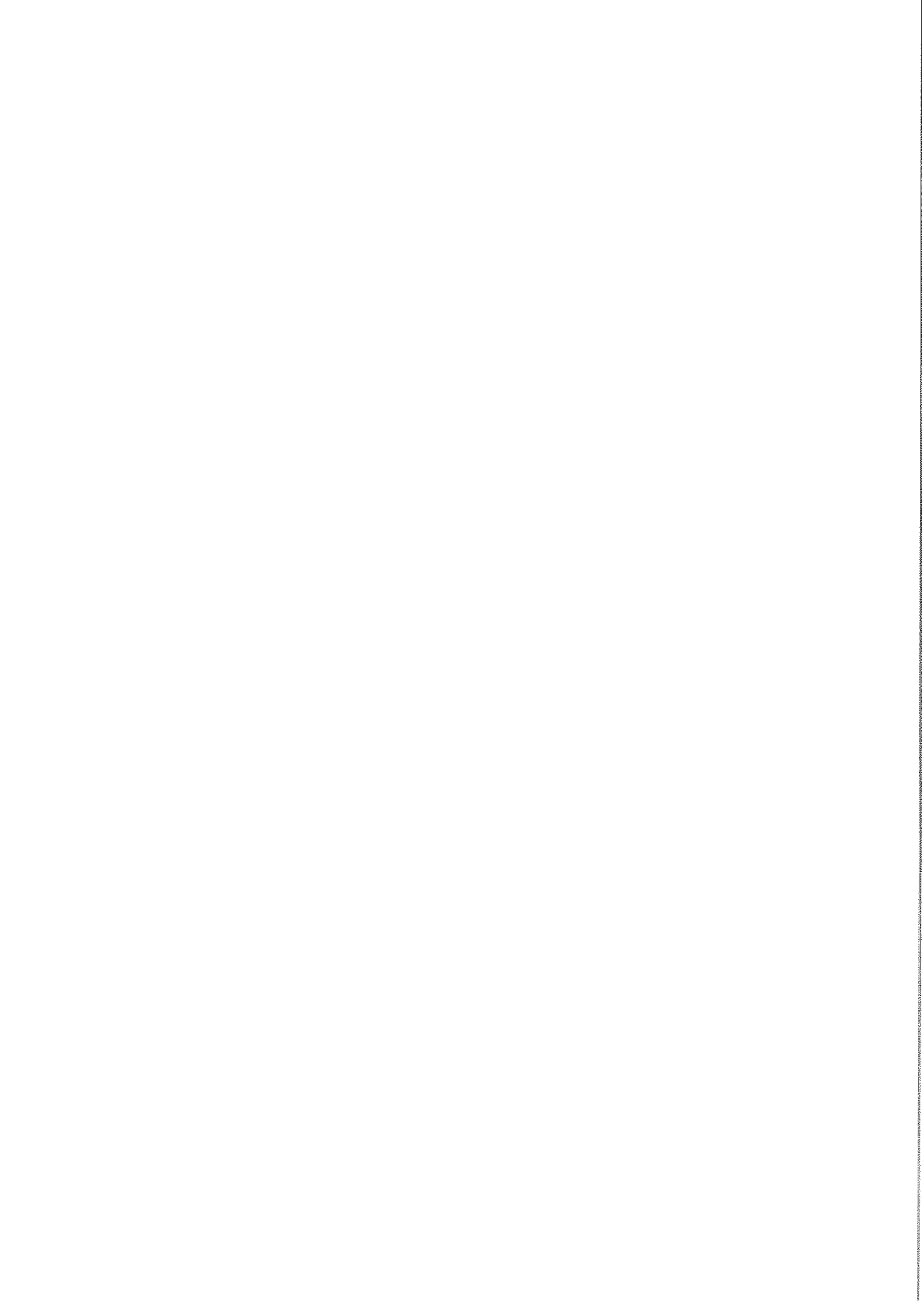
The Town Council are a primary consultee for all planning applications within the Town of Prescott. As such the local planning authority Knowsley Metropolitan Borough Council provides weekly updates on all applications received relating to the Town.

**PURPOSE OF ITEM:**

To provide Members with details of the most recent applications forwarded by KMBC. Members are required to **CONSIDER** each application and **AGREE** to make comment if they feel so inclined. On occasion these will be supplemented on the day of the meeting by additional information received after the release of the summons but before the meeting.

**REPORT PREPARED BY:**

Liam Johnson – Administration Officer



**KNOWSLEY METROPOLITAN BOUROUGH COUNCIL – WARD MEMBERS LIST PLANNING APPLICATIONS – WEEKLY VALID LIST WEEK ENDING 31.03.23**

**PRESCOT**

APP.NO: 23/00171/KMBC1 **CASE OFFICER: Clare Appleyard**  
APPLICANT: Knowsley Council  
APP. TYPE: KMBC (Regulation 3)  
LOCATION: Prescott Picture Palace 8-14 Kemble Street Prescott  
PROPOSAL: DEMOLITION OF 4 NO EXTENSIONS AND MAKING GOOD OF REMAINING ELEVATIONS, ALTERATIONS TO FRONT ELEVATION INCLUDING THE REINSTATEMENT OF THE FORMER CINEMA ENTRANCE AND HISTORIC SHOPFRONTS, BRICKING UP OF AUDITORIUM WINDOWS AND REPLACEMENT OF EXISTING WINDOWS WITH DOUBLE GLAZED SASH WINDOWS TOGETHER WITH OTHER ASSOCIATED WORKS

**WARD: Prescott North**

**View Here –**

<https://planapp.knowsley.gov.uk/onlineapplications/applicationDetails.do?activeTab=summary&keyVal=RRYVDCIXOMX00>

APP.NO: 23/00173/LBC **CASE OFFICER: Clare Appleyard**  
APPLICANT: Knowsley Council  
APP. TYPE: Listed Building Consent  
LOCATION: Prescott Picture Palace 8-14 Kemble Street Prescott  
PROPOSAL: DEMOLITION OF 4 NO EXTENSIONS AND MAKING GOOD OF REMAINING ELEVATIONS, ALTERATIONS TO FRONT ELEVATION INCLUDING THE REINSTATEMENT OF THE FORMER CINEMA ENTRANCE AND HISTORIC SHOPFRONTS, BRICKING UP OF AUDITORIUM WINDOWS AND REPLACEMENT OF EXISTING WINDOWS WITH DOUBLE GLAZED SASH WINDOWS TOGETHER WITH OTHER ASSOCIATED WORKS

**WARD: Prescott North**

**View Here –**

<https://planapp.knowsley.gov.uk/onlineapplications/applicationDetails.do?activeTab=summary&keyVal=RRYX4ZXOMX00>

**KNOWSLEY METROPOLITAN BOUROUGH COUNCIL – WARD MEMBERS LIST PLANNING APPLICATIONS – WEEKLY VALID LIST WEEK ENDING 14.04.23**

**PRESCOT**

APP.NO: 23/00085/FUL **CASE OFFICER: To be allocated**  
APPLICANT: Mr Geoffrey Nuliy  
APP. TYPE: Full Application  
LOCATION: 47-51 Warrington Road Prescott  
PROPOSAL: ERECTION OF A FIRST FLOOR EXTENSION TO FORM 2 NO. FLATS (USE CLASS C3)  
**WARD: Prescott North**

**View Here –**

<https://planapp.knowsley.gov.uk/onlineapplications/applicationDetails.do?activeTab=summary&keyVal=RQFCHEIXOMX00>

APP.NO: 23/00089/FUL **CASE OFFICER: Lee Osborne**  
APPLICANT: Homesure  
APP. TYPE: Full Application  
LOCATION: Homesure 16 Leyland Street Prescott  
PROPOSAL: CHANGE OF USE OF FIRST FLOOR OF OFFICE (USE CLASS E 9 (g) (i)) TO FORM 1 NO. RESIDENTIAL FLAT (USE CLASS C3) TOGETHER WITH THE ERECTION OF A SINGLE STOREY SIDE AND REAR EXTENSION AND ERECTION OF A TWO STOREY SIDE EXTENSION  
**WARD: Prescott North**

**View Here –**

<https://planapp.knowsley.gov.uk/onlineapplications/applicationDetails.do?activeTab=summary&keyVal=RQFSO9IXMFU00>

APP.NO: 23/00141/FUL **CASE OFFICER: John Fleming**  
APPLICANT: Mr Matthew Fennell  
APP. TYPE: Full Application  
LOCATION: 20 Hamnett Road Prescott  
PROPOSAL: ERECTION OF A SINGLE STOREY SIDE AND REAR EXTENSION  
**WARD: Prescott North**

**View Here –**

<https://planapp.knowsley.gov.uk/onlineapplications/applicationDetails.do?activeTab=summary&keyVal=RRG8YOIXMZ00>

**PRESCOT TOWN COUNCIL****ANNUAL MEETING****18<sup>th</sup> MAY 2023****REPORT TITLE:**

Planning Decisions

**BACKGROUND TO THE REPORT:**

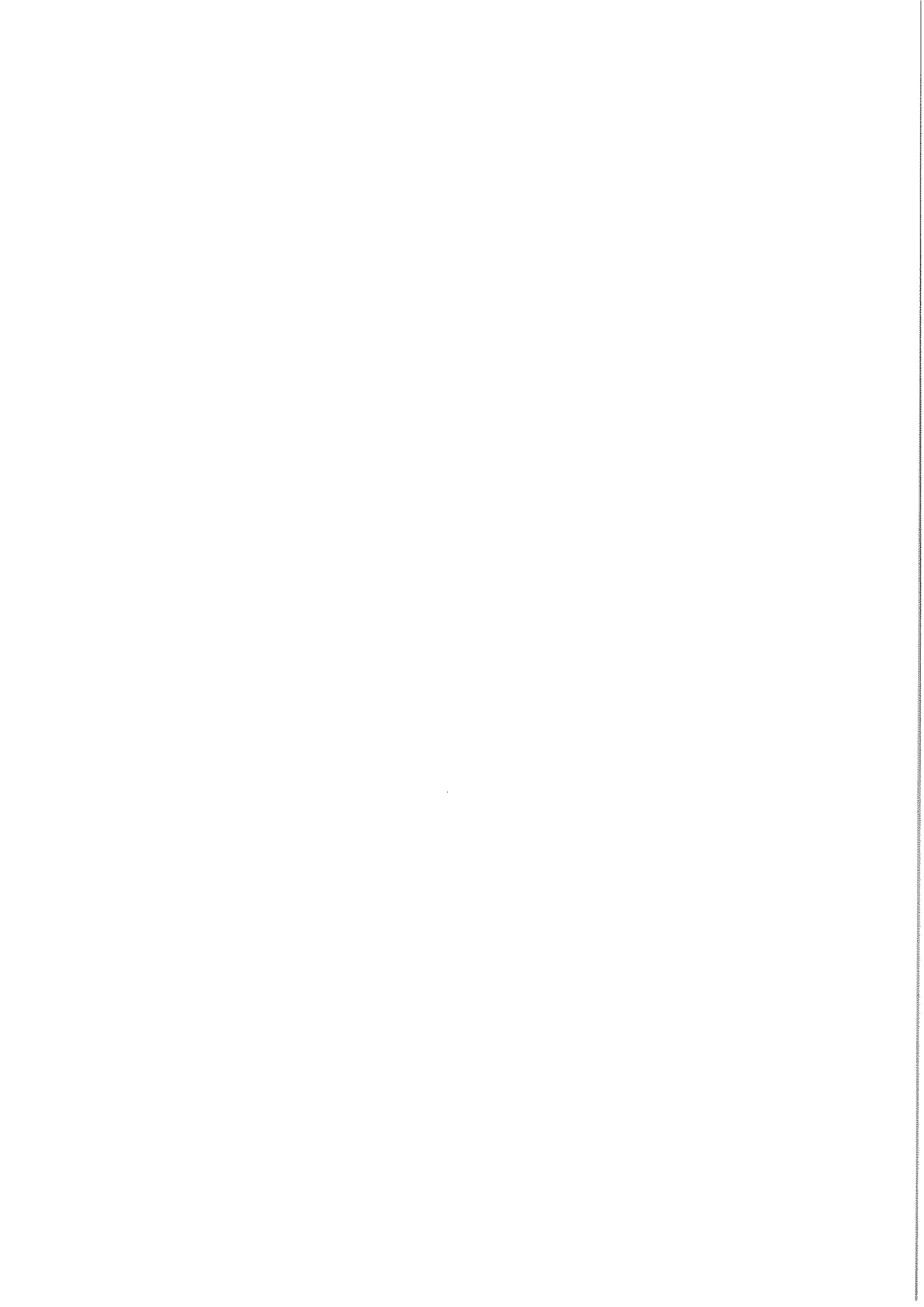
The Town Council are a primary consultee for all planning applications within the Town of Prescott. As such the local planning authority Knowsley Metropolitan Borough Council provides weekly updates on all decisions made in relation to applications received relating to the Town.

**PURPOSE OF ITEM:**

To provide Members with details of the most recent decisions forwarded by KMBC. These are for **NOTING** only. On occasion these will be supplemented on the day of the meeting by additional information received after the release of the summons but before the meeting.

**REPORT PREPARED BY:**

Liam Johnson – Administration Officer





**PRESCOT TOWN COUNCIL**

**ANNUAL MEETING**

**18<sup>th</sup> MAY 2023**

**REPORT TITLE:**

Community Fund Bids

**BACKGROUND TO THE REPORT:**

Funding Applications have been received from:

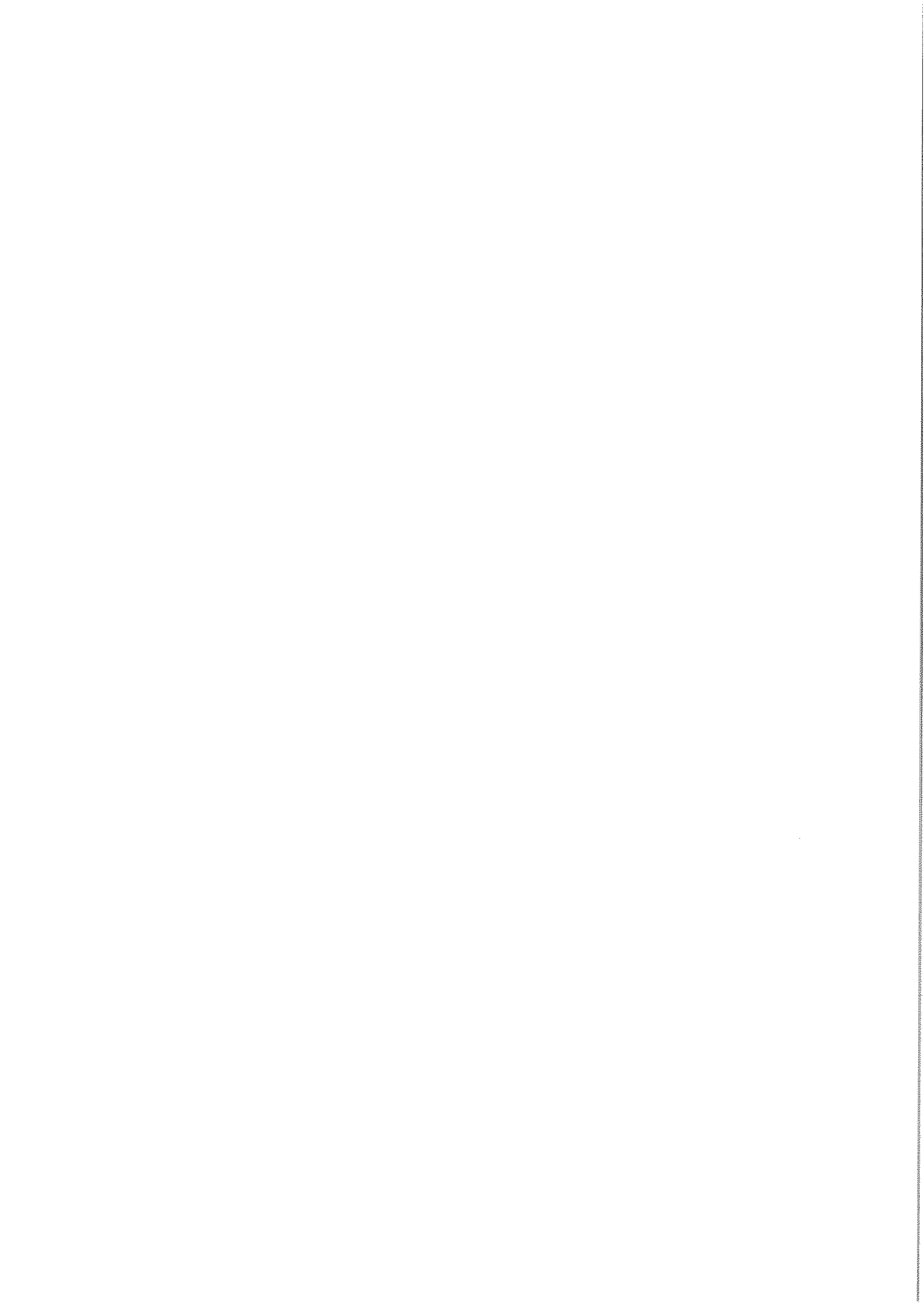
- None received.

**PURPOSE OF REPORT:**

To **CONSIDER** and **APPROVE, DEFER** or **REJECT** the funding applications.

**REPORT PREPARED BY:**

Alex Spencer – Town Clerk



**PRESCOT TOWN COUNCIL****ANNUAL MEETING****18<sup>th</sup> MAY 2023****REPORT TITLE:**

Annual Governance Statement – Section one

**BACKGROUND TO THE REPORT:**

The Accounts and Audit Regulations 2015 came into force on 1<sup>st</sup> April 2015 and are applicable for the annual return for the year ending 31 March 2023. The regulations state that the Council as a whole body must approve the Annual Governance Statement prior to the approval of the Accounting Statements.

**PURPOSE OF REPORT:**

This report provides members with section one of the Annual Governance Statement for approval.

**REPORTS PREPARED BY:**

Alex Spencer – Town Clerk



# PRESCOT TOWN COUNCIL

## Annual Governance Statement

### 1. INTRODUCTION

- 1.1 The Accounts and Audit Regulations 2015 came into force on 1st April 2015 and are applicable for the annual return for the year ending 31 March 2023. The regulations state that the Council as a whole body must approve the Annual Governance Statement prior to the approval of the Accounting Statements.

### 2. THE ANNUAL GOVERNANCE STATEMENT

- 2.1 The Annual Governance Statement acknowledges elected members responsibility for the preparation of accounts whilst maintaining adequate safeguards (including risk management) for the protection of Town Council assets. This will need to be signed off by the Chair and the Town Clerk (who is also the Responsible Financial officer for the Town Council). It is the role of the Responsible Financial Officer to ensure these statements have been met. The Annual Governance Statement is attached to this report as appendix 1.

- 2.2 The Annual Governance Statement comprises three sections.

The first, following completion of Council's internal audit (completed in April 2023) is confirmation that Council has put in place adequate internal control measures for managing council's finances.

The second, is sign off of Council's accounts for 2022/23, with approval by Finance, Policy and HR Committee prior to Full Council.

Finally, the third section is accounts submission to the external auditor by July 2023.

### 3. RECOMMENDATIONS

- 3.1 Under the requirements of the Accounts and Audit (Amendment) (England) Regulations 2015, members consider the information contained within the Annual Governance Statement and resolve to
- Approve Section One of the Annual Governance Statement for the financial year ending 31<sup>st</sup> March 2023; having due regard to the completed Annual Internal Audit Report produced by David Blanchflower following his inspection on 5<sup>th</sup> April 2023.



**David Blanchflower JP, MA, FMS**  
**206 Bescar Lane Scarisbrick Ormskirk L40 9QT**  
Email: blanch2203@gmail.co.uk Tel: 01704 889736



**Internal Audit Forum**  
THE VOICE FOR LOCAL COUNCIL AUDIT

13<sup>th</sup> April 2023

Mr. A Spencer  
Town Clerk  
Prescot Town Hall  
1 Warrington Road  
Prescot  
L34 5QX

### **Internal Audit Report 2022/23**

I am pleased to confirm that I undertook the "Internal Audit" function in relation to the 2022/23 financial year on 5<sup>th</sup> April 2023. Acting independently, I have examined the systems of internal controls by undertaking the tests laid down and detailed in the Annual Audit Return. I would thank your Town Clerk Mr. Spencer and his staff who assisted in the conduct of the audit by providing me with all the necessary paperwork and documentation.

Internal auditing is an independent, objective assurance and consulting activity designed to add value and improve an organisation's operations. It helps an organisation accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes.

My main role is to provide assurance to the Council that the internal control environment is operating soundly.

As the Council's Internal Auditor, I have a duty to complete the internal audit certificate in the Council's Annual Return, which covers the basic financial systems and requires assurances in several separate areas. This report sets out the main areas of work examined during my visit to the Council.

### **Overall Conclusion**

Based on my examination of your procedures and documentation I am happy to confirm that the Council's systems of internal controls are effective and appropriate for the purpose intended. Your staff demonstrated a sound knowledge of all the systems and speedily produced all the documentation and information I request. I have signed the Annual Audit Return confirming my satisfaction with your procedures.

I would ask that the Council give attention to addressing the three areas identified in the attached report, under the heading "RECOMMENDATIONS FOR CONSIDERATION BY COUNCIL" I feel doing so would enhance the Council's procedures and ensure probity of the system.

A handwritten signature in blue ink, appearing to read 'D Blanchflower'.

David Blanchflower  
Internal Auditor

Enc: Report of Audit findings and invoice.

**PRESCOT TOWN COUNCIL**  
**INTERNAL AUDIT SUMMARY 2022/2023**

**Maintenance of Accounting Records/ Bank Reconciliations / Payment Controls**

The objective here is to ensure that the accounting records are being maintained accurately and currently and that no anomalous entries appear in cashbooks or financial ledgers.

I therefore:

- Checked a random sample of the transactions.
- Reviewed the timing and the accuracy of detail on the bank reconciliations.
- Are payments supported by invoices, authorised and minuted.
- Verified that VAT on payments had been identified, recorded and reclaimed.
- Examined the level of financial reserves maintained.

**Findings:**

**There were no matters arising from the sample transaction testing.**

- **From sample testing, VAT on payments had been identified, recorded and reclaimed. VAT was also correctly accounted for on Petty Cash payments.**
- **Receipts from room hire had been received and accounted for.**
- **It is recommended that the Council produces a written Investment Strategy, reviews its Community Grants procedures and produces a policy document in relation £850 allocated in the budget under the heading Mayor.**

**Review of Corporate Governance and Risk Management**

The objective is to ensure that the Council has a robust series of corporate governance documentation in place. That Council and Committee meetings are conducted in accordance with the adopted Standing Orders and that no actions of a potentially unlawful nature have been or are being considered for implementation.

I have therefore undertaken the following work in this area:

- A review of the minutes to identify any unusual financial activity.
- Minutes record the council conducting an annual risk assessment.
- Insurance cover appropriate and adequate?
- Internal financial controls documented and regularly reviewed.

I reviewed of the minutes of the Full Council and Committee meetings for 2022/23 to identify if any issues exist that may have an adverse effect, through litigation or other causes, on the Council's future financial stability and confirm no concerns exist.

**Findings:**

- **The standing orders and financial regulations were in order and had been formally adopted by the Council.**
- **An annual risk assessment had been reported to Council.**
- **Appropriate insurance was in place.**



## Review of Budgetary Control

My aim here is to ensure that the Council has a robust procedure in place for identifying and approving its future budgetary requirements and level of precept to be drawn down. Also, that an effective reporting and monitoring process is in place. We also aim to ensure that the Council retains appropriate funds in general and earmarked reserves to finance its ongoing spending plans, whilst retaining appropriate sums to cover any unplanned expenditure that might arise.

I have therefore undertaken the following work in this area:

- Has the Council prepared an annual budget in support of its precept?
- Is actual expenditure against the budget regularly reported to the Council?
- Are there any significant unexplained variances from budget?
- Has the RFO reported at least quarterly to Council Financial Statements which include budget comparisons?
- Has the RFO reported and explained any significant variations to Council?

### **Findings:**

- **It was noted that a detailed and comprehensive budget had been prepared and that there was regular reporting to the Council.**
- **It was noted for 2023/24 an appropriate Precept had been set which would raise £338,060 which effectively was a nil increase based on band 'D' properties.**

## Review of Income Controls

The aim here is to ensure that appropriate arrangements are in place for the identification of all income due to the Council that invoices are raised to recover that income and that monies are received and banked within a reasonable time limit.

**Findings: It was seen that sound and effective procedures were in place and fully adhered to by staff.**

## RECOMMENDATIONS FOR CONSIDERATION BY COUNCIL

### Community Grants

It was seen that the Council had a system for allocating Community Grants and the minutes indicated a desire to review procedures. An inspection of the grants made in the 2022/23 financial year indicates most of those organisations receiving grants failed to provide proof of expenditure of the grant even when the Council staff sent follow-up letters requesting the information. This has been a regular difficulty over a number of years.

It was also noted that some grants were made to national organisations with large financial balances, one being a registered company with a bank balance of £136,367 and no receipt had been provided for the Community Grant they received.

Another grant was made to an organisation that was not a registered charity but had a large bank balance of £20,395. They failed to provide the Council with proof of expenditure.

Whilst I recognise the Council has within its power to make community grants I would recommend that the Council undertakes a full review of its Community Grant making procedures with a view to having stricter procedures. It is suggested that Council ask for the applicants most recent annual accounts report.

Requires full documentary proof of the expenditure of the grant and a rule that failure to provide evidence of expenditure bars the applicant from making future grant applications.

I would also ask the Council to consider if it is appropriate to make grants from public funds to businesses and to organisations with large financial reserves.

### **Investment Strategy Policy**

Statutory Guidance has been issued by the Government on Local Government Investments (3rd Edition) issued under section 15 (1)(a) of the Local Government Act 2003 and effective for financial years commencing on or after 1 April 2018. key principles of the guidance are transparency and democratic accountability. The guidance is statutory for parish councils, providing their total investments exceed or are expected to exceed £100,000 at any time during the financial year. As this legal requirement exists the Council should take steps to implement a defined Investment Strategy. This policy document would enable the Council to undertake an annual review of its strategies for the investment of reserves. It would also ensure the Council considered where it places its large amount of Precept income at the start of each financial year to maximise investment income on these monies.

### **Mayor Allowance**

It was noted that in the budget setting process a sum of £850 was allocated under the sub heading *Mayor* in the *Cost Centre 1 Staff & Training Costs*, no policy document exists in relation to the purpose or use of this money. Other Councils that have a Mayoral allocation of funding also have a policy document that defines the conditions relating to this allocation. The Council may like to consider if it would be prudent to have such a policy document.



David Blanchflower  
Internal Auditor

# Annual Internal Audit Report 2022/23

PRESCOT TOWN COUNCIL

WWW.PRESCOT-TC.GOV.UK

During the financial year ended 31 March 2023, this authority's internal auditor acting independently and on the basis of an assessment of risk, carried out a selective assessment of compliance with the relevant procedures and controls in operation and obtained appropriate evidence from the authority.

The internal audit for 2022/23 has been carried out in accordance with this authority's needs and planned coverage. On the basis of the findings in the areas examined, the internal audit conclusions are summarised in this table. Set out below are the objectives of internal control and alongside are the internal audit conclusions on whether, in all significant respects, the control objectives were being achieved throughout the financial year to a standard adequate to meet the needs of this authority.

Internal control objective	Yes	No*	Not covered**
A. Appropriate accounting records have been properly kept throughout the financial year.	✓		
B. This authority complied with its financial regulations, payments were supported by invoices, all expenditure was approved and VAT was appropriately accounted for.	✓		
C. This authority assessed the significant risks to achieving its objectives and reviewed the adequacy of arrangements to manage these.	✓		
D. The precept or rates requirement resulted from an adequate budgetary process; progress against the budget was regularly monitored; and reserves were appropriate.	✓		
E. Expected income was fully received, based on correct prices, properly recorded and promptly banked; and VAT was appropriately accounted for.	✓		
F. Petty cash payments were properly supported by receipts, all petty cash expenditure was approved and VAT appropriately accounted for.	✓		
G. Salaries to employees and allowances to members were paid in accordance with this authority's approvals, and PAYE and NI requirements were properly applied.	✓		
H. Asset and investments registers were complete and accurate and properly maintained.	✓		
I. Periodic bank account reconciliations were properly carried out during the year.	✓		
J. Accounting statements prepared during the year were prepared on the correct accounting basis (receipts and payments or income and expenditure), agreed to the cash book, supported by an adequate audit trail from underlying records and where appropriate debtors and creditors were properly recorded.	✓		
K. If the authority certified itself as exempt from a limited assurance review in 2021/22, it met the exemption criteria and correctly declared itself exempt. (If the authority had a limited assurance review of its 2021/22 AGAR tick "not covered")	✓		
L. The authority published the required information on a website/webpage up to date at the time of the internal audit in accordance with the relevant legislation.	✓		
M. In the year covered by this AGAR, the authority correctly provided for a period for the exercise of public rights as required by the Accounts and Audit Regulations (during the 2022-23 AGAR period, were public rights in relation to the 2021-22 AGAR evidenced by a notice on the website and/or authority approved minutes confirming the dates set).	✓		
N. The authority has complied with the publication requirements for 2021/22 AGAR (see AGAR Page 1 Guidance Notes).	✓		
<b>O. (For local councils only)</b> Trust funds (including charitable) – The council met its responsibilities as a trustee.			✓

For any other risk areas identified by this authority adequate controls existed (list any other risk areas on separate sheets if needed).

Date(s) internal audit undertaken

Name of person who carried out the internal audit

5/4/2023

D. BLANCHFLOWER LAUDITOR

Signature of person who carried out the internal audit

Date

5/4/2023

\*If the response is 'no' please state the implications and action being taken to address any weakness in control identified (add separate sheets if needed).

\*\*Note: If the response is 'not covered' please state when the most recent internal audit work was done in this area and when it is next planned; or, if coverage is not required, the annual internal audit report must explain why not (add separate sheets if needed).

## Section 1 – Annual Governance Statement 2022/23

We acknowledge as the members of:

PRESCOT TOWN COUNCIL

our responsibility for ensuring that there is a sound system of internal control, including arrangements for the preparation of the Accounting Statements. We confirm, to the best of our knowledge and belief, with respect to the Accounting Statements for the year ended 31 March 2023, that:

	Agreed		'Yes' means that this authority:
	Yes	No	
1. We have put in place arrangements for effective financial management during the year, and for the preparation of the accounting statements.			prepared its accounting statements in accordance with the Accounts and Audit Regulations.
2. We maintained an adequate system of internal control including measures designed to prevent and detect fraud and corruption and reviewed its effectiveness.			made proper arrangements and accepted responsibility for safeguarding the public money and resources in its charge.
3. We took all reasonable steps to assure ourselves that there are no matters of actual or potential non-compliance with laws, regulations and Proper Practices that could have a significant financial effect on the ability of this authority to conduct its business or manage its finances.			has only done what it has the legal power to do and has complied with Proper Practices in doing so.
4. We provided proper opportunity during the year for the exercise of electors' rights in accordance with the requirements of the Accounts and Audit Regulations.			during the year gave all persons interested the opportunity to inspect and ask questions about this authority's accounts.
5. We carried out an assessment of the risks facing this authority and took appropriate steps to manage those risks, including the introduction of internal controls and/or external insurance cover where required.			considered and documented the financial and other risks it faces and dealt with them properly.
6. We maintained throughout the year an adequate and effective system of internal audit of the accounting records and control systems.			arranged for a competent person, independent of the financial controls and procedures, to give an objective view on whether internal controls meet the needs of this smaller authority.
7. We took appropriate action on all matters raised in reports from internal and external audit.			responded to matters brought to its attention by internal and external audit.
8. We considered whether any litigation, liabilities or commitments, events or transactions, occurring either during or after the year-end, have a financial impact on this authority and, where appropriate, have included them in the accounting statements.			disclosed everything it should have about its business activity during the year including events taking place after the year end if relevant.
9. (For local councils only) Trust funds including charitable. In our capacity as the sole managing trustee we discharged our accountability responsibilities for the fund(s)/assets, including financial reporting and, if required, independent examination or audit.	Yes	No	N/A
			has met all of its responsibilities where as a body corporate it is a sole managing trustee of a local trust or trusts.

\*For any statement to which the response is 'no', an explanation must be published

This Annual Governance Statement was approved at a meeting of the authority on:

DATE OF MEETING

and recorded as minute reference:

MINUTE REFERENCE

Signed by the Chairman and Clerk of the meeting where approval was given:

Chairman

Clerk

### Information required by the Transparency Code (not part of the Annual Governance Statement)

The authority website/webpage is up to date and the information required by the Transparency Code has been published.

Yes | No

ENTER PUBLICLY AVAILABLE WEBSITE/WEBPAGE ADDRESS

**PRESCOT TOWN COUNCIL****ANNUAL MEETING****18<sup>th</sup> MAY 2023****REPORT TITLE:**

Report of the Independent Remunerations Panel 2023

**BACKGROUND TO THE REPORT:**

Each year the Town Council are provided with a copy of the Report of the Independent Remuneration Panel on Town / Parish Council Allowances. This is the 19<sup>th</sup> report of the Independent Remuneration Panel on allowances for Parish and Town Councils situated within the Borough of Knowsley. The panel was established in 2000 to make recommendations to Knowsley Metropolitan Borough Council on the Scheme of Members Allowances. In 2003, the Government introduced the Local Authorities (Members Allowances) (England) Regulations which extended the remit of the Panel to include making recommendations to Town and Parish Councils on levels and type of allowances to be paid to its Councillors.

**PURPOSE OF REPORT:**

To provide members with a copy of the Panel's findings and allow a decision to be made thereon with regard to allowances.

**REPORTS PREPARED BY:**

Alex Spencer – Town Clerk



# PRESCOT TOWN COUNCIL

## Report of the Independent Remuneration Panel 2023

### 1. INTRODUCTION

- 1.1 Each year the Town Council are provided with a copy of the Report of the Independent Remuneration Panel on Town / Parish Council Allowances. This is the 20th report of the Independent Remuneration Panel on allowances for Parish and Town Councils situated within the Borough of Knowsley.

The Panel was established in 2000 to make recommendations to Knowsley Metropolitan Borough Council on the Scheme of Members' Allowances.

In 2003, the Government introduced the Local Authorities (Members' Allowances) (England) Regulations which extended the remit of the Panel to include making recommendations to Town and Parish Councils on levels and type of allowances to be paid to its Councillors.

### 2. THE REPORT

- 2.1 A copy of the report of the Independent Remuneration Panel on Town / Parish Council Allowances for 2023 can be seen at appendix 1.

### 3 RECOMMENDATIONS

- 3.1 Members are asked to consider the report of the panel and in accordance with the requirements of the 2003, Local Authorities (Members' Allowances) (England) Regulations
- Agree the level of annual allowance and or out of pocket expenses to be made during the civic year May 2023 to April 2024, having due consideration of the recommendations put forward by the Independent Remuneration Panel.





**REPORT OF THE INDEPENDENT  
REMUNERATION PANEL  
ON TOWN / PARISH COUNCIL  
ALLOWANCES  
2023**

## **REPORT OF THE INDEPENDENT REMUNERATION PANEL ON TOWN/PARISH COUNCIL ALLOWANCES – 2023**

### **1. INTRODUCTION**

- 1.1 This is the 20<sup>th</sup> report of the Independent Remuneration Panel on allowances for Parish and Town Councils situated within the Borough of Knowsley. The Panel was established in 2000 to make recommendations to Knowsley Metropolitan Borough Council on the Scheme of Members' Allowances. In 2003, the Government introduced the Local Authorities (Members' Allowances) (England) Regulations which extended the remit of the Panel to include making recommendations to Town and Parish Councils on levels and type of allowances to be paid to its Councillors.
- 1.2 The Local Authorities (Members' Allowances) (England) Regulations make provision for Town and Parish Councils to make payments to their Members. Should a Town or Parish Council choose to pay allowances, they should have regard to the recommendations of the Independent Remuneration Panel. The Panel's recommendations as to the allowances of the Towns and Parishes can be a single recommendation applying to all Town and Parishes within the area or make individual recommendations for each Parish.
- 1.3 The current membership of the Independent Remuneration Panel is:-
- Chairperson – Alan Hill (Local Government Sector Advisor),
  - Tim Dugdill (Private Sector Business Advisor)
  - Reverend Canon Malcom Rogers MBE (Faith Sector Advisor)
- 1.4 Sections 2, 3, 4 and 5 of this report outline the way the Panel has come to its earlier conclusions in order to put the recommendations for 2023/2024 into context and these are set out in section 6 of this report.

### **2. PROCESS OF THE REVIEW**

- 2.1 The Panel's Terms of Reference are to make recommendations to Parish and Town Councils on:
- whether a Parish basic allowance should be paid to Town and Parish Council Members and if so the levels of such allowances;
  - whether an enhanced level of allowance should be paid to the Chairperson and if so the level of that allowance;
  - the levels of travel and subsistence which should be paid and the duties to which these payments should relate.

- 2.2 The Panel first met in April 2004 to consider and make recommendations on a scheme of allowances for the Parish and Town Councils which are situated within the Borough of Knowsley. Since that time an annual review has been undertaken. As part of the review process, the Panel was briefed on the roles and responsibilities of the Town and Parish Councils, examined information on the levels of precept and electorate of each of the Town and Parish Councils and gave consideration to statutory Regulations and available Government guidance on Parish Members' allowances.
- 2.3 Each of the five Parish and Town Councils within the Borough of Knowsley are invited each year to submit their views and information on their remuneration schemes. Responses are considered by the Panel.

### **3. PARISH BASIC ALLOWANCE AND CHAIRPERSON'S ALLOWANCE**

- 3.1 The Panel noted that Town and Parish Councils may choose to pay their Members an allowance, known as 'Parish basic allowance', to recognise the time and effort they put into their Parish duties. There is no obligation on Town and Parish Councils to pay such allowances. Each Town and Parish Council may make an allowance available to its Chairperson only, or to each of its Members. Where all Members receive an allowance, the amount payable to the Chairperson may be different to that paid to other Members, but otherwise the amount paid to each Member must be the same. The payment of a Town and Parish basic allowance is a discretionary allowance. If a Town or Parish Council wishes to pay a basic allowance, it should have regard to a recommendation from the Remuneration Panel as to whom basic allowance should be paid.
- 3.2 The Panel has noted that views on the payment of a basic or Chairperson's allowance differed between the five Parish and Town Councils. The majority were not in favour of paying allowances to their Members. Currently only one Town Council, Knowsley, had decided to pay an allowance to its Chairperson and Councillors.
- 3.3 The Panel was aware that the payment of a Town and Parish basic allowance is intended to recognise the time commitment of Parish and Town Councillors and to cover incidental costs such as telephone calls, etc. However, the Panel noted that the information available to them as to the time commitment, roles and levels of responsibility and the costs which a Parish or Town Councillor may incur in fulfilling his/her role was limited.
- 3.4 The Panel acknowledged that the power under Section 15 of the Local Government Act 1972 to pay its Chairperson an amount for such expenses as it sees fit remains unchanged. Therefore, notwithstanding the Panel's recommendations in relation to a Town and Parish basic allowance, Parish and Town Councils may, if deemed appropriate, pay a Chairperson's allowance under these existing Regulations.

#### **4. TRAVEL AND SUBSISTENCE ALLOWANCES**

- 4.1 The Panel noted that Town and Parish Councils may also pay its Members an allowance in respect of travel and subsistence. These are discretionary allowances. They may be paid in respect of travel and subsistence both inside and outside the boundary of the Town and Parish. Allowances for travel may include allowances for travel by non-motorised transport, such as a bicycle. If it wishes to pay travel and subsistence allowances, a Town and Parish Council must consult the Remuneration Panel.
- 4.2 The Panel acknowledges that some of the Parish/Town Councils currently pay travel and subsistence allowances to their Members and would wish to continue to do so.
- 4.3 The Regulations provide that travel and subsistence allowances may be paid in respect of:-
- a meeting of the authority;
  - a meeting of a committee or sub-committee of the authority;
  - a meeting of some other body (or a committee or sub-committee of a body) to which the authority make appointments or nominations;
  - duties undertaken on behalf of the authority in pursuance of any standing order requiring a member or members to be present while tender documents are opened;
  - a meeting of a local authority association of which the authority is a member;
  - duties undertaken on behalf of the authority in connection with the discharge of any function of the authority conferred by or under any enactment and empowering or requiring the authority to inspect or authorise the inspection of premises;
  - any other duty approved by the authority in connection with discharging the duties of the authority or its committees or sub committees.
- 4.4 In considering the issue of travel and subsistence, the Panel acknowledged that the majority of duties carried out by Parish and Town Councillors were within the local area.

#### **5. PREVIOUS CONCLUSIONS AND RECOMMENDATIONS**

- 5.1 On the basis of the information considered, the Panel came to the view in 2004, and has reiterated that view subsequently, that Members of Parish and Town Councils have volunteered to undertake this work on behalf of the community and the Panel was not convinced that the role and responsibility merited financial compensation.
- 5.2 The Panel was also conscious that the cost of any allowances would fall to the local council concerned and would consequently impact upon the Town/Parish precept and the local community.

- 5.3 The Panel noted that there are differences between the Parish and Town Councils in terms of their sizes, electorate and budgets, but the Panel did not consider it had sufficient information on which to base differentials.
- 5.4 Subject to the receipt of any further information and evidence from the Parish and Town Councils, in view of the information considered and the conclusions set out in 5.1 to 5.3 above, the Panel has recommended in every year that no Parish basic allowance be payable by the Parish and Town Councils within the Borough of Knowsley.
- 5.5 The Panel recognised that Members of Town and Parish Councils should be able to claim travel and subsistence expenses incurred in respect of their duties as a Member of the Council. Accordingly, the Panel has recommended in every year that reasonable out of pocket expenses for travel and subsistence be reimbursed in respect of the duties mentioned in paragraph 4.3 of this report.
- 5.6 In 2005 the Panel was asked to consider the possibility of paying an allowance to non-Borough Council Town and Parish Councillors in respect of the use of ICT equipment at home of £5 per month (Town and Parish Councillors who are also on the Borough Council are already reimbursed by Knowsley Council). There is no provision within the legislation for the payment of such a Parish allowance; however, the Panel was of the view that a Parish could achieve the same end by:-
- i) Paying a Town and Parish basic allowance of an equivalent sum (which would be taxable) but this would need to be paid to all Parish Councillors; OR
  - ii) Reimbursing the cost of consumable items etc by way of an expenses claim with supporting receipts (not taxable if purely for Parish Council business); OR
  - iii) The Parish Council providing consumables for the Parish Councillor (not taxable if purely for Parish Council business).
- 5.7 The Panel has stated its belief that any proposal to introduce a new Scheme of Allowances or to increase an existing scheme could be something which the Parish or Town Council may feel is appropriate for consultation with its electorate.
- 5.8 The Panel has always emphasised that it would welcome representations and new information from Councils to inform future Scheme reviews.

## **6. THE YEAR 2023/24**

- 6.1 The Panel met remotely on 14 March 2023 to consider its recommendations for 2023/24.

- 6.2 All Parish and Town Councils within the Borough were invited to submit any views which they wished the Panel to consider. Knowsley Town Council (asking that their submission from last year be re-submitted) outlined a number of points for the Panel to consider in support of a payment of a basic allowance to its Members, the main points of which are summarised below:
- (i) All travel expenses are met from the basic allowance. Knowsley Township covers three large areas where public transport is not always reliable and not every Member of the Town Council has access to a vehicle;
  - (ii) Telephone costs are met from the basic allowance. Any increase in costs is borne by the Member and communication by email is not always possible as not every Member has access to a personal computer or email address;
  - (iii) The costs of meals and refreshments whilst on council business are met from the basic allowance;
  - (iv) The majority of Members of the Town Council are in full time work – not all employers pay for time off for public duties. The payment of a basic allowance helps ease the burden of the loss of earnings in this instance.
- 6.3 Following consideration of the submission and all relevant guidance, the Panel **recommends** that:-
- (i) No parish basic allowance be payable during the financial year 2023/24; and
  - (ii) Reasonable out of pocket expenses for travel and subsistence be reimbursed in respect of duties and meetings covered by the relevant regulations.
- 6.4 The Panel will always welcome representations on these issues to inform future consideration.

**Alan Hill, Chairperson of the Independent Remuneration Panel  
April 2023**

**PRESCOT TOWN COUNCIL****ANNUAL MEETING****18<sup>th</sup> MAY 2023****REPORT TITLE:**

Proposal Working Group for Clock to be sited at Prescott Town Hall

**BACKGROUND TO THE REPORT:**

At a meeting of Council on 23<sup>rd</sup> March 2023, Members resolved to defer a decision to choose a design of and approve costs for proposed clock to be sited at Prescott Town Hall.

Members further resolved that a working group should be established in the new municipal year to take this work forwarded.

**PURPOSE OF REPORT:**

To seek Member resolution for the establishment of a working group to take forward the workstream of a proposed clock at Prescott Town Hall.

**REPORTS PREPARED BY:**

Alex Spencer – Town Clerk





## PRESCOT TOWN COUNCIL

### Proposed Working Group for Clock to be Sited at Prescott Town Hall

#### 1. INTRODUCTION

- 1.1 Members will recall that at its meeting of council on 23<sup>rd</sup> March 2023, Members resolved to defer a decision to choose a design of and approve costs for a proposed clock to be sited at Prescott Town Hall.
- 1.2 Members further resolved that a working group should be established to take this workstream forward in the new municipal year.
- 1.3 The establishment, terms of reference and operations of a working group are defined within council's Standing Order 4 J (i) to (viii) as below:-
  - J The council may decide to utilise working groups to address a particular matter affecting the council that would benefit from multiple contributors. The purpose of the working group will be to address a single matter as directed by Council such as the council's annual plan. The working group will then report its findings back to full council for consideration. All council working groups will:-
    - i. be approved by the council
    - ii. membership of a working group will be agreed at a meeting of the council
    - iii. be free to agree their own times of meetings
    - iv. not be decision makers and will have no devolved powers
    - v. not require terms of reference as they can only address the matter for which they are convened
    - vi. not be required to produce minutes of meetings
    - vii. not be subject to requirements statutory notice periods
    - viii. be disbanded at the conclusion of its purpose

#### 2. RECOMMENDATIONS

- 2.1 That Members establish a working group to take forward the work of a proposed clock at Prescott Town Hall, before reporting back to Council at a future date for resolution thereon.

