

WHITEHAVEN TOWN COUNCIL

Clerk to the Council: Marlene Jewell
Telephone: 01946 67366
Chairman: Councillor Brian O’Kane

To: **Members of the Whitehaven Town Council**

You are duly **SUMMONED** to attend the **ANNUAL MEETING** of **WHITEHAVEN TOWN COUNCIL** which will be held in **the SOLWAY HALL, WHITEHAVEN CIVIC HALL, LOWTHER STREET, WHITEHAVEN**

Date: Thursday 27th May 2021

Time: 6.30pm

Signed.....*Marlene Jewell*.....Dated *21st May 2021*
Marlene Jewell, Clerk and Responsible Financial Officer

AGENDA

- 1. Introduction**
- 2. Appointment of Chairman (Mayor) for 2021/22**
- 3. Appointment of Vice Chairman (Deputy Mayor) for 2021/22**
- 4. Apologies for Absence**

To receive apologies for absence

- 5. Declarations of Interest**

To receive declarations of interests by elected members in respect of Agenda items

If a Member requires any advice on any item involving a possible declaration of interest which could affect his/her ability to speak and/or vote he/she is advised to contact the Clerk at least 24 hours in advance of the meeting.

- 6. Minutes of the Council Meeting held on 29th April 2021**

- 7. Minutes of the Extraordinary Council Meeting held on 12th May 2021**
- 8. Public Participation**
- 9. Planning**
- 10. Finance Report**
- 11. Consideration of Recommendations made by a Committee**
- 12. Chairman's Allowance**
- 13. Council's Bank Account – Authorised signatories**
- 14. Review and adoption of Standing Orders**
- 15. Review and adoption of Financial Regulations**
- 16. Review and adoption of Code of Conduct**
- 17. Review of Social Media Policy**
- 18. Review and adoption of Terms of Reference for Committees**
- 19. Appointments to Committees**
- 20. Appointment to advisory Groups**
- 21. Review of representation on or work with External Bodies and arrangements for reporting back**
- 22. Confirmation of Insurance Cover**
- 23. Review of Subscriptions to other Bodies**
- 24. Health and Safety**
- 25. Financial Risks Assessment**
- 26. Review of Asset Register**
- 27. Review of s137 Expenditure**
- 28. Time and Place of ordinary Council Meetings up to and including the next Annual Meeting**

IN PRIVATE

That prior to the following items of business the Chairman will move the following resolution:-

That in view of the special or confidential nature of the business about to be transacted it is advisable in the public interest that the public and or press be instructed to withdraw.

29. Application for Grant - GCA

WHITEHAVEN TOWN COUNCIL

Minutes of the Virtual Council Meeting held on the Zoom Platform on 29th

April 2021

Present: Councillor B O’Kane (Chairman); Councillor E Dinsdale; Councillor C Hayes; Councillor C Maudling; Councillor J Rayson; Councillor R Redmond; Councillor G Roberts;

M. Jewell, Clerk and Responsible Financial Officer

V. Gorley, Assistant Clerk

Jenny Brumby, CBC Buy Local Scheme Co-ordinator

Members of the Public

1754/21 Apologies for Absence

Apologies for absence were received from Councillor C Arrighi, Councillor G Dinsdale, Councillor C Walmsley and Councillor L Walmsley

1755/21 Declarations of Interest

Councillor Rayson declared a non- pecuniary interest in Item 12 as she had an allotment

Councillor Roberts declared an interest in Items 7 and 13 as he was a member of CCC

Councillor Maudling declared an interest in Item 7 as he was a member of CBC’s Planning Panel

Councillor O’Kane declared an interest in Item 7 as he was a member of CBC’s Planning Panel

1756/21 Minutes of the Council Meeting held on 25th March 2021

Councillor E Dinsdale referred to Minute 1718/21 and said in his declaration of interest he has also included Whitehaven Rugby League and asked for this to be included. It was proposed by Councillor Hayes and seconded by Councillor Roberts that the Minutes of the Council Meeting held on 25th March 2021 be approved and signed by the Chairman as a correct record subject to an

amendment being made to Minute 1718/21 to include Whitehaven Rugby League. A vote was taken and 6 Councillors voted for, and 1 Councillor abstained.

RESOLVED – That the Minutes of the Council Meeting held on 25th March 2021 be approved and signed by the Chairman as a correct record subject to an amendment being made to Minute 1718/21 to include Whitehaven Rugby League.

1757/21 **Minutes of the Extraordinary Council Meeting held on 1st April 2021**

It was proposed by Councillor Hayes and seconded by Councillor Roberts that the Minutes of the Extraordinary Meeting held on 1st April 2021 be approved and signed by the Chairman as a correct record. A vote was taken and 6 Councillors voted for the proposal and 1 Councillor abstained.

RESOLVED – That the Minutes of the Extraordinary Council Meeting held on 1st April 2021 be approved and signed by the chairman as a correct record

1758/21 **Minutes of the Extraordinary Council Meeting held on 22nd April 2021**

It was proposed by Councillor Hayes and seconded by Councillor Roberts that the Minutes of the Extraordinary Meeting on 22nd April 2021 be approved and signed by the Chairman as a correct record. A vote was held and it was unanimously

RESOLVED – That the Minutes of the Extraordinary Council Meeting on 22nd April 2021 be approved and signed by the Chairman as a correct record

1759/21 **Public Participation**

A member of the public wished to speak but had problems connecting to zoom at the appropriate time and came in after the Planning Application Item and it was agreed that she be allowed to speak as part of Public Participation

A member of the Public (GS) representing the newly formed Whitehaven Womblers wished to speak about the long standing litter around the whole area of Whitehaven and the challenge of litter.

She said that litter doesn't magically appear. It is 99.9% dropped by people with a habit of dropping litter namely:

- their bus ticket on the bus
- their cigarette end after a smoke
- their sweet wrapper after a "treat"
- their drinks can/bottle after their drink
- their dog's poo bag after picking it up"
- their scratch card after losing, again.

These habits are endemic around here, as they are in many parts of the country. They are the signs of a community who have given up on themselves. Habits that have never been properly challenged. Habits which badly let down this town and our country as a whole.

So Whitehaven Womblers are going to do something about it. We are meeting the Shop-Local Coordinator next week to look at ways we can influence the cleanliness of our High Streets.

We are already working with local big businesses and supermarkets to ensure their immediate areas are clean and tidy.

We are identifying litter black spots and will be cleaning them up and keeping them clean.

We will be pushing for Street Litter Wardens for every street.

We will be starting an “Hearts and Minds” campaign to encourage every householder and every business to keep the area outside their property litter free.

We will be working with Clean Up Britain to push for Copeland to come down hard on those found to be Fly Tipping. And we will push for the Enforcement Officers to be effective in their roles.

We will be asking WTC to site litter and dog bins in suitable locations, right across the Whitehaven area. Starting with one litter bin at every working Bus Stop and one dog bin on every major road and/footpath.

GS informed the Council that Whitehaven is a Gem, or will be, once this blight has been removed from our area. It is time to clean up our acts – Whitehaven Womblers are here.

The Chairman thanked GS for attending and said the Town Council would like to help out wherever we can but could not promise anything.

1760/21 Planning Applications

The Council considered a list of Planning Applications received from CBC and shown at Appendix 1

Councillor Rayson referred to application 4/18/2287/001 and said she opposed the development at Harras Moor because of

- lack of/poor infrastructure and the Chairman and Councillor Walmsley had again commented in the Whitehaven News about the traffic at St Benedict’s School but that it was not just St Benedict’s it was all around and the roads were not adequate. Councillor Rayson said that residents had attended Council Meetings in the past speaking about surveys that had been carried out at inappropriate times when it was in the school holidays and that she didn’t think the surveys had been real.
- If the development goes ahead the number of children who could be living on that estate would probably be going to school in the catchment area of schools that are already oversubscribed which means they would be travelling further afield with more traffic on the road spilling out even further to schools further down the road.

Councillor Roberts concurred with Councillor Rayson's objections and said there were absolutely severe issues with traffic. He said nothing had been solved as yet and there were drainage problems that had to be solved and until these matters had been resolved especially with the schools at the top and the access at the bottom down under the Sunnyhill bridge with large lorries etc which could use the road – constructional traffic – he objected to the proposal. Councillor E Dinsdale supported the comments of Councillor Rayson and Councillor Roberts and wanted to add to this as Councillor for Corkickle Ward as what concerned him was the fact that the traffic is directed from Harras Moor through Hensingham and would eventually go through Inkerman Terrace and through Corkickle and that was a big concern for him.

Councillor Hayes said he totally agreed with this.

Councillor Maudling pointed out that this was an outline application and that the infrastructure would not be material on this one. It was proposed by Councillor Rayson and seconded by Councillor Hayes that the comments/objections raised above be forwarded to Copeland Borough Council Planning Department. A vote was held and 5 Councillors voted for the proposal and 2 Councillors abstained.

RESOLVED – That CBC be informed that following consideration of the Planning Applications on Appendix 1 the Council had made the above comments/objections on Planning Application 4/18/2287/001

1761/21 Finance Report

The Council considered a Finance Report.

- i. Appendix 1 – The Assistant Clerk reported that there was 1 extra invoice to consider namely:

1. V Gorley £21.51 postage for Agendas

It was proposed by Councillor Roberts and seconded by Councillor Hayes that the invoices on Appendix 1 plus the 1 additional invoice listed above be approved and paid. A vote was held and it was unanimously

RESOLVED - That the invoices on Appendix 1 plus the 1 additional invoice listed above be approved and paid.

- ii. Appendices 2 and 3 – the Council considered Appendices 2 and 3 and it was proposed by Councillor Hayes and seconded by Councillor Rayson that these be approved and noted. A vote was held and it was unanimously

RESOLVED – That Appendices 2 and 3 be approved and noted

1762/21 Street Name and Numbering

The Council considered a report received from Copeland Borough Council consulting the Council on street name and numbering on the continuation of the

residential development on Edgehill Park in Whitehaven which had been submitted by the developer. It was proposed by Councillor Hayes and seconded by Councillor Maudling that CBC be informed that there were no objections to the proposed street names for properties on Edgehill Park, Whitehaven. A vote was held and it was unanimously

RESOLVED - That CBC be informed that there were no objections to the proposed street names for properties on Edgehill Park, Whitehaven.

1763/21 **Photocopier Contract**

The Council considered a report following Minute 1724/21 when it was agreed that the Council would obtain quotes from contractors for the provision of a photocopier with the same specification as the present photocopier and report back to the Council. Shown at Appendix 1 was a list of quotes received and following a discussion it was proposed by Councillor O’Kane and seconded by Councillor Roberts that the quote from the current supplier for the purchase of a New Sharpe MX2651N costing £2,700.00 with a price per copy maintenance contract at 0.0025p for each mono copy and 0.025p for each colour copy be accepted and the machine purchased. A vote was held and it was unanimously

RESOLVED – That the quote from the current supplier for the purchase of a new Sharpe MX2651N costing £2,700.00 with a price per copy maintenance contract at 0.0025p for each mono copy and 0.025p for each colour copy be accepted and the machine purchased.

1764/21 **Remote Access for Home Working**

The Council considered a report for making provision for staff to have remote access to the Council’s server when working from home. The Council’s IT provider recommended using Microsoft One Drive to store data so that it could be accessed remotely. The cost for this work was £180.00 with additional ongoing charges of £11.40 per month for 3 x Office 365 Licences. It was proposed by Councillor Maudling and seconded by Councillor Hayes that the Council’s IT Provider be authorised to carry out the necessary work to enable staff to access Council data remotely at a cost of £180.00 plus £11.40 per month for 3 x Office 365 Licences. A vote was held and it was unanimously

RESOLVED – That the Council’s IT Provider be authorised to carry out the necessary work to enable staff to access Council data remotely at a cost of £180.00 plus £11.40 per month for 3 x Office 365 Licences.

1765/21 **Allotments**

The Council considered a report on Allotments which gave an update on the

current position. A request had been received for the erection of a polytunnel on an Allotment and the Allotment Advisory Group had recommended approval of this. A recommendation was also made to provide a 12 cubic yard skip on each Allotment site in October 2021 and March 2022. 4 quotes had been sought for this but only 1 skip company had replied and had given a quote of £240.00 plus Vat per skip. It was proposed by Councillor Hayes and seconded by Councillor E Dinsdale that (i) the request to erect the polytunnel on the allotment be approved and (ii) that the quote of £240.00 plus VAT per skip be accepted and that a 12 cubic yard skip be provided on each Allotment site in October 2021 and March 2022. A vote was held and it was unanimously

RESOLVED – That (i) the request to erect the polytunnel on the allotment be approved and (ii) that the quote of £240.00 plus VAT per skip be accepted and that a 12 cubic yard skip be provided on each Allotment site in October 2021 and March 2022.

1766/21

West Cumbria Mining

The Chairman gave an update report on West Cumbria Mining. He said it was primarily about what the Council had agreed to put together . Following the request for people to sign a Council petition there had been a letter in the Whitehaven News which had asked the Council to apologise for the petition and the result of that had been to make a few more people sign the petition. The Chairman said the Council’s petition currently had had 10,000 views, 475 shares and 711 signatures which wasn’t too bad considering there was another petition that had been organised elsewhere.

The Chairman said the Council had said it would write a letter and Councillor Rayson confirmed the last day for submissions was 7th May 2021.

The Chairman asked if that included the petition. The Clerk said the petition should be submitted on or before that date and then if any more signatures were received they could be forwarded on.

The Chairman said the Council needed to find out how to submit the petition and how we do it.

This report was for information only and no decisions were made

1767/21

Welcome Back Fund

The Chairman said Whitehaven had been allocated £30,000.00 from the Welcome Back Fund of which £27,000.00 was to be spent in the Town.

£3,000.00 was possibly designated towards the Harbour

£27,000.00 was to be spent by CBC in consultation with the Town Council

Councillor Hayes said although there was £30,000.00 wasn’t there £75,000.00 in the Public Realm money already. The Chairman confirmed there was but suggested that this aspect be left for the moment and come back to it later.

The Chairman listed some ideas for the Welcome Back Fund and asked that Councillors comment on them:-

- Extra waste collections in summer in the Town centre.
- Extra covid signs and banners
- Possibility of putting seats in the Green Market for people to sit there
- The small helmet in the Green Market to be repainted
- Shop wraparounds for the empty shops in King Street
- Request for bunting in King Street. The Chairman said that the Council had bought a lot of bunting for VE day last year and thought that this could be used.
- St Nicholas Gardens – suggested that a professional painter be employed to paint the front gates to St Nicholas Gardens in black and gold
- Possibly putting covid remembrance seats into St Nicholas Gardens and if the Town Council could work with this fund we could buy 4 seats and ask the fund to cover another 4.
- Castle park – how do we repaint the bandstand – can it still carry on or can any part of it be done on a voluntary basis. CBC still want the bandstand repainted.
- The building near the bandstand to be reopened for public use with public toilet facilities and a local retailer taking it on to sell ice cream
- This would require benches to be put into Castle park for people to sit of a type similar to those proposed for the Green Market
- Possibly some money might be used to improve areas of the play area in Castle park.
- Adjustments to the play area particularly with reference to small children could possibly be funded out of the public realm money mentioned earlier.

Councillor Hayes said that some local professionals had offered to repaint the bandstand 3 years ago for free but they could not do it now as the pandemic had severely affected their businesses and in any event if they were not going to be used to paint the small helmet why would they paint the bandstand for free.

Councillor Rayson said the bandstand had been an eyesore for a long time and that on a Saturday afternoon if the bandstand was repainted we would need bands and we needed kids doing displays.

Councillor Maudling agreed and said bands would be keen to get on there and the same with dance schools and asked that once the bandstand was in use if there could be fixed seating installed in front of the bandstand.

Councillor Hayes thought it would be wrecked within a week unless it was policed properly and if it was not all the graffiti would be back in a matter of days. He also said the rubbish in the park was a disgrace.

Councillor O’Kane agreed and said enforcement was a real issue for a whole range of things and that the Council should express its concern about enforcement in Town.

Councillor Rayson asked if there was any scope for CCTV. The Chairman said that CCTV only has a use if someone is monitoring it.

Councillor Hayes said the shop wraparounds were urgent and should be done now.

Councillor Maudling referred to the old Victorian lampstands in King Street and said that they were only painted half way up and asked if they could be repainted at the same time as the repainting of the bollards.

Councillor O’Kane referred to the lights in the Market Place and said after working with CBC 9 of the 15 were working and they were looking into how to repair the remaining 6.

Councillor O’Kane proposed that the Council make a recommendation that CBC support some of the changes in Castle Park by using part of the Public Realm money and this was seconded by Councillor Hayes. A vote was held and it was unanimously

RESOLVED – That the recommendation that CBC support some of the changes in Castle Park by using part of the Public Realm money be approved.

Jenny Brumby then said

- Castle park is a great space and she would like to work with the Town Council to upgrade it and also to upgrade the children’s part and getting the funding for it
- That Councillor E Dinsdale had spoken to her about entertainment in the park and sports events that could be shown. For all the different events they would have to make sure the park was fit for purpose
- That she wanted to see visual enforcement in Whitehaven and particularly in places like Castle Park
- She said the Welcome Back Fund was heavy on campaigns ie
 - Working on getting waste emptied
 - Provision of more bins
 - Taking more responsibility as adults for our actions
 - Need re-education around this
 - Media campaigns
 - Events programme through the summer

Jenny said if Councillors had any more ideas to get in touch with her over the next week and also for any projects that they would like to develop.

The Chairman thanked Jenny Brumby for attending.

1768/21 Councillor Ward Matters

- i. Councillor Hayes said there had been a lot of fly tipping up at the old mine at Kells. They had had a local person going out and sorting it out and Copeland were very quick to pick the bags up
- ii. Councillor Maudling said it was nesting time and obviously a lot of seagulls and as well as the seagulls there was a lot of litter in town. He said the seagulls took the moss off the roofs and it was on the pavements all over town.

Councillor Maudling said there was a quite a problem with the scooters that were for hire outside the Civic Hall zooming up and down and speeding up King Street when people were coming out of shop doors which caused problems and thought that maybe the \police could help with this, Councillor Maudling said he would contact the Police himself about this,

iii. Councillor E Dinsdale asked the Clerk if Mr T Todd had dropped off the price list for the advertising. The Clerk said he hadn't but that no doubt Mr Todd had been very busy. Councillor Dinsdale said he would chase it up with Mr Todd

iv. Councillor Rayson said the Ward was looking nice around the area and a lot of people were going out and about. She said some residents had been going out and picking rubbish up.

Councillor Rayson said they had had a problem at the end of Caldbeck Road with the turning circle with ASB, The PCSO had been going on their rounds regularly and they had said there had been no activity for a while.

Councillor Rayson referred to the seagull problem at Red Lonning and said she and the Chairman met with residents last year up at Red Lonning. There was nesting on the pond at the bottom of the campus, Walkmill Gardens, The Gables and on surrounding properties. Some properties had spikes on but this was not deterring the seagulls. The noise was bad particularly at Red Lonning. She said this was a CCC problem but the CC Councillor Wonnacott had not responded to residents' emails and asked if CBC Environment Health could be asked to have a look at this. Councillor Rayson said she knew it was not the Town Council's responsibility and that the Town Council had done all it could. The Chairman asked Councillor Roberts if CCC had an Environmental Health Department and Councillor Roberts said not exactly but was sure he could access somebody at County Hall to have a look at this for us.

v. Councillor O'Kane said there was a large pool area at the bottom of St Benedict's which was an overspill water area and this had been put through CCC planning and they had put this water area in without realising it was a major magnet for seagulls and that he had been told by CCC that this was now St Benedict's problem as it was on their land. Councillor O'Kane raised 3 matters:

1. Vandalism on Bleach Green. He said football posts had been put up and were well used but 2-3 weeks ago somebody decided to take some bits out.
2. Traffic concern complaints around the schools. He asked if Councillors felt that the Council should be putting pressure on CCC to review the traffic issues of all the schools in their wards
3. There had been recycling issues in terms of stuff not being picked up. However Councillor Morgan had assured CBC Councillors that the recycling issue was going to be addressed very quickly and extra staff being taken on to handle recycling.

1769/21 **Date of next Meeting**

The date of the next full Council Meeting will be the Annual Meeting on 27th May 2021 at 6.30pm.

The Clerk informed the Council that this would be a face to face meeting as remote Council Meetings could not take place after 6th May 2021

IN PRIVATE

1770/21 That prior to the following item of business the Chairman moved the following resolution: -

That in view of the special or confidential nature of the business about to be transacted it is advisable in the public interest that the public and or press be instructed to withdraw from the zoom platform.

Councillor Hayes proposed this and Councillor Roberts seconded it. A vote was held and it was unanimously

RESOLVED – That in view of the special of confidential nature of the business about to be transacted it is advisable in the public interest that the public and press be instructed to withdraw from the zoom platform. All members of the public and press then left the Meeting.

IN PRIVATE

1771/21 **Grant Application - WHC**

The Council considered an application for a grant of £1,000.00 from WHC It was proposed by Councillor Maudling and seconded by Councillor Hayes that a grant of £1,000.00 be awarded to WHC. A vote was taken and 6 Councillors voted for 1 Councillor voted against

RESOLVED – That a grant of £1,000.00 be awarded to WHC

1772/21 **Ward Grant Awarded to The Copeland Veterans Group**

The Chairman referred to a Councillor Ward Grant recently awarded to the Copeland Veterans Group and gave a verbal report on this. It was proposed by Councillor O’Kane and seconded by Councillor Hayes that this item be placed on the next Council Agenda to allow Mr Forster and Councillor Arrighi to attend to clarify the situation in full with all details provided. A vote was held and 6 Councillors voted for the proposal and 1 Councillor abstained

RESOLVED – That this item be placed on the next Council Agenda to allow

Mr Forster and Councillor Arrighi to attend to clarify the situation in full with all details provided

The Meeting closed at 7.40

Chairman

WHITEHAVEN TOWN COUNCIL

Minutes of the Extraordinary Council Meeting held on 12th May 2021

Present: Councillor B O’Kane (Chairman); Councillor E Dinsdale; Councillor G Dinsdale; Councillor R Gill; Councillor C Hayes; Councillor C Maudling; Councillor J Rayson; Councillor R Redmond; Councillor G Roberts;

M. Jewell, Clerk and Responsible Financial Officer

V. Gorley, Assistant Clerk

1773/21 Apologies for Absence

Apologies for absence were received from Councillor C Arrighi, Councillor C Walmsley, Councillor L Walmsley

1774/21 Declarations of Interest

Councillor Roberts declared an interest in Item 6 on Fire Safety as he was a Member of CCC

1775/21 Public Participation

There was no public participation

1776/21 Annual Return 2021/21

The Council considered a report on the Annual Return for 2020/2021 and the recommendations in paragraph 4.1 (i) to (v) of the report

- 4.1(i) It was proposed by Councillor Roberts and seconded by Councillor Gill that Section 1 – The Annual Governance Statement 2020/2021 be approved by the Council and signed by the Chairman and the Clerk and the Minute number inserted. A vote was taken and 7 Councillors voted for the proposal and 2 Councillors voted against

RESOLVED - That Section 1 - The Annual Governance Statement 2020/2021 be approved and signed by the Chairman and the Clerk and the Minute number inserted.

- 4.1(ii) It was proposed by Councillor Hayes and seconded by Councillor Roberts that Section 2 – the Accounting Statements 2020/2021 be approved by the Council and signed by the Chairman and the Responsible Financial Officer and the Minute number inserted. A vote was taken and 7 Councillors voted for the proposal and 2 Councillors voted against

RESOLVED – That the Accounting Statements 2020/2021 be approved by the Council and signed by the Chairman and the Responsible Financial Officer and the Minute number inserted.

- 4.1(iii) It was proposed by Councillor Gill and seconded by Councillor Roberts that the Annual Internal Auditor's Report be approved. A vote was taken and 7 Councillors voted for the proposal and 2 Councillors voted against.

RESOLVED – That the Annual Internal Auditor's Report be approved

- 4.1(iv) It was proposed by Councillor Rayson and seconded by Councillor Hayes that the Annual Return be advertised for public inspection to comply with the timescales and requirements in paragraph 2.2(iv) of the report. A vote was held and 7 Councillors voted for the proposal and 2 Councillors voted against.

RESOLVED – That the Annual Return be advertised for public inspection to comply with the timescales and requirements of paragraph 2.2 (iv) of the report and Councillors be sent a copy of the Notice.

- 4.1(v) It was proposed by Councillor Hayes and seconded by Councillor Roberts that the completed and approved Annual Governance and Accountability Return 2020/2021 be submitted to PKF Littlejohn as soon as possible following the Council meeting. A vote was taken and 7 Councillors voted in favour of the proposal and 2 Councillors voted against.

RESOLVED – That the completed and approved Annual Governance and Accountability Return 2020/2021 be submitted to PKF Littlejohn as soon as possible following the Council Meeting.

1777/21 Events Expenditure

- i. The Council considered a report on expenditure required for its events on 28th May 2021 and 25th June 2021. The Assistant Clerk said that paragraph 2.0 iii of the report should read £1200 and that an interim quote had been received of £1046.40 plus an adjustment for the final rider. Following a discussion it was proposed by Councillor Hayes and seconded by Councillor Robert that members approve the expenditure shown in paragraph 2.0 points i to iv of the report (including the amendment) be approved. A vote was held and it was unanimously

RESOLVED That the expenditure shown in paragraph 2.0 points i to iv of the report (including the amendment) be approved.

- ii. The quotes received at Appendix 1 for the marquees were considered and it was proposed by Councillor Roberts and seconded by Councillor Hayes that the quote from supplier number 2 be accepted. A vote was held and it was unanimously

RESOLVED that that quote from supplier number 2 be accepted.

- iii. The quotes received at Appendix 2 for the tables were considered and it was proposed by Councillor Hayes and seconded by Councillor Roberts that the quote from supplier number 2 be accepted. A vote was held and it was unanimously

RESOLVED - That the quote from supplier number 2 be accepted.

- iv. The quotes shown at Appendix 3 for the feathered flagpoles were considered. It was proposed by Councillor Hayes and seconded by Councillor Roberts that the quote received from supplier no 2 be accepted. A vote was held and it was unanimously

RESOLVED - That the quote received from supplier no 2 be accepted.

- v. It was proposed by Councillor Gill and seconded by Councillor Roberts that if due to circumstances Egremont is not able to loan the Council marquees for the two events that approval be given to hire marquees from the supplier whose quote has been accepted. A vote was taken and it was unanimously

RESOLVED – That if due to circumstances Egremont is not able to loan the Council marquees for the two events that approval be given to hire marquees from the supplier whose quote has been accepted.

1778/21 Council Building Inspections

The Council considered a report on the inspections necessary to its building in

Queen Street so as to comply with its responsibility as owner and its responsibility towards staff occupying the building. It was proposed by Councillor Rayson and seconded by Councillor Gill that the Clerk be authorised to have all the checks in paragraphs 1.2 and 1.3 of the report carried out in the Council's building with 3 quotes being obtained where possible; all identified repairs carried out; and all necessary certificates renewed. A vote was held and it was unanimously

RESOLVED - That the Clerk be authorised to have all the checks in paragraphs 1.2 and 1.3 of the report carried out in the Council's building with 3 quotes being obtained where possible; all identified repairs carried out; and all necessary certificates renewed.

1779/21 Appointment of Representative to Harbour Users Group

The Council considered a report on the request from the Whitehaven Harbour Commissioners for a representative from the Council to sit on the Harbour Users Group. It was proposed by Councillor Roberts and seconded by Councillor Hayes that the incumbent Chair of the Council be appointed. Councillor Gill proposed an amendment to this that the position should always be filled by the Chair of the Council on a continuous basis which was seconded by Councillor Hayes.

A vote was held on the amendment and 6 Councillors voted for the amendment and 3 Councillors voted against

RESOLVED - That the position should always be filled by the Chair of the Council on a continuous basis.

1780/21 Purchase of seats for St Nicholas Gardens

- i. Council considered a report on the purchase of 4 seats for St Nicholas gardens to commemorate all those in Whitehaven who have been affected by the coronavirus pandemic. It was proposed by Councillor Gill and seconded by Councillor Hayes that the Council purchase 4 Lowther Seats for St Nicholas Gardens from Glasdons at a cost of £520.90 plus VAT per seat, plus and amount for fixing, £83.60 for a commemorative plaque and approximately £40.00 for the Council's crest. A vote was held and it was unanimously

RESOLVED - That the Council purchase 4 Lowther Seats for St Nicholas Gardens at a cost of £520.90 plus VAT per seat, plus and amount for fixing, £83.60 for a commemorative plaque and approximately £40.00 for the Council's crest.

- ii. In order to purchase the seats from Glasdons Financial Regulation 11 requires the Council to make a resolution to do so and having made a

resolution that the Council then makes a resolution to record the reasons for suspension and consider the assessment of risks drawn up and presented and approve the same. It was proposed by Councillor Hayes and seconded by Councillor Gill that the Council makes a resolution to suspend Financial Regulation 11 to allow the Council to purchase 4 Lowther seats from Glasdons at a cost of £520.90 plus VAT per seat, plus and amount for fixing, £83.60 for a commemorative plaque and approximately £40.00 for the Council's crest. A vote was taken and it was unanimously

RESOLVED - That the Financial Regulation 11 be suspended to allow the Council to purchase 4 Lowther seats from Glasdons at a cost of £520.90 plus VAT per seat, plus and amount for fixing, £83.60 for a commemorative plaque and approximately £40.00 for the Council's crest.

- iii. Having made the resolution in above it was proposed by Councillor Gill and seconded by Councillor Hayes that the Council resolve to record the reasons for suspension and consider the assessment of the risks drawn up and presented and approve the same. A vote was held and it was unanimously

RESOLVED – That the Council record the reasons for suspension and consider the assessment of the risks drawn up and presented and approve the same.

1781/21 **Renewal of Zoom Licence for Zoom Meetings**

The Clerk reported that the current licence for zoom would expire on 24th June 2021 and that although Zoom could not be used for Council meetings it could be used for Advisory Groups and informal meetings not open to the public and where decisions were not being made. The cost of a 12 month licence for Zoom was likely to be approximately £120.00. It was proposed by Councillor Gill and seconded by Councillor Roberts that the licence for Zoom be renewed. A vote was held and it was unanimously

RESOLVED – That the Zoom licence be renewed for a year

IN PRIVATE

- 1782/21** That prior to the following item of business the Chairman moved the following resolution: -

That in view of the special or confidential nature of the business about to be transacted it is advisable in the public interest that the public and or press be instructed to withdraw

Councillor Hayes proposed this and Councillor Roberts seconded it. A vote was held and it was unanimously

RESOLVED – That in view of the special or confidential nature of the

business about to be transacted it is advisable in the public interest that the public and press be instructed to withdraw from the Meeting. All members of the public and press then left the Meeting.

The Chairman asked that the Grant application from RYT be dealt with first and this was agreed

1783/21 **Grant Application – RYT**

The Council considered a grant application for £1,000.000 from RYT. Following a discussion it was proposed by Councillor Roberts and seconded by Councillor Hayes that a grant of £1,000.00 be awarded to RYT. A vote was held and it was unanimously

RESOLVED - That a grant of £1,000.00 be awarded to RYT.

1784/21 **Ward Grant Awarded to The Copeland Veterans Group**

Further to Minute 1772/21 Councillor Arrighi had submitted apologies for absence and it was reported that AF had been in hospital. It was proposed by Councillor Gill and Seconded by Councillor Roberts that the Council writes to the CVG and Councillor Arrighi to ask them to come to the Council Meeting in June and explain exactly what happened to the grant in the ward. A vote was held and 7 Councillors voted for and 2 Councillors abstained.

RESOLVED – That the Council writes to the CVG and Councillor Arrighi to ask for an explanation and/or report and ask them to attend the June Council meeting.

The Meeting closed at 7.30pm

Chairman

Planning Application for Consideration by Whitehaven Town Council

<u>Application Number</u>	<u>Detail</u>
4/20/2377/0B1	Consultation on Additional and Updated Information: VARIATION ON CONDITION 1 OF 4/19/2238/0B1 (SITE PLAN AND AMENDED NEW DWELLING TYPES) FORMER CUMBERLAND COLD STORAGE LTD, HENSINGHAM, WHITEHAVEN
CH/4/21/2163/0B1	VARIATION IN DESIGN – VARIATION OF CONDITION 2 OF PLANNING APPROVAL 4/20/2180/0B1 – ERECTION OF A THREE STOREY BUILDING FOR USE AS A COASTAL ACTIVITY CENTRE COMPRISING CHANGING AND SHOWER FACILITIES, CLASS ROOM, A FLEXIBLE MULTI USE SPACE FOR HIRE, OFFICE SPACE AND HOSTEL ACCOMMODATION; THE ERECTION OF A DETACHED BUILDING FOR USE AS STORAGE; THE ERECTION OF A DETACHED BUILDING FOR USE AS A WORKSHOP/RETAIL UNIT; THE CONSTRUCTION OF A NEW SLIPWAY WELLINGTON CAR PARK, WEST STRAND, WHITEHAVEN
CH/4/21/2170/0F1	PROPOSED HIP TO GABLE ROOF EXTENSION WITH REAR DORMER WINDOWS 28 VICTORIA ROAD, WHITEHAVEN
CH/4/21/2176/0F1	DEMOLITION OF EXISTING SINGLE STOREY SIDE EXTENSION AND ERECTION OF A TWO STOREY SIDE EXTENSION 29 THORNTON ROAD, WHITEHAVEN
CH/4/21/2179/0F1	VARIATION OF CONDITION 1 OF PLANNING APPROVAL 4/19/2309/0B1 TO PERMIT CONTINUATION OF USE OF TEMPORARY CAR PARK FOR TWO ADDITIONAL YEARS SITE OF MARK HOUSE, STRAND STREET, WHITEHAVEN
CH/4/21/2180/0F1	CHANGE OF USE FROM EMPLOYMENT USE TO USE AS A CENTRE BY TIME TO CHANGE WEST CUMBRIA, FOR A DEFINED 5 YEAR PERIOD UNIT B4, HAIG ENTERPRISE PARK, HIGH ROAD, WHITEHAVEN
CH/4/21/2181/0F1	REPLACEMENT OF FOUR WOODEN SASH WINDOWS WITH UPVC SASH WINDOWS 8 ACTON COURT, WHITEHAVEN

<u>Application Number</u>	<u>Detail</u>
CH/4/21/2184/0F1	REMOVE EXISTING DAMAGED FIRE DOORS AND REPLACE WITH SOLID SAPELE WOOD DOORS WITH PANELLING 139 QUEEN STREET, WHITEHAVEN
CH/4/21/2189/0F1	THE DEMOLITION OF A EXISTING TWO STOREY BUILDING FORMALLY POW BECK CARE HOME. THE ERECTION OF A NEW CARE HOME (USE CLASS C2) WITH ASSOCIATED LANDSCAPING COMPRISING OF 36 ONE AND TWO BEDROOMED FLATS OVER THREE STOREYS POW BECK HOUSE, MEADOW ROAD, WHITEHAVEN
CH/4/21/2193/0F1	ACCESSIBLE CAR PARKING AND EXTERNAL ELEVATOR FOR DISABLED ACCESS 33 CUMBERLAND ROAD, WHITEHAVEN
CH/4/21/2195/0R1	APPLICATION FOR THE APPROVAL OF RESERVED MATTERS FOR ACCESS, APPEARANCE, LANDSCAPING, LAYOUT AND SCALE FOR 85 DWELLINGS FOLLOWING OUTLINE PLANNING APPROVAL 4/16/2415/001 HARRAS DYKE FARM, HARRAS DYKE, WHITEHAVEN
CH/4/21/2196/001	APPLICATION FOR APPROVAL OF RESERVED MATTERS FOR ACCESS, APPEARANCE, LANDSCAPING, LAYOUT AND SCALE FOR 5 DWELLINGS FOLLOWING OUTLINE PLANNING APPROVAL 4/16/2416/001 LAND AT HARRAS ROAD, HARRAS MOOR, WHITEHAVEN
CH/4/21/2198/0F1	VARIATION OF CONDITIONS 22 AND 23 OF PLANNING APPROVAL 4/12/2407/0F1 NEW OFFICE ACCOMMODATION OF 3 AND 4 STOREYS WITH ASSOCIATED ACCESS WORKS, DISABLED PARKING PROVISION, LANDSCAPING AND SERVICING ALBION SQUARE ONE AND TWO, ALBION SQUARE, WHITEHAVEN
CH/4/21/2199/0F1	REAR TWO STOREY EXTENSION INCLUDING BALCONY AT FIRST FLOOR LEVEL 50 ELIZABETH CRESCENT, WHITEHAVEN
CH/4/21/2201/001	OUTLINE APPLICATION (WITH ALL MATTERS RESERVED) FOR TWO DETACHED DWELLINGS LAND ADJACENT DISTRESSED SAILORS INN, EGREMONT ROAD, WHITEHAVEN
CH/4/21/2203/0F1	REPLACE SIX WINDOWS IN SCHOOL HALL WITH WHITE UPVC WITH TINTED GLASS ON THE TOP PANEL ST BEGHS R C JUNIOR SCHOOL, COACH ROAD, WHITEHAVEN

<u>Application Number</u>	<u>Detail</u>
CH/4/21/2206/OL1	LISTED BUILDING CONSENT FOR WORKS ASSOCIATED WITH THE CHANGE OF USE FROM SHOP AND PRINTWORKS TO 3 BEDROOMED APARTMENT AND PRINTWORKS 76-77 LOWTHER STREET, WHITEHAVEN
CH/4/21/2207/OF1	CHANGE OF USE FROM SHOP AND PRINTWORKS TO 3 BEDROOMED APARTMENT AND PRINTWORKS 76-77 LOWTHER STREET, WHITEHAVEN
CH/4/21/2209/OF1	ERECTION OF SINGLE GARAGE PLOT 5, FAIRVIEW GARAGE SITE, BRANSTY ROAD, WHITEHAVEN
CH/4/21/2213/OF1	INTERNAL MODIFICATIONS INTO ONE DWELLING AND REAR EXTENSION THE NEST, SANDWITH
CH/4/21/2217/OF1	SINGLE STOREY ROOF ALTERATION TO REAR ELEVATION 17 OAKBANK AVENUE, WHITEHAVEN
CH/4/21/2225/OF1	ATTIC CONVERSION WITH DORMER WINDOWS TO FRONT AND REAR ELEVATIONS 16 COLLEGE VIEW, WHITEHAVEN

FINANCIAL REPORT

Purpose of the Report

Members are asked to consider a list of invoices for authorisation and payment as shown at Appendix 1 and approve the recommendations in paragraphs 3.1 and 3.2.

1.0 INTRODUCTION

- 1.1 Authorise the payment of all invoices as listed in Appendix 1.
- 1.2 The Council is asked to note the cashbook as reconciled with the bank account as shown at Appendix 2 together with income and expenditure at Appendix 3.

2.0 FINANCIAL POSITION

- 2.1 The bank reconciliation was carried out on May 2021. This shows a balance of £423,296.37.
- 2.2 The balance in the deposit account is £450,400.11.

3.0 RECOMMENDATION

- 3.1 The invoices listed and shown in Appendix 1 be approved and authorised for payment.
- 3.2 The Cashbook (Appendix 2) and the Income and Expenditure (Appendix 3) be noted.

29/04/2021

Appendix 1

Invoices for Consideration by Whitehaven Town Council

Date	Supplier	Category	Detail	Total Amount	Power	Column1
25/04/2021	Eden Springs (UK) Ltd	Supplies & Services	Environmental Levy for water coolers (May), 4 x 18.5l water	£ 23.76		s111 LGA 1972
30/04/2021	Derwent Recycling Services Ltd	3rd Party	12yd open Skip - Cartgate Allotment Site	£ 288.00	s23 Small Holdings Allotments Act 1908	
01/05/2021	Copeland Borough Council	3rd Party	Assistant Ranger Contract - April 2021	£ 2,199.02		s111 LGA 1972
01/05/2021	Copeland Borough Council	3rd Party	Grass Cutting Contract - April 2021	£ 1,995.62		s111 LGA 1972
01/05/2021	Copeland Borough Council	3rd Party	Parks & Open Spaces Ranger Contract - April 2021	£ 3,325.44		s111 LGA 1972
01/05/2021	Copeland Borough Council	3rd Party	Allotment Maintenance Contract - April 2021	£ 717.42	s23 Small Holdings Allotments Act 1908	
03/05/2021	Mrs J Hartley	3rd Party	Fee for carrying out Internal Year End Audit	£ 250.00		s111 LGA 1972
04/05/2021	Cumbria Media	Supplies & Services	Website maintenance and meeting support Job No's 368 - 373	£ 349.58		s111 LGA 1972
11/05/2021	Sharp Business Systems	Supplies & Services	Photocopier Charges 12.02.21 - 21.04.21	£ 173.75		s111 LGA 1972
14/05/2021	Mrs V Gorley	Supplies & Services	Re-imbursment for purchase of TV Licence for 148 Queen Street	£ 159.00		s111 LGA 1972
17/05/2021	Zurich Municipal	Supplies & Services	Annual Insurance Policy - 22.05.2021 - 21.05.2022	£ 3,233.79		s111 LGA 1972
19/05/2021	CALC	3rd Party	Annual Subscription to CALC/NAIC	£ 1,878.49		s111 LGA 1972
				£ 14,593.87		

WHITEHAVEN TOWN COUNCIL

CASH BOOK FROM 1 APRIL 2021

APPENDIX 2

Date	Ref	Payee	Employees/ Allowances	Premises	Supplies/ Services	3rd Party	Grants	Allotmts	Market	Community Plan	Ground Maint	Civic Hospitality	Ranger/SO	W.I.B	Ward Grants	Elections	Environmental Improvements	Events	Contingencies	Reserves	Net Total	VAT	Total	Min. Ref.		
April-2021																										
1	01/04/2021	991 Copeland Borough Council		10603.75																		10603.75		10603.75		
	15/04/2021	992 HMRC	2155.02																			2155.02		2155.02	HMRC	
	15/04/2021	BACS Staff	4364.68																			4364.68		4364.68	1666/20	
	15/04/2021	BACS Cumbria LGPS	1825.02																			1825.02		1825.02	631/17 (ii)	
	19/04/2021	DD Crown Gas & Oil		251.05																		251.05	50.21	301.26		
	20/04/2021	DD BT Group		70.42																		70.42	14.08	84.50		
	30/04/2021	BACS Vulture Club					1000.00															1000.00		1000.00		
	30/04/2021	993 Copeland Borough Council						70.83														70.83	14.17	85.00		
	30/04/2021	BACS Eden Springs (UK) Ltd		1.80																		1.80	0.36	2.16		
	30/04/2021	BACS Clyde & Co																		232.30		232.30		232.30		
	30/04/2021	BACS Derwent Recycling Services Ltd						240.00														240.00	48.00	288.00		
	30/04/2021	BACS Derwent Recycling Services Ltd						240.00														240.00	48.00	288.00		
	30/04/2021	BACS Derwent Recycling Services Ltd						240.00														240.00	48.00	288.00		
	30/04/2021	994 Copeland Borough Council									1663.02											1663.02	332.60	1995.62		
	30/04/2021	995 Copeland Borough Council					597.85															597.85	119.57	717.42		
	30/04/2021	996 Copeland Borough Council											2771.20									2771.20	554.24	3325.44		
	30/04/2021	997 Copeland Borough Council											1832.52									1832.52	366.50	2199.02		
	30/04/2021	998 Copeland Borough Council		15.20																		15.20		15.20		
	30/04/2021	BACS Water Plus Limited						27.11														27.11		27.11		
	30/04/2021	BACS Water Plus Limited						54.42														54.42		54.42		
	30/04/2021	BACS Whitehaven Gas & Plumbing		209.68																		209.68	41.94	251.62		
	30/04/2021	BACS Cumbria Media			356.00																	356.00		356.00		
	30/04/2021	999 Viking			173.80																	173.80	4.56	178.36		
	30/04/2021	1000 Mrs V Gorley	8.48		21.51																	29.99		29.99		
May-2021																										
	14/05/2021	BACS Staff	4771.51																			4771.51		4771.51		
	14/05/2021	1001 HMRC	2256.63																			2256.63		2256.63		
	14/05/2021	BACS Cumbria LGPS	164.94																			164.94		164.94		
	14/05/2021	BACS Imperative Training Limited			120.00																	120.00	24.00	144.00		
	17/05/2021	DD Crown Gas & Oil		238.33																		238.33	47.66	285.99		
	19/05/2021	DD BT Group			67.21																	67.21	13.44	80.65		
			15546.28	11390.23	738.52	0.00	1000.00	1470.21	0.00	0.00	1663.02	0.00	4603.72	0.00	0.00	0.00	0.00	0.00	0.00	0.00	232.30	36411.98	1959.63	£38,371.61		

INCOME 2020-2021

Date	Item	Precept	Interest	Other
01.04.2021	Allotment Rents 2021/2022			2460.00
14.04.2021	Allotment Rents 2021/2022			470.00
15.04.2021	Allotment Rents 2021/2022			100.00
15.04.2021	HMRC - VAT Refund - March 2021			2339.13
19.04.2021	Allotment Rents 2021/2022			100.00
30.04.2021	2021-2022 Precept	433573.86		
30.04.2021	Allotment Rents 2021/2022			260.00

433573.86	0.00	5729.13	439302.99
-----------	------	---------	-----------

**WHITEHAVEN TOWN COUNCIL
SUMMARISED INCOME & EXPENDITURE STATEMENT
FINANCIAL YEAR 2021-2022**

**Expenditure Net
of VAT** **Invoices not yet
processed** **Budget**

BANK BALANCES BROUGHT FORWARD

CBS 53905917 (01.04.2021)	22,364.99
CBS 53906216 (01.04.2021)	450,400.11
TOTAL OPENING BALANCE	£ 472,765.10

INCOME:

Precept	433,573.86
Interest (Deposit)	
Other Income	5,729.13
TOTAL INCOME	£ 439,302.99

EXPENDITURE

Employees & Allowances	15546.28
Premises	11390.23
Supplies/Services	738.52
3rd Party	0.00
Grants	1000.00
Allotments	1470.21
Markets	0.00
Community Plan	0.00
Ground Maintenance	1663.02
Civic Hospitality	0.00
Ranger	4603.72
Whitehaven In Bloom	0.00
Ward Grants	0.00
Elections	0.00
Environmental Improvements	0.00
Events	0.00
Contingencies	0.00
Reserves	232.30
VAT (to be reclaimed)	1959.63
TOTAL EXPENDITURE	£ 38,371.61

CASH BOOK BALANCE

Brought forward	£ 472,765.10
Income	£ 439,302.99
Expenditure	£ 38,371.61
Town Council Funds	£ 873,696.48

BANK BALANCES

CBS 53905917 (19/03/2021)	423,296.37
CBS 53906216 (19/03/2021)	450,400.11
	£ 873,696.48

Unpresented Cheques

FINANCIAL POSITION

£ 873,696.48

CONSIDERATION OF RECOMMENDATIONS MADE BY A COMMITTEE

To inform the Council of recommendations made by the Policy and Resources and Finance Committee.

1.0 INTRODUCTION

- 1.1 At the Council Meeting on 24th September 2020 the Council considered a report on Councillor Ward Grants and the criteria for awarding them
- 1.2 A resolution was made by full Council that the item on Councillor Ward Grants be moved to a meeting of the Policy and Resources and Finance Committee for discussion and that recommendations be made to the next Annual meeting (Minute 1616/20 refers).
- 1.3 Councillor Ward Grants were discussed at the Policy and Resources Committee on 15th October 2020 and the recommendations made to be forwarded to the Annual Meeting are as follows:-
 - a. That there should be a requirement that the Town Council be informed how the Ward grant has been spent, how it has helped the community and who has benefitted from it
 - b. The application form makes reference to a bank account and this should be amended to specifically say the bank account of the organisation
 - c. When a Ward Grant cheque is being presented to an organisation it should be made clear that the cheque is being presented on behalf of the Town Council by the Ward Councillor who has made the grant

2.0 RECOMMENDATION

- 2.1 It is recommended that the Council considers the recommendations made by the Policy and Resources and Finance Committee and decides whether or not these be approved or amended

MAYOR/CHAIRMAN'S ALLOWANCE

Purpose of the Report and Recommendation

To consider a Report on the Mayor's (Chairman's) Allowance and to consider and make a decision on the recommendations in paragraphs 2.1, 2.2 and 2.3 below.

1.0 INTRODUCTION

- 1.1 Under Section 15 (5) of the Local Government Act 1972 the Council may pay the Chairman an allowance for the purpose of meeting the expenses of the office.
- 1.2 The Council has included an amount of £3,063 in the budget for the Mayor's (Chairman's) Allowance for 2021/2022
- 1.2 The Council administers this allowance from the office and the Mayor is required to submit receipts for expenses incurred by the position of Mayor.
- 1.3 As long as the Mayor's Allowance is a reasonable reimbursement of the expenses of the unpaid office and contains no element or remuneration for the holder HMRC treat it as not chargeable for tax but they might ask Councils how much is paid and where it is thought there might be an element of remuneration they might ask the Mayor for details of the uses to which the allowance was put.
- 1.4 The Mayor's Allowance is designed to defray the expense of the office itself and which allows the Mayor to meet the expenses associated with the special office. When a Council has decided the annual budget for the allowance to be paid to the Mayor it may make payments on request or pay the allowance in quarterly or biannual instalments.

In this Council the Mayor's Allowance is held as a budget line and the Mayor submits receipts for expenses incurred and is reimbursed

and the expenditure is recorded on the cash sheet.

1.5 The Mayor enjoys a special relationship with the public and opens fetes, attends charity events or welcomes visitors etc and this is one reason why the Mayor receives the allowance to support this public role.

1.6 There has been some discussion in the Council as to what constitutes expenses of office in relation to the Mayor's Allowance and it is suggested that these be defined to include the following:-

- Annual Parish Meeting
- Civic Sunday
- Attendance tickets and donations at charity events
- Donations to Charities without attending the event
- Hospitality at events
- Support to the Mayor's chosen charity
- Christmas cards
- Provision of suitable outfits to wear at official functions
- One off events held by the Mayor
- Administrative costs at home i.e. printing, paper, telephone calls

1.7 As long as the Chairman's allowance is a reasonable reimbursement of the expenses of the unpaid office and contains no element of remuneration for the person HMRC treat it as not chargeable for tax but they ask Councils how much is paid and where they think there might be an element of remuneration they might ask the chairman for details of the uses to which the allowance has been put.

1.8 If the total of allowances paid to the Chairman exceeds £8,500 a year they must be reported to HMRC unless a dispensation has been obtained.

2.0 RECOMMENDATION

2.1 That the expenses of the office of Mayor be defined as in paragraph 1.6 above be approved and

2.2 That the Council decides whether the Mayor's Allowance continues to be administered in the office and the Mayor is reimbursed on

production of a receipt for the expenditure incurred provided that it is expenditure specified in 1.6 above.or

- 2.3 The Mayor/Chairman's Allowance be paid in a lump sum at the beginning of the term of office or by quarterly or biannual instalments to be used in accordance with 1.6 above paragraph. It should be noted that where sums of money are paid in this way that paragraph 1.8 above will apply and there may be tax implications for the recipient.

COUNCIL BANK ACCOUNT

Purpose of the Report and Recommendation

To inform Members of the present position with authorised signatories for the Council Bank Account and to recommend that the existing authorised signatories continue.

1.0 INTRODUCTION

- 1.1 The Council has a current and deposit account with Cumberland Building Society.
- 1.2 Four Councillors were appointed as authorised signatories for the Bank Account in 2019 with any two from four being required to sign cheques and authorise payments (minute ref 1304/19 refers).

2.0 RECOMMENDATION

- 2.1 It is recommended that Councillor B O’Kane, Councillor G Roberts, Councillors C Arrighi and Councillor C Maudling continue to be authorised signatories.

REVIEW AND ADOPTION OF MODEL STANDING ORDERS

Purpose of Report and Recommendation

To request Members to consider the Model Standing Orders and to recommend approval and adoption

1.0 INTRODUCTION

- 1.1 The Council like many other local authorities has adopted the Model Standing Orders prepared by the National Association of Local Councils (NALC). (shown at Appendix 1).
- 1.2 The Model Standing Orders were last reviewed and approved on 16th May 2019 (Minute 1305/19 refers) and are shown at Appendix 1. Each time NALC makes any amendment to the Model Standing Orders they are referred to Council for consideration and approval. NALC reviewed the Standing Orders in 2020 and their amendments are shown edged yellow on the document at Appendix 1.

2.0 RECOMMENDATION

- 2.1 It is recommended that the Model Standing Orders be approved with the amendments made by NALC and adopted and that they be further reviewed at the next Annual Meeting in May 2022 unless in the meanwhile amendments are made by NALC in which case they will be referred back to the Council at that time.



WHITEHAVEN TOWN COUNCIL

Standing Orders

ADOPTED BY FULL COUNCIL 21ST MAY 2015 – MINUTE REF 7/15(i)
ADOPTED BY FULL COUNCIL 25TH AUGUST 2016 – MINUTE REF 482/16
AMENDED AT FULL COUNCIL 26TH JANUARY 2017 – MINUTE REF 607/17
REVIEWED & ADOPTED BY FULL COUNCIL ON 5TH OCTOBER 2017 – MINUTE REF 794/17
REVIEWED & ADOPTED BY FULL COUNCIL ON 30TH AUGUST 2018 – MINUTE REF 1062/18
REVIEWED AND ADOPTED BY FULL COUNCIL ON 16TH MAY 2019 – MINUTE REF 1305/19

Index of standing orders

1. Rules of debate at meetings (P4)
2. Disorderly conduct at meetings (P6)
3. Meetings generally (P7)
4. Committees and sub-committees (10)
5. Ordinary council meetings (P11)
6. Extraordinary meetings of the council, committees and sub-committees (P13)
7. Previous resolutions (P13)
8. Voting on appointments (P14)
9. Motions for a meeting that require written notice to be given to the Proper Officer (P14)
10. Motions at a meeting that do not require written notice (P15)
11. Management of Information (P15)
12. Draft minutes (P16)
13. Code of conduct and dispensations (P17)
14. Code of conduct complaints (P18)
15. Proper Officer (P19)
16. Responsible Financial Officer (P20)
17. Accounts and accounting statements (P20)
18. Financial controls and procurement (P21)
19. Handling staff matters (P22)
20. Responsibilities to provide information (P24)
21. Responsibilities under Data Protection Legislation (P24)
22. Relations with the press/media (P24)
23. Execution and sealing of legal deeds (P25)
24. Communicating with District and County or Unitary councillors (P25)
25. Restrictions on councillor activities (P25)

26. Standing orders generally (P25)

WHITEHAVEN TOWN 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 (as amended) becomes the substantive motion upon which further amendment(s) may be moved.
- g An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the chairman of the meeting, is expressed in writing to the chairman.

-
- h A councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
 - i If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chairman of the meeting.
 - j Subject to standing order 1(k), 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. to 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/she is concerned by.

-
- q A point of order shall be decided by the chairman of the meeting and his decision shall be final.
- r When a motion is under debate, no other motion shall be moved except:
- i. to amend the motion;
 - ii. to proceed to the next business;
 - iii. to adjourn the debate;
 - iv. to put the motion to a vote;
 - v. to ask a person to be no longer heard or to leave the meeting;
 - vi. to refer a motion to a committee or sub-committee for consideration;
 - vii. to exclude the public and press;
 - viii. to adjourn the meeting; or
 - ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.
- 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 No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chairman of the meeting shall request such person(s) to moderate or improve their conduct.
- b If person(s) disregard the request of the chairman of the meeting to moderate or improve their conduct, any councillor or the chairman of the meeting may move that the person be no longer heard or excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- c If a resolution made under standing order 2(b) above is ignored, the chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

3. Meetings generally

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

- a **Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.**
- b **The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**
- c **The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice.**
- ■ d **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**
- e Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.
- f The period of time designated for public participation at a meeting in accordance with standing order 3(e) above shall not exceed 15 minutes unless directed by the chairman of the meeting.
- g Subject to standing order 3(f) above, a member of the public shall not speak for more than 3 minutes.
- h In accordance with standing order 3(e) above, a question shall 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.

-
- i A person shall raise his hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort). **The Chairman of the meeting may at any time permit a person to be seated when speaking**
 - j A person who speaks at a meeting shall direct his comments to the chairman of the meeting.
 - k 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.
 - ■ l **Subject to standing order 3(m), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To “report” means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place takes place or later to persons not present.**
 - m A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.
 - ■ n The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.
 - o **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in his absence be done by, to or before the Vice-Chairman of the Council (if there is one).**
 - p **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.**
 - ■ ■ q **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors or councillors with voting rights present and voting.**

-
- r** The 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(h) and (i) for the different rules that apply in the election of the Chairman of the Council at the annual meeting of the council.
- s** Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave his vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.
- t** The minutes of a meeting shall include an accurate record of the following:
- i. the time and place of the meeting;
 - ii. the names of councillors present and absent;
 - iii. interests that have been declared by councillors and non-councillors with voting rights;
 - iv. the grant of dispensations (if any) to councillors and non-councillors with voting rights;
 - v. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
 - vi. if there was a public participation session; and
 - vii. the resolutions made.
- u** A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter.
- v** No business may be transacted at a meeting unless at least one-third of the whole number of members of the council are present and in no case shall the quorum of a meeting be less than four.
See standing order 4d(viii) below for the quorum of a committee or sub-committee meeting.

-
- ■ ■ w **If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.**
 - x A meeting shall not exceed a period of 2.5 hours.

 - y Any Councillor wishing to have an item included on the next Council Agenda should inform the Clerk of the item seven days before the Council meeting and that this be discussed by the Chairman and the Clerk and a decision made.

4. Committees and sub-committees

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

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

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

- d The council may appoint standing committees or other committees as may be necessary, and:
 - i. shall determine their terms of reference;
 - ii. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of the Council;
 - iii. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
 - iv. shall, subject to standing orders 4(b) and (c), appoint and determine the terms of office of members of such a committee;
 - v. may, subject to standing orders 4(b) and (c), appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer 2 days before the meeting that they are unable to attend;
 - vi. shall, after it has appointed the members of a standing committee, appoint the chairman of the standing committee;
 - vii. shall permit a committee other than a standing committee, to appoint its

-
- own chairman at the first meeting of the committee;
 - viii. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which shall be no less than three;
 - ix. shall determine if the public may participate at a meeting of a committee;
 - x. shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;
 - xi. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
 - xii. may dissolve a committee or a sub-committee.

5. Ordinary council meetings

- a In an election year, the annual meeting of the council shall be held on or within 14 days following the day on which the new councillors elected take office.**
- b In a year which is not an election year, the annual meeting of a council shall be held on such day in May as the council may decides.**
- c If no other time is fixed, the annual meeting of the council shall take place at 6pm.**
- d In addition to the annual meeting of the council, at least three other ordinary meetings shall be held in each year on such dates and times as the council directs.**
- e The first business conducted at the annual meeting of the Council shall be the election of the Chairman(Mayor) and Vice-Chairman (Deputy Mayor) (if any) of the Council.**
- f The Chairman (Mayor) of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the council.**
- g The Vice-Chairman (Deputy Mayor) 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 (Mayor) of the Council has not**

been re-elected as a member of the Council, he shall preside at the annual meeting until a successor Chairman (Mayor) of the Council has been elected. The current Chairman (Mayor) of the Council shall not have an original vote in respect of the election of the new Chairman (Mayor) of the Council but must give a casting vote in the case of an equality of votes.

- i In an election year, if the current Chairman (Mayor) of the Council has been re-elected as a member of the Council, he shall preside at the annual meeting until a new Chairman (Mayor) of the Council has been elected. He may exercise an original vote in respect of the election of the new Chairman (Mayor) of the Council and shall give a casting vote in the case of an equality of votes.**
- j Following the election of the Chairman (Mayor) of the Council and Vice-Chairman (Deputy Mayor) (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 (Mayor) 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 (Mayor) of the Council of his acceptance of office form unless the council resolves for this to be done at a later date;**
 - ii. Confirmation of the accuracy of the minutes of the last meeting of the Council;
 - iii. Receipt of the minutes of the last meeting of a committee;
 - iv. Consideration of the recommendations made by a committee;
 - v. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;
 - vi. Review of the terms of reference for committees;
 - vii. Appointment of members to existing committees;
 - viii. Appointment of any new committees in accordance with standing order 4 above;
 - ix. Review and adoption of appropriate standing orders and financial regulations;
 - x. Review of arrangements, (including legal agreements), with other local authorities, not for profit bodies and businesses.
 - xi. Review of representation on or work with external bodies and arrangements for reporting back;
 - xii. In an election year, to make arrangements with a view to the Council becoming eligible to exercise the general power of competence in the future;
 - xiii. Review of inventory of land and assets including buildings and office

-
- equipment;
 - xiv. Confirmation of arrangements for insurance cover in respect of all insured risks;
 - xv. Review of the Council's and/or staff subscriptions to other bodies;
 - xvi. Review of the Council's complaints procedure;
 - xvii. Review of the Council's policies, procedures and practices in respect of its obligations under Freedom of Information and Data Protection legislation (see also standing orders 11 ,20 and 21);
 - xviii. Review of the Council's policy for dealing with the press/media; and
 - xix. Review of the Council's employment policies and procedures;
 - xx. Review of the Council's expenditure incurred under s. 137 of the Local Government Act 1972 or the general power of competence.
 - xxi. Determining the time and place of ordinary meetings of the Council up to and including the next annual meeting of Council.

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 by to do so by 2 members of the committee [or the sub-committee], any 2 members of the committee [and the sub-committee] may convene an extraordinary meeting of a committee [and a sub-committee].

7. Previous resolutions

- a A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least 6 councillors to be given to the

Proper Officer in accordance with standing order 9 below, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.

-
- b When a motion moved pursuant to standing order 7(a) above has been disposed of, no similar motion may be moved within a further six months.

8. Voting on appointments

- a Where more than two persons have been nominated for a position to be filled by the council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exercisable by the 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 (3) 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), 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) is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it, so that it can be understood, in writing, to the Proper Officer at least (5) clear days before the meeting.
- e If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the chairman of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.

-
- f The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
 - g Motions received shall be recorded in a book for that purpose and numbered in the order that they are received.
 - h Motions rejected shall be recorded in a book if the wording or subject of a proposed motion is considered improper, the 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 or legal requirements);
 - xvi. to adjourn the meeting; or
 - xvii. to close a meeting.

11. Management of Information

See also Standing Order 20

- a The Council shall have in place and keep under review, technical and

-
- organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.
- b The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (e.g. the Limitation Act 1980).
 - c The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.
 - d Councillors, staff, the Council's contractors or agents shall not disclose confidential information or personal data without legal justification.

12. Draft minutes

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

"The chairman of this meeting does not believe that the minutes of the meeting of the () held on [date] in respect of () were a correct record but his view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings."
- e If the Council's gross annual income or expenditure (whichever is higher) does not exceed £25,000.00, it shall publish draft minutes on a Website which is publically accessible and free of charge and not later than one

month after the meeting has taken place

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

13. Code of conduct and dispensations

See also standing order 3(u) above.

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

-
- g Subject to standing orders 13(d) and (f) above, dispensations requests shall be considered [by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required] 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 13(e) above if having regard to all relevant circumstances the following applies:**
 - i. **without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business or**
 - ii. **granting the dispensation is in the interests of persons living in the council's area or**
 - iii. **it is otherwise appropriate to grant a dispensation.**

14. Code of conduct complaints

- a Upon notification by the Borough Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Proper Officer shall, subject to standing order 11 above, report this to the Council.
- b Where the notification in standing order 14(a) above relates to a complaint made by the Proper Officer, the Proper Officer shall notify the 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 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 Borough 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. When considering a sanction against any Councillor that Members shall have regard to any recommendations of the Borough Council's Audit and Governance Committee that has investigated the code of conduct complaint.

15. 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 or a sub-committee,
 - serve on Councillors by delivery or post at their residencies or by e-mail authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the date, time, place and the agenda (provided the councillor has consented to service by email), and
 - Provide, in a conspicuous place, public notice of the date, time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).

See standing order 3(b) above for the meaning of clear days for a meeting of a full council and standing order 3(c) above for a meeting of a committee.

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

-
- x. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
 - xi. assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980);
 - xii. arrange for legal deeds to be executed;
(See also standing order 23 below).
 - xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its 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 Vice-Chairman (if any) of the Planning Sub 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
 - 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 23 below).

16. 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.

17. Accounts and accounting statements

- a "Proper practices" in standing orders refer to the most recent version of Governance and Accountability for Local Councils – a Practitioners' Guide (England)
- b All payments by the council shall be authorised, approved and paid in accordance with the law, proper practices and the council's financial regulations.
- c The Responsible Financial Officer shall supply to 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 Council the accounting statements for the year in the form of Section 2 of the annual governance and accountability 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 the year to 31 March. A completed draft annual governance and accountability return shall be presented to each councillor before the end of the following month of May. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to Council for consideration and formal approval before 30 June.

18. Financial controls and procurement

- a The council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
 - i. the keeping of accounting records and systems of internal controls;
 - ii. the assessment and management of financial risks faced by the Council;
 - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
 - iv. the inspection and copying by councillors and local electors of the council's accounts and/or orders of payments; and
 - v. whether contracts with an estimated value below **£25,000** due to special circumstances are exempt from a tendering process or procurement exercise.

-
- b Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds in standing order 18(f) is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity unless it proposes to use an existing list of approved suppliers (framework agreement).**
- d Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
- i. a specification for the goods, materials, services or the execution of works shall be drawn up;
 - ii. an invitation to tender shall be drawn up to confirm (i) the council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
 - iii. the invitation to tender shall be advertised in 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;
 - v. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
 - vi. tenders are to be reported to and considered by the appropriate meeting of the council or a committee or sub-committee with delegated responsibility.
- e Neither the council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- f A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of **£189,330** for a public service or supply contract or in excess of **£4,733,252** for a public works contract; or **£663,540** for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU) shall comply with the relevant procurement

procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.

- g A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £378,660 for a supply, services or design contract; or in excess of £4,733,252 for a works contract; or £663,540 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurements procedures and other requirements in the Utilities Contracts Regulations 2016.

19. Handling staff matters

- a A matter personal to a member of staff that is being considered by a meeting of Council is subject to standing order 11 above.
- b Subject to the Council's policy regarding absences from work, the Council's most senior member of staff shall notify the chairman or, if he is not available, the vice-chairman of the absence occasioned by illness or other reason and that person shall report such absence at its next meeting.
- c The chairman or in his absence, the vice-chairman shall upon a resolution conduct a review of the performance and annual appraisal of the work of the employee. The reviews and appraisal shall be reported in writing and is subject to approval by resolution.
- 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 chairman or in his absence, the vice-chairman in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of Council.
- e Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by the employee relates to the chairman or vice-chairman this shall be communicated to another member of the Council which shall be reported back and progressed by resolution of the Council.
- 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 and encrypted.
- h Only persons with line management responsibilities shall have access to staff records referred to in standing orders 19(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 19(f) and (g) above shall be provided only to (post holder) and/or the Chairman of the Council.

20. Responsibilities to provide information

(See also standing order 21)

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

21. Responsibilities under Data Protection Legislation

See standing order 11

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

22. Relations with the press/media

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

23. Execution and sealing of legal deeds

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

- a A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.
- b **Subject to standing order 23(a) above, the council's common seal shall alone be used for sealing a deed required by law. It shall be applied by the Proper Officer in the presence of two councillors who shall sign the deed as witnesses.**

The above is applicable to a council with a common seal.

OR

Subject to standing order 23(a) above, any two councillors may sign, on behalf of the council, any deed required by law and the Proper Officer shall witness their signatures.

The above is applicable to a council without a common seal.

24. Communicating with District and County or Unitary councillors

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

25. Restrictions on councillor activities

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

26. Standing orders generally

- a All or part of a standing order, except one that incorporates mandatory statutory requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b A motion to add to or vary or revoke one or more of the council's standing orders, except one that incorporates mandatory statutory requirements, shall be proposed by a special motion, the written notice by at least 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.
- d The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final.