

# WHITEHAVEN TOWN COUNCIL

**Clerk to the Council:**

Marlene Jewell

Telephone: 01946 67366

**Chairman:**

Councillor Chris Hayes

**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 BEACON PORTAL, THE BEACON, WHITEHAVEN**

**Date and Time: Thursday 26th May 2022 at 6.00pm**

Signed.....*Marlene Jewell*.....Dated.....*19<sup>th</sup> May 2022*.....  
Marlene Jewell, Clerk and Responsible Financial Officer

## AGENDA

### 1. Introduction

### 2. Appointment of Chairman (Mayor) for 2022/23

### 3. Appointment of Deputy Chairman (Deputy Mayor) for 2022/23

### 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 28th April 2022

- 7. Public Participation**
- 8. Planning Applications**
- 9. Finance Report**
- 10. Annual Governance and Accountability Return 2021/22**
- 11. Council's Bank Account – Authorised signatories**
- 12. Consideration of Recommendations made by a Committee**
- 13. Review and adoption of Standing Orders**
- 14. Review and adoption of Financial Regulations**
- 15. Review and adoption of Code of Conduct**
- 16. Chairman's Allowance**
- 17. Appointments to Committees**
- 18. Adoption of Terms of Reference for Committees**
- 19. Appointment to advisory Groups**
- 20. Review of Subscriptions to Other Bodies**
- 21. Review of Representation on or work with External Bodies and arrangements for reporting back**
- 22. Confirmation of Insurance Cover**
- 23. Combined Health and Safety Policy and Risk Assessment**
- 24. Review of s137 Expenditure**
- 25. Risk Assessment and Management (Financial and Operational)**
- 26. Review of Asset Register**
- 27. Review of Social Media Policy**
- 28. Time and Place of ordinary Council Meetings up to and including the next Annual Meeting**
- 29. Date time and place of next 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.

**30. Application for Grant - HCC**

# WHITEHAVEN TOWN COUNCIL

## Minutes of the Council Meeting held on 28<sup>th</sup> April 2022

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

M. Jewell, Clerk and Responsible Financial Officer

V Gorley. Assistant Clerk

Cumbria County Councillor, Emma Williamson

The Chairman welcomed Councillor Gaile Stevens who had recently been appointed as a Councillor for Whitehaven South Ward.

### **1991/22 Apologies for Absence**

Apologies for absence were received as follows:-

Councillor Carr	Work commitments
Councillor E Dinsdale	Work commitments
Councillor G Dinsdale	Work Commitments

It was proposed by Councillor Roberts and seconded by Councillor Hayes that the apologies for absence given be accepted and noted. A vote was held and 8 Councillors voted for the proposal and 1 Councillor abstained.

**RESOLVED** - That the apologies for absence be accepted and noted.

### **1992/22 Declarations of Interest**

Councillor Roberts declared that he was a member of Cumbria County Council  
Councillor Maudling declared an interest in Item 6 as he was a member of CBC’s Planning Panel  
Councillor Rayson declared an interest in Item 11 on Allotments  
Councillor Gill declared an interest in Item 14 as he was a member of WHAG

### **1993/22 Public Participation**

There was no public participation



**1994/22**     **Minutes of the Meeting held on 31<sup>st</sup> March 2022**

Councillor Walmsley said he had been at the Meeting but he was not shown as being present.

It was proposed by Councillor Maudling and seconded by Councillor Walmsley that the Minutes of the Meeting held on 31<sup>st</sup> March 2022 be approved and signed by the Chairman as a correct record subject to an amendment being made to show Councillor Walmsley being present. A vote was held and 6 Councillors voted for the proposal, 2 Councillors abstained and 1 Councillor voted against.

**RESOLVED** -That the Minutes of the Council Meeting held on 31<sup>st</sup> March 2022 be approved and signed by the Chairman as a correct record subject to an amendment being made to show Councillor Walmsley being present.

**1995/22**     **Minutes of the Extraordinary Council Meeting held on 21<sup>st</sup> April 2022**

It was proposed by Councillor Roberts and seconded by Councillor Maudling that the Minutes of the Extraordinary Council Meeting held on 21<sup>st</sup> April 2022 be approved and signed by the Chairman as a correct record. A vote was held and 6 Councillors voted for the proposal and 3 Councillors abstained.

**RESOLVED** - That the Minutes of the Extraordinary Council Meeting held on 21<sup>st</sup> April 2022 be approved and signed by the Chairman as a correct record.

**1996/22**     **Planning Applications**

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

- i. Councillor Roberts said he had put a written objection in both as a County Councillor and a Town Councillor relating to land at Harras Park. He referred to the CC Regulatory Notice and said that under the guidance he had received that the building (Brackenthwaite) needed to be demolished because it was not up to HSE standards and would cost a mint to bring it up. He said the CCC did not have a particular use for it and the number of people who want residential care had fallen in this area and the need was now catered for at The Gables. He said the land (not the buildings) was classified as a valuable asset.

Councillor O’Kane made the following points:-

- CCC don’t seem to consult with anyone on residential care
- CCC have a history on this and are prone to coming along where there is a particular building that they own and it either sits there for a long time and the answer then is to knock it down.
- He questioned if CCC have ever look for additional uses for this building when there is the room and the facilities in it for people

who may want to stop there. It was surprising because of the medical schools at Westlakes where the schools are in dire need of residential accommodation for students and nurses and questioned why CCC were not working with Westlakes to look for student accommodation.

It was proposed by Councillor O’Kane and seconded by Councillor Gill that the Town Council formally object to the CCC to the knocking down of Brackenthwaite without full investigation of all alternative uses to serve the community and to justify their decision.

Before a vote was taken Councillor Roberts declared a further interest as he said he was a substitute member of the CC Development Control and Regulation Committee and therefore would be abstaining from voting. A vote was then taken and 8 Councillors voted for the proposal and 1 Councillor abstained.

**RESOLVED** - That a letter be sent to CCC to inform them that the Town Council formally objects to the CCC to the knocking down of Brackenthwaite without full investigation of all alternative uses to serve the community and to justify their decision.

- ii. It was proposed by Councillor Hayes and seconded by Councillor Gill that having fully considered all the other applications on Schedule 1 that CBC be informed that the Council had no further representations to make. A vote was held and 8 Councillors voted for the proposal and 1 Councillor abstained.

**RESOLVED** - That having fully considered all the other applications on Schedule 1 that CBC be informed that the Council had no further representations to make.

## 1997/22 Finance Report

The Council considered a Finance report.

- i. Appendix 1 – The Clerk reported that there were 7 extra invoices to be considered namely:

Cumbria Media	£68.00 for website maintenance
CBC	£504.00 for Beacon Portal Hire
CBC	£2045.51 for Grass Cutting Contract
CBC	£720.80 for Allotment Contract
CBC	£3500.59 for Ranger Contract
CBC	£2227.00 for Assistant Ranger Contract
Thomas Graham	£179.00 for U bolts

It was proposed by Councillor Hayes and seconded by Councillor Roberts that the Invoices shown at Appendix 1 together with the 7 extra invoices above be approved and paid. A vote was taken and it was unanimously

**RESOLVED** – That the Invoices shown on Appendix 1 together with the 7 extra invoices above be approved and paid.

- ii. Appendices 2 and 3 – It was proposed by Councillor Hayes and seconded by Councillor Gill that Appendices 2 and 3 be approved and noted. A vote was held and it was unanimously

**RESOLVED** – That Appendices 2 and 3 be approved and noted.

**1998/22**     **Quotes for Insurance Cover**

The Council considered a report on quotes that had been requested and received for the provision of insurance cover for the Council which was due to expire in May 2022. It was reported that 3 quotes had been requested on the basis of a 1, 3 or 5 year contract but only 1 quote had been received. It was proposed by Councillor Gill and seconded by Councillor Hayes that a 5 year policy be entered into with the company who had submitted the quote at a cost of £3,157.29 per annum for a 5 year contract. A vote was held and 8 Councillors voted for the proposal and 1 Councillor abstained.

**RESOLVED** - That a 5 year policy be entered into with the company who had submitted the quote at a cost of £3,157.29p per annum for a five year contract.

**1999/22**     **Summer Plants for 2022**

The Council considered a report on the provision of an additional 12 hanging baskets for the Harbour at a total cost of £120.00. (12 had already been authorised by Minute 1880/21). It was proposed by Councillor Gill and seconded by Councillor Maudling that an additional 12 hanging baskets be purchased for the Harbour at a total cost of £120.00. A vote was taken and it was unanimously

**RESOLVED** - That an additional 12 hanging baskets be purchased for the Harbour at a total cost of £120.00.

**2000/22**     **CALC membership Renewal**

The Council considered a report on the renewal subscription of £1914.98 for CALC for 2022/23. It was proposed by Councillor Gill and seconded by Councillor Hayes that the subscription to CALC be renewed for 2022/23 in the sum of £1914.98. A vote was held and it was unanimously

**RESOLVED** - That the subscription to CALC be renewed for 2022/23 in the sum of £1914.98.

## 2001/22 Allotments

The Council considered a report on a request from an allotment tenant who was seeking permission to plant some fruit trees on their allotment plot. The Allotments Advisory Group had been contacted about this and their recommendation was that the permission be granted. It was proposed by Councillor Gill and seconded by Councillor Maudling that permission be given to the tenant of the allotment plot to plant the fruit trees. A vote was held and 8 Councillors voted for the proposal and 1 Councillor abstained.

**RESOLVED** - That permission be given to the tenant of the allotment plot to plant the fruit trees.

## 2002/22 Councillor Ward Matters

- i. Councillor Walmsley requested that an item be put on the Agenda on putting a couple of litter bins on the stretch between the cattle arch on the 07 side of Mirehouse, behind Valley School and right up to the blue bridge area where the pigeon lofts were. Councillor Stevens said that she had been with CBC's Team Leader for Street- Scene that day and the next day they were going to do a blitz on Mirehouse and that CBC had taken on a new operative who would be dealing with this.
- ii. Councillor Rayson said she disagreed with some of the previous Minutes as she had definitely voted against the dignitaries in St Nics and the canapes. She referred to Minute 1964/22 no 6 which said there were 6 votes for and 2 abstentions but that she had voted against and that she wished this to be noted.
- iii. Councillor Rayson said someone had been asking about office hours and when the office was going to be open full time again. The Clerk said that that had not been decided yet and that CBC staff had not returned to work full time. The Clerk said that at the moment staff were in the office between 8.00am and 12 noon Monday to Friday but that if anyone wanted an appointment outside those hours on working days then this would be accommodated.
- iv. Councillor Maudling referred to residents parking permits and said these were being abused and that one or two people were reputed to be selling their visitor parking permits. He said he had had a walk round town last week and one car was parked down by Wilkos and had been there for 4 weeks. He said he didn't know how CCC checked on these. He said we were very short of car parking in Whitehaven and the abuse of this was taking up a lot of space.
- v. Councillor Gill referred to the state of Cumberland Road – the moonscape. He said he had had a meeting with Mike Hawkins and the Highways Officer and that money had become available in April which they were hoping to get to resurface the road but that he had also asked for residents parking permits on Cumberland Road as people were parking on the

- pavement and blocking off the pavement on the other side and said until something serious happens nothing would happen.
- vi. Councillor Hayes said that the Jubilee celebrations were well under way at Kells and thanked everyone involved for their help.
  - vii. Councillor Roberts said he had had a meeting at Harras Moor with CCC and had had all the signs cleaned but they were also looking at the proposed development from access and drainage points of view. He said he wanted a sign put up there which he was working on at the moment because articulated lorries have been going down from the golf club end and getting stuck because of the narrow and low bridge and then trying to reverse back up that road so it needs to be right at the top there “low bridge – no access for large vehicles”.
  - viii. Councillor O’Kane said that a lady had complained to him about several areas where there was overhanging foliage/branches and he had tried to direct her to CBC as that was their responsibility. She had asked that if CBC was struggling could the Town Council help but he had said to try CBC first.
  - ix. Councillor O’Kane referred to the Bleach Green playing field and said it did not look as if it had been cut and requested that Alan be asked how many times it is cut during the year as he was not sure it was cut the full number of times last year. The Clerk said there had been 12 cuts last year.
  - x. Councillor O’Kane said the review for the schools had not yet again happened. He said this was put in in November. He said he had been walking along Red Lonning and talking to people and they were absolutely at their wits end up there. He said it was not just Red Lonning it was also the houses behind Red Lonning. He said there had been ambulances stuck there and also a fire engine and the whole situation was crazy. He said it was also not just Red Lonning as the Whitehaven Academy was now in full flow and both schools were now round the circular road and it was horrendous from 2.30pm onwards as well as in the mornings.
  - xi. Councillor O’Kane said he had had several complaints about seagulls
  - xii. Councillor O’Kane said he was concerned about the review of the schools and asked if Matthew Reeves would be attending the meeting with the CCC. The Clerk said she didn’t know at this point.

**2003/22     Date and Time and Venue of Next Meeting**

The next Council Meeting was the Annual Meeting on 26<sup>th</sup> May 2022 at 6.00pm at the Solway Hall, Whitehaven Civic Hall, Lowther Street, Whitehaven.

**IN PRIVATE**

**2004/22**     That prior to the following items 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 meeting. 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 or press be instructed to withdraw from the meeting.

**2005/22** **Application for Council Grant - WHAG**

The Council considered a report on a Grant application by WHAG. Following a discussion it was proposed by Councillor O’Kane and seconded by Councillor Hayes that the grant of £1,000.00 be paid. A vote was held and 8 Councillors voted for the proposal and 1 Councillor abstained.

**RESOLVED** - That the grant of £1,000.00 be paid to WHAG.

The Meeting closed at 6.50pm

Chairman

Planning Application for Consideration by Whitehaven Town Council

<u>Application Number</u>	<u>Detail</u>
4/22/2058/OL1	Consultation on Additional and Amended Information: LISTED BUILDING CONSENT TO REPLACE ORIEL WINDOWS WITH A SET OF TIMBER FULL GLAZED DOORS AND JULET BALCONIES TO FRONT FAÇADE <b>NOS. 1, 3, 5 &amp; 7 HARBOURSIDE FLATS, WEST STRAND, WHITEHAVEN</b>
4/22/2059/OF1	Consultation on Additional and Amended Information: PROPOSED NEW GLAZED DOORS AND JULIET BALCONIES REPLACING DEFECTIVE ORIEL WINDOWS TO FLATS 1, 3, 5 & 7 (FRONT ELEVATION) <b>NOS. 1, 3, 5 &amp; 7 HARBOURSIDE FLATS, WEST STRAND, WHITEHAVEN</b>
4/22/2188/TPO	REMOVAL OF TWO ASH TREES PROTECTED BY A TREE PRESERVATION ORDER <b>JOHNSON HOUSE, HILLCREST AVENUE, WHITEHAVEN</b>
4/22/2190/OF1	CHANGE OF USE OF VACANT LAND TO REAR OF 6 JULIA DRIVE INTO DOMESTIC USE (GARDEN) AND ERECTION OF SUMMER HOUSE AND DECKING TO AREA, WITH BOUNDARIES DEFINED WITH TIMBER FENCING <b>6 JULIA DRIVE, SANDWICH</b>
4/22/2191/OF1	DEMOLITION OF EXISTING CONSERVATORY TO REAR OF PROPERTY AND ERECTION OF NEW SINGLE STOREY SUNROOM <b>10 CHATSWORTH DRIVE, WHITEHAVEN</b>
4/22/2193/OF1	ERECTION OF A PREFABRICATED MODULAR SINGLE STOREY POD <b>MORRISONS SUPERMARKET, FLATT WALKS, WHITEHAVEN</b>
4/22/2195/OA1	APPLICATION FOR CONSENT TO DISPLAY ADVERTISEMENT – FASCIA SIGN <b>MORRISONS SUPERMARKET, FLATT WALKS, WHITEHAVEN</b>
4/22/2197/OF1	DETACHED GARAGE TO REAR <b>63 CENTRAL ROAD, WHITEHAVEN</b>
4/22/2216/OF1	ERECTION OF NEW DWELLING & DETACHED GARAGE <b>LANE HEAD GARDENS, LANE HEAD, SANDWICH</b>

Application Number

Detail

4/22/2217/0F1

IMPORTATION & DEPOSIT OF EARTH MATERIAL TO  
REPROFILE EXISTING GROUND LEVELS/CONTOURS;  
INSTALLATION OF SURFACE WATER DRAINAGE  
INFRASTRUCTURE INCLUDING INSTALLATION OF FOUL  
WATER DRAINAGE INFRASTRUCTURE  
**LAND TO THE WEST OF VALLEY VIEW ROAD**



## **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 17<sup>th</sup> May 2022. This shows a balance of £538,962.40. There are cheques to the value of £3,500.59 still waiting to be cleared.
- 2.2 The balance in the deposit account is £453,327.71.

## **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.

26/05/2022

Appendix 1

Invoices for Consideration by Whitehaven Town Council

Date	Supplier	Category	Detail	Total Amount	Power	Column1
25/04/2022	Eden Springs (UK) Ltd	Supplies & Services	Environmental Levy for water coolers (April 2022)	£ 2.16		s111 LGA 1972
30/04/2022	Cumbria Loos	Events	Supply portaloos for event on 30/04/2022	£ 418.80		s144 LGA 1972
30/04/2022	Derwent Recycling Services Ltd	3rd Party	12 yd open skip - Crow Park Allotments	£ 288.00	s23 Small Holdings Allotment Act 1908	
30/04/2022	Derwent Recycling Services Ltd	3rd Party	12 yd open skip - Midgley Allotments	£ 288.00	s23 Small Holdings Allotment Act 1908	
30/04/2022	Derwent Recycling Services Ltd	3rd Party	12 yd open skip - Cartgate Allotments	£ 288.00	s23 Small Holdings Allotment Act 1908	
30/04/2022	Derwent Recycling Services Ltd	3rd Party	12 yd open skip - Sneckgate Allotments	£ 288.00	s23 Small Holdings Allotment Act 1908	
04/05/2022	Mrs Julie Hartley	3rd Party	Internal Year End Audit 2021/2022	£ 250.00		s111 LGA 1972
06/05/2022	Sharp Business Systems UK PLC	Supplies & Services	Photocopier Charges - 18/03/2022 - 19/04/2022	£ 58.85		s111 LGA 1972
06/05/2022	Copeland Borough Council	3rd Party	Grass Cutting Contract - May 2022	£ 2,045.51		s111 LGA 1972
06/05/2022	Copeland Borough Council	3rd Party	Allotment and Pigeon Loft Maintenance Contract - May 2022	£ 720.80		s111 LGA 1972
06/05/2022	Copeland Borough Council	3rd Party	Ranger Contract - May 2022	£ 3,500.59		s111 LGA 1972
06/05/2022	Copeland Borough Council	3rd Party	Assistant Ranger Contract - May 2022	£ 2,227.00		s111 LGA 1972
11/05/2022	Support Warehouse Limited	Supplies & Services	Hardware Maintenance Contract	£ 104.64		s111 LGA 1972
12/05/2022	Mrs V Gorley	Events	Tea, coffee, sugar, milk, biscuits & cupcakes for Annual Parish Meeting	£ 19.80		s111 LGA 1972
16/05/2022	Mrs V Gorley	Events	Blue Polypropylene Rope	£ 20.33		s144 LGA 1972
17/05/2022	Mrs V Gorley	Premises	Re-imbusement for paying Annual TV Licence	£ 159.00		s111 LGA 1972
17/05/2022	Cllr Hayes	Employees & Allowances	Mileage claim for return journey to Carlisle Civic Centre	£ 34.20		s111 LGA 1972
18/05/2022	Viking	Supplies & Services	Copier Paper & Stamps	£ 103.66		s111 LGA 1972
18/05/2022	Cllr Hayes	Employees & Allowances	Mileage claim for return journey to 148 Queen Street via various schools in Whitehaven delivering commemorative Jubilee gifts	£ 1.35		s111 LGA 1972
19/05/2022	Cllr Hayes	Employees & Allowances	Mileage claim for return journey to 148 Queen Street via various schools in Whitehaven delivering commemorative Jubilee gifts	£ 3.60		s111 LGA 1972
19/05/2022	Cllr Hayes	Employees & Allowances	Mileage claim for return journey to 148 Queen Street via various schools in Whitehaven delivering commemorative Jubilee gifts	£ 2.70		s111 LGA 1972

£ 10,824.99

WHITEHAVEN TOWN COUNCIL

CASH BOOK FROM 1 APRIL 2022

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.	
<u>April-2022</u>																									
1	01.04.2022	BACS Eden Springs UK Ltd			1.80																£ 1.80	£ 0.36	£ 2.16		
2	01.04.2022	BACS Sharp Business Systems UK Plc			51.35																£ 51.35	£ 10.27	£ 61.62		
3	01.04.2022	1080 Copeland Borough Council						597.85													£ 597.85	£ 119.57	£ 717.42		
4	01.04.2022	1081 Copeland Borough Council											1832.52								£ 1,832.52	£ 366.50	£ 2,199.02		
5	01.04.2022	1082 Copeland Borough Council											2771.20								£ 2,771.20	£ 554.24	£ 3,325.44		
6	01.04.2022	BACS Mrs V Gorley	7.65																		£ 7.65		£ 7.65		
7	01.04.2022	BACS Mrs V Gorley	7.65																		£ 7.65		£ 7.65		
8	01.04.2022	BACS Westcom IT			270.00																£ 270.00	£ 54.00	£ 324.00		
9	01.04.2022	1083 Copeland Borough Council		10603.75																	£ 10,603.75		£ 10,603.75		
10	01.04.2022	BACS CALC	20.00																		£ 20.00		£ 20.00		
11	01.04.2022	BACS Viking			60.72																£ 60.72	£ 12.14	£ 72.86		
12	01.04.2022	BACS Mrs V Gorley	184.44																		£ 184.44		£ 184.44		
13	01.04.2022	BACS Mrs V Gorley	15.15																		£ 15.15		£ 15.15		
14	01.04.2022	BACS Mrs V Gorley	99.79																		£ 99.79		£ 99.79		
15	01.04.2022	BACS CALC	20.00																		£ 20.00		£ 20.00		
16	06.04.2022	BACS The Fairly Famous Family Ltd																	1350.00		£ 1,350.00	£ 270.00	£ 1,620.00		
17	06.04.2022	BACS Whitehaven and District Amateur Operatic Society					1000.00														£ 1,000.00		£ 1,000.00		
18	06.04.2022	BACS The Georgian House Hotel																			£ 100.00	£ 20.00	£ 120.00		
19	12.04.2022	DD Water Plus						221.23													£ 221.23		£ 221.23	Contract	
20	13.04.2022	BACS Newsquest Media Group																			£ 219.00	£ 43.80	£ 262.80		
	14.04.2022	BACS Staff	5012.77																		£ 5,012.77		£ 5,012.77		
	14.04.2022	BACS HMRC	2020.75																		£ 2,020.75		£ 2,020.75	HMRC	
	14.04.2022	BACS Cumbria LGPS	768.14																		£ 768.14		£ 768.14		
21	19.04.2022	DD BT Group			73.43																£ 73.43	£ 14.69	£ 88.12	Contract	
22	19.04.2022	DD Crown Gas & Oil		329.41																	£ 329.41	£ 65.88	£ 395.29	Contract	
<u>May-2022</u>																									
23	04.05.2022	BACS Eden Springs UK Ltd			1.80																£ 1.80	£ 0.36	£ 2.16		
24	04.05.2022	BACS Sharp Business Systems UK Plc			44.56																£ 44.56	£ 8.91	£ 53.47		
25	04.05.2022	BACS Thomas Graham & Sons Limited				179.00															£ 179.00	£ 35.80	£ 214.80		
26	04.05.2022	BACS Viking			32.90																£ 32.90	£ 6.58	£ 39.48		
27	04.05.2022	BACS Viking			44.90																£ 44.90	£ 8.98	£ 53.88		
28	04.05.2022	BACS CALC			1914.98																£ 1,914.98		£ 1,914.98		
29	04.05.2022	BACS Cumbria Media			68.00																£ 68.00		£ 68.00		
30	04.05.2022	1084 Copeland Borough Council									1704.59										£ 1,704.59	£ 340.92	£ 2,045.51		
31	04.05.2022	1085 Copeland Borough Council						600.67													£ 600.67	£ 120.13	£ 720.80		
32	04.05.2022	1086 Copeland Borough Council											2917.16								£ 2,917.16	£ 583.43	£ 3,500.59		
33	04.05.2022	1087 Copeland Borough Council											1855.83								£ 1,855.83	£ 371.17	£ 2,227.00		
34	04.05.2022	1088 Copeland Borough Council		420.00																	£ 420.00	£ 84.00	£ 504.00		
35	04.05.2022	BACS Zurich Municipal			3157.29																£ 3,157.29		£ 3,157.29		
36	09.05.2022	BACS Gifts 2 Impress Ltd																		661.60	£ 661.60	£ 132.32	£ 793.92		
	13.05.2022	BACS Staff	5012.16																		£ 5,012.16		£ 5,012.16		
	13.05.2022	BACS HMRC	2021.36																		£ 2,021.36		£ 2,021.36	HMRC	
	13.05.2022	BACS Cumbria LGPS	768.14																		£ 768.14		£ 768.14		
	16.05.2022	DD Crown Gas & Oil		259.71																	£ 259.71	£ 51.94	£ 311.65	Contract	
37	17.05.2022	1089 Copeland Borough Council											2917.16								£ 2,917.16	£ 583.43	£ 3,500.59		
			15958.00	11612.87	5721.73	179.00	1000.00	1419.75	0.00	0.00	1704.59	0.00	12293.87	0.00	0.00	0.00	0.00	0.00	2330.60	0.00	0.00	£ 52,220.41	£ 3,859.42	£ 56,079.83	

**INCOME 2022-2023**

Date	Item	Precept	Interest	Other
01.04.2022	Allotment Rents 2022/2023			3318.33
12.04.2022	Zurich Insurance (Claim for damaged bus shelter)			83.00
13.04.2022	HMRC - VAT Refund (March)			8862.83
20.04.2022	Zurich Insurance (Claim for damaged bus shelter)			83.00
21.04.2022	Allotment Rents 2022/2023			977.50
22.04.2022	Precept 2022/2023	455593.93		
04.05.2022	Allotment Rents 2022/2023			260.00
09.05.2022	Allotment Rents 2022/2023			20.00
11.05.2022	Thomas Graham credit returned			156.55
16.05.2022	Cheque 1086 returned			3500.59

455593.93	0.00	17261.80	472855.73
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**WHITEHAVEN TOWN COUNCIL  
SUMMARISED INCOME & EXPENDITURE STATEMENT  
FINANCIAL YEAR 2022-2023**

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

**BANK BALANCES BROUGHT FORWARD**

CBS 53905917 (01.04.2022)	118,685.91
CBS 53906216 (01.04.2022)	453,327.71
<b>TOTAL OPENING BALANCE</b>	<b>£ 572,013.62</b>

**INCOME:**

Precept	455,593.93
Interest (Deposit)	
Other Income	17,261.80
<b>TOTAL INCOME</b>	<b>£ 472,855.73</b>

**EXPENDITURE**

Employees & Allowances	15958.00
Premises	11612.87
Supplies/Services	5721.73
3rd Party	179.00
Grants	1000.00
Allotments	1419.75
Markets	0.00
Community Plan	0.00
Ground Maintenance	1704.59
Civic Hospitality	0.00
Ranger	12293.87
Whitehaven In Bloom	0.00
Ward Grants	0.00
Elections	0.00
Environmental Improvements	0.00
Events	2330.60
Contingencies	0.00
Reserves	0.00
VAT (to be reclaimed)	3859.42
<b>TOTAL EXPENDITURE</b>	<b>£ 56,079.83</b>

**CASH BOOK BALANCE**

Brought forward	£ 572,013.62
Income	£ 472,855.73
Expenditure	£ 56,079.83
<b>Town Council Funds</b>	<b>£ 988,789.52</b>

**BANK BALANCES**

CBS 53905917 (19/04/2022)	538,962.40
CBS 53906216 (01/04/2022)	453,327.71
	<b>£ 992,290.11</b>

**Unpresented Cheques 2021/2022**

3,500.59

**FINANCIAL POSITION**

**£ 988,789.52**

**Annual Return for 2021/2022 for Approval****Purpose of the Report and Recommendation**

To inform the Council that the Annual Return for the year 2021/2022 has been received from PKF Littlejohn, the Council's External Auditors and to recommend approval of the recommendations as set out in paragraph 4.1 (i), (ii), (iii), (iv) and (v) hereof.

**1.0 INTRODUCTION**

- 1.1 The Annual Governance and Accountability Return (AGAR) 2021/2022 has been received from PKF Littlejohn, the Council's External Auditors. The form shown at Appendix 1 has been prepared in draft pending approval by the Council. The AGAR is made up of 3 parts on pages 3-6. Sections 1 and 2 have to be completed and approved by the Council and section 3 will be completed by PKF Littlejohn, the external auditors and returned to the Council.
- 1.2 In preparation for this an Internal Audit was carried out on the Town Council by the Council's Internal Auditor Julie Hartley BA(Hons) IPFA, CILCA for the year ending 31st March 2022.

**2.0 Process for The Annual Return**

- 2.1 The Annual Governance and Accountability Return has been completed in draft for Council approval with assistance and guidance from the Council's Internal Auditor and which is shown at Appendix 1.
- 2.2 The Council is required by PKF Littlejohn to take the following steps: -
- (i) Firstly, the Annual Governance Statement 2021/2022 (Section 1) must be approved by the Council and signed by the Chairman and Clerk and giving the Minute reference when it was approved.
  - (ii) Secondly, the Accounting Statement 2021/2022 (Section 2) must be approved by the Council and signed by the Chairman and Responsible Financial Officer again giving the Minute reference when it was approved.
  - (iii) The Internal Auditors Report be approved.
  - (iv) The Council is required to provide electors with the opportunity to inspect the accounts and other documents for a period of 30 working days and which must include the first 10 working days of July. This means:

- The inspection period must be for a period of 30 working days inclusive;
- It must include the first 10 working days of July 2022;
- The inspection period will commence on Monday 13<sup>th</sup> June 2022 and will end on Friday 22<sup>nd</sup> July 2022 (this was suggested by PKF Littlejohn)
- The inspection period must start the day after the notice, the approved Section 1 (Annual Governance Statement 2021/2022) and approved Section 2 (Accounting Statements 2021/2022) are published on the Council's website.

- (v) The completed and approved Annual Governance and Accountability Return 2021/2022 has to be submitted to PKF Littlejohn and we propose to do this as soon as possible following the Council meeting.

### **3.0 INTERNAL AUDIT REPORT - 2021/2022 ACCOUNTS**

- 3.0 Attached at Appendix 2 is the Internal Audit Report for the 2021/2022 Accounts which members are asked to consider and approve.

### **4.0 RECOMMENDATION**

- 4.1 The Council's Internal Auditor has given advice and assistance on the completion of the Annual Return to ensure that it is properly completed and it is therefore recommended: -
- (i) That Section 1, The Annual Governance Statement 2021/2022 be approved by the Council and signed by the Chairman and Clerk and the Minute number inserted;
- (ii) That Section 2, The Accounting Statements 2021/2022 be approved by the Council and signed by the Chairman and Responsible Financial Officer and the Minute number inserted;
- (iii) That the Internal Audit Report be approved;
- (iv) That the Annual Return be advertised for public inspection to comply with the timescales and requirements in paragraph 2.2 (iv) above and Councillors be sent a copy of this notice;
- (v) That the completed and approved Annual Return be submitted to PKF Littlejohn as soon as possible following the Council meeting.



## Annual Governance and Accountability Return 2021/22 Form 3

To be completed by Local Councils, Internal Drainage Boards and other Smaller Authorities\*:

- where the higher of gross income or gross expenditure exceeded £25,000 but did not exceed £6.5 million; or
- where the higher of gross income or gross expenditure was £25,000 or less but that:
  - are unable to certify themselves as exempt (fee payable); or
  - have requested a limited assurance review (fee payable)

### Guidance notes on completing Form 3 of the Annual Governance and Accountability Return 2021/22

1. Every smaller authority in England that either received gross income or incurred gross expenditure exceeding £25,000 **must** complete Form 3 of the Annual Governance and Accountability Return at the end of each financial year in accordance with *Proper Practices*.
2. **The Annual Governance and Accountability Return is made up of three parts, pages 3 to 6:**
  - The **Annual Internal Audit Report must** be completed by the authority's internal auditor.
  - **Sections 1 and 2 must** be completed and approved by the authority.
  - **Section 3** is completed by the external auditor and will be returned to the authority.
3. The authority **must** approve Section 1, Annual Governance Statement, before approving Section 2, Accounting Statements, and both **must** be approved and published on the authority website/webpage **before 1 July 2022**.
4. An authority with either gross income or gross expenditure exceeding £25,000 or an authority with neither income nor expenditure exceeding £25,000, but which is unable to certify itself as exempt, or is requesting a limited assurance review, **must** return to the external auditor by email or post (not both) **no later than 30 June 2022**. Reminder letters will incur a charge of £40 +VAT:
  - the Annual Governance and Accountability Return Sections 1 and 2, together with
  - a bank reconciliation as at 31 March 2022
  - an explanation of any significant year on year variances in the accounting statements
  - notification of the commencement date of the period for the exercise of public rights
  - Annual Internal Audit Report 2021/22

Unless requested, do not send any additional documents to your external auditor. Your external auditor will ask for any additional documents needed.

Once the external auditor has completed the limited assurance review and is able to give an opinion, the Annual Governance and Accountability **Section 1, Section 2 and Section 3 – External Auditor Report and Certificate** will be returned to the authority by email or post.

### Publication Requirements

Under the Accounts and Audit Regulations 2015, authorities must publish the following information on the authority website/webpage:

Before 1 July 2022 authorities **must** publish:

- Notice of the period for the exercise of public rights and a declaration that the accounting statements are as yet unaudited;
- **Section 1 - Annual Governance Statement 2021/22**, approved and signed, page 4
- **Section 2 - Accounting Statements 2021/22**, approved and signed, page 5

Not later than 30 September 2022 authorities **must** publish:

- Notice of conclusion of audit
- **Section 3 - External Auditor Report and Certificate**
- **Sections 1 and 2 of AGAR** including any amendments as a result of the limited assurance review.

It is recommended as best practice, to avoid any potential confusion by local electors and interested parties, that you also publish the Annual Internal Audit Report, page 3.

The Annual Governance and Accountability Return constitutes the annual return referred to in the Accounts and Audit Regulations 2015. Throughout, the words 'external auditor' have the same meaning as the words 'local auditor' in the Accounts and Audit Regulations 2015.

\*for a complete list of bodies that may be smaller authorities refer to schedule 2 to the Local Audit and Accountability Act 2014.



## Guidance notes on completing Form 3 of the Annual Governance and Accountability Return (AGAR) 2021/22

- The authority **must** comply with *Proper Practices* in completing Sections 1 and 2 of this AGAR. *Proper Practices* are found in the *Practitioners' Guide\** which is updated from time to time and contains everything needed to prepare successfully for the financial year-end and the subsequent work by the external auditor.
- Make sure that the AGAR is complete (no highlighted boxes left empty), and is properly signed and dated. If the AGAR contains unapproved or unexplained amendments, it may be returned and additional costs will be incurred.
- The authority **should** receive and note the Annual Internal Audit Report before approving the Annual Governance Statement and the accounts.
- Use the checklist provided below to review the AGAR for completeness before returning it to the external auditor by email or post (not both) no later than 30 June 2022.
- The Annual Governance Statement (Section 1) must be approved on the same day or before the Accounting Statements (Section 2) and evidenced by the agenda or minute references.
- The Responsible Financial Officer (RFO) must certify the accounts (Section 2) before they are presented to the authority for approval. The authority must in this order; consider, approve and sign the accounts.
- The RFO is required to commence the public rights period as soon as practical after the date of the AGAR approval.
- Do not send the external auditor any information not specifically requested. However, **you must inform your external auditor about any change of Clerk, Responsible Financial Officer or Chairman, and provide relevant authority owned generic email addresses and telephone numbers.**
- Make sure that the copy of the bank reconciliation to be sent to your external auditor with the AGAR covers all the bank accounts. If the authority holds any short-term investments, note their value on the bank reconciliation. The external auditor must be able to agree the bank reconciliation to Box 8 on the accounting statements (**Section 2, page 5**). An explanation **must** be provided of any difference between Box 7 and Box 8. More help on bank reconciliation is available in the *Practitioners' Guide\**.
- Explain fully significant variances in the accounting statements on **page 5**. Do not just send a copy of the detailed accounting records instead of this explanation. The external auditor wants to know that you understand the reasons for all variances. Include complete numerical and narrative analysis to support the full variance.
- If the external auditor has to review unsolicited information, or receives an incomplete bank reconciliation, or variances are not fully explained, additional costs may be incurred.
- Make sure that the accounting statements add up and that the balance carried forward from the previous year (Box 7 of 2021) equals the balance brought forward in the current year (Box 1 of 2022).
- The Responsible Financial Officer (RFO), on behalf of the authority, **must** set the commencement date for the exercise of public rights of 30 consecutive working days which **must** include the first ten working days of July.
- The authority **must** publish on the authority website/webpage the information required by Regulation 15 (2), Accounts and Audit Regulations 2015, including the period for the exercise of public rights and the name and address of the external auditor **before 1 July 2022**.

Completion checklist – 'No' answers mean you may not have met requirements		Yes	No
All sections	Have all highlighted boxes have been completed?	✓	
	Has all additional information requested, including <b>the dates set for the period for the exercise of public rights</b> , been provided for the external auditor?	✓	
Internal Audit Report	Have all highlighted boxes been completed by the internal auditor and explanations provided?	✓	
Section 1	For any statement to which the response is 'no', has an explanation been published?	✓	
Section 2	Has the authority's approval of the accounting statements been confirmed by the signature of the Chairman of the approval meeting?	✓	
	Has an explanation of significant variations been published where required?	✓	
	Has the bank reconciliation as at <b>31 March 2022</b> been reconciled to Box 8?	✓	
	Has an explanation of any difference between Box 7 and Box 8 been provided?	✓	
Sections 1 and 2	Trust funds – have all disclosures been made if the authority as a body corporate is a sole managing trustee? <b>NB:</b> do not send trust accounting statements unless requested.		

\**Governance and Accountability for Smaller Authorities in England – a Practitioners' Guide to Proper Practices*, can be downloaded from [www.nalc.gov.uk](http://www.nalc.gov.uk) or from [www.ada.org.uk](http://www.ada.org.uk)

# Annual Internal Audit Report 2021/22

## WHITEHAVEN TOWN COUNCIL

www.whitehaventowncouncil.co.uk

During the financial year ended 31 March 2022, this authority's internal auditor acting independently and on the basis of an assessment of risk, carried out a selective assessment of compliance with the relevant procedures and controls in operation and obtained appropriate evidence from the authority.

The internal audit for 2021/22 has been carried out in accordance with this authority's needs and planned coverage. On the basis of the findings in the areas examined, the internal audit conclusions are summarised in this table. Set out below are the objectives of internal control and alongside are the internal audit conclusions on whether, in all significant respects, the control objectives were being achieved throughout the financial year to a standard adequate to meet the needs of this authority.

Internal control objective	Yes	No	Not covered**
A. Appropriate accounting records have been properly kept throughout the financial year.	✓		
B. This authority complied with its financial regulations, payments were supported by invoices, all expenditure was approved and VAT was appropriately accounted for.	✓		
C. This authority assessed the significant risks to achieving its objectives and reviewed the adequacy of arrangements to manage these.	✓		
D. The precept or rates requirement resulted from an adequate budgetary process; progress against the budget was regularly monitored; and reserves were appropriate.	✓		
E. Expected income was fully received, based on correct prices, properly recorded and promptly banked; and VAT was appropriately accounted for.	✓		
F. Petty cash payments were properly supported by receipts, all petty cash expenditure was approved and VAT appropriately accounted for. <i>No Petty Cash.</i>			✓
G. Salaries to employees and allowances to members were paid in accordance with this authority's approvals, and PAYE and NI requirements were properly applied.	✓		
H. Asset and investments registers were complete and accurate and properly maintained.	✓		
I. Periodic bank account reconciliations were properly carried out during the year.	✓		
J. Accounting statements prepared during the year were prepared on the correct accounting basis (receipts and payments or income and expenditure), agreed to the cash book, supported by an adequate audit trail from underlying records and where appropriate debtors and creditors were properly recorded.	✓		
K. If the authority certified itself as exempt from a limited assurance review in 2020/21, it met the exemption criteria and correctly declared itself exempt. (If the authority had a limited assurance review of its 2020/21 AGAR tick "not covered")			✓
L. The authority publishes information on a free to access website/webpage up to date at the time of the internal audit in accordance with any relevant transparency code requirements	✓		
M. The authority, during the previous year (2020-21) correctly provided for the period for the exercise of public rights as required by the Accounts and Audit Regulations (evidenced by the notice published on the website and/or authority approved minutes confirming the dates set).	✓		
N. The authority has complied with the publication requirements for 2020/21 AGAR (see AGAR Page 1 Guidance Notes).	✓		
<b>O. (For local councils only)</b> Trust funds (including charitable) – The council met its responsibilities as a trustee.			✓

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

Date(s) internal audit undertaken

Name of person who carried out the internal audit

3-5-21 4-5-21.

JULIE HARLEY.

Signature of person who carried out the internal audit

*J. Harley*

Date

4-5-21.

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

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

## Section 1 – Annual Governance Statement 2021/22

We acknowledge as the members of:

### WHITEHAVEN TOWN COUNCIL

our responsibility for ensuring that there is a sound system of internal control, including arrangements for the preparation of the Accounting Statements. We confirm, to the best of our knowledge and belief, with respect to the Accounting Statements for the year ended 31 March 2022, that:

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

\*Please provide explanations to the external auditor on a separate sheet for each 'No' response and describe how the authority will address the weaknesses identified. These sheets must be published with the Annual Governance Statement.

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

and recorded as minute reference:

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

Chairman

Clerk

[www.whitehaventowncouncil.co.uk](http://www.whitehaventowncouncil.co.uk)



## Section 2 – Accounting Statements 2021/22 for

### WHITEHAVEN TOWN COUNCIL

	Year ending		Notes and guidance
	31 March 2021 £	31 March 2022 £	
1. Balances brought forward	355,334	475,142	Total balances and reserves at the beginning of the year as recorded in the financial records. Value must agree to Box 7 of previous year.
2. (+) Precept or Rates and Levies	437,769	433,574	Total amount of precept (or for IDBs rates and levies) received or receivable in the year. Exclude any grants received.
3. (+) Total other receipts	55,783	55,703	Total income or receipts as recorded in the cashbook less the precept or rates/levies received (line 2). Include any grants received.
4. (-) Staff costs	87,769	91,707	Total expenditure or payments made to and on behalf of all employees. Include gross salaries and wages, employers NI contributions, employers pension contributions, gratuities and severance payments.
5. (-) Loan interest/capital repayments	0	0	Total expenditure or payments of capital and interest made during the year on the authority's borrowings (if any).
6. (-) All other payments	285,975	298,521	Total expenditure or payments as recorded in the cashbook less staff costs (line 4) and loan interest/capital repayments (line 5).
7. (=) Balances carried forward	475,142	574,191	Total balances and reserves at the end of the year. Must equal (1+2+3) - (4+5+6).
8. Total value of cash and short term investments	471,050	572,013	The sum of all current and deposit bank accounts, cash holdings and short term investments held as at 31 March – <b>To agree with bank reconciliation.</b>
9. Total fixed assets plus long term investments and assets	286,613	316,645	The value of all the property the authority owns – it is made up of all its fixed assets and long term investments as at 31 March.
10. Total borrowings	0	0	The outstanding capital balance as at 31 March of all loans from third parties (including PWLB).
11. (For Local Councils Only) Disclosure note re Trust funds (including charitable)	Yes	No	N/A
			The Council, as a body corporate, acts as sole trustee for and is responsible for managing Trust funds or assets. N.B. The figures in the accounting statements above do not include any Trust transactions.

I certify that for the year ended 31 March 2022 the Accounting Statements in this Annual Governance and Accountability Return have been prepared on either a receipts and payments or income and expenditure basis following the guidance in Governance and Accountability for Smaller Authorities – a Practitioners' Guide to Proper Practices and present fairly the financial position of this authority.

Signed by Responsible Financial Officer before being presented to the authority for approval

*Marene Jewell*

Date *16<sup>th</sup> May 2022*

I confirm that these Accounting Statements were approved by this authority on this date:

as recorded in minute reference:

Signed by Chairman of the meeting where the Accounting Statements were approved

## Section 3 – External Auditor’s Report and Certificate 2021/22

In respect of

WHITEHAVEN TOWN COUNCIL

### 1 Respective responsibilities of the auditor and the authority

Our responsibility as auditors to complete a **limited assurance review** is set out by the National Audit Office (NAO). A limited assurance review is **not a full statutory audit**, it does not constitute an audit carried out in accordance with International Standards on Auditing (UK & Ireland) and hence it **does not** provide the same level of assurance that such an audit would. The UK Government has determined that a lower level of assurance than that provided by a full statutory audit is appropriate for those local public bodies with the lowest levels of spending.

Under a limited assurance review, the auditor is responsible for reviewing Sections 1 and 2 of the Annual Governance and Accountability Return in accordance with NAO Auditor Guidance Note 02 (AGN 02) as issued by the NAO on behalf of the Comptroller and Auditor General. AGN 02 is available from the NAO website – <https://www.nao.org.uk/code-audit-practice/guidance-and-information-for-auditors/>.

This authority is responsible for ensuring that its financial management is adequate and effective and that it has a sound system of internal control. The authority prepares an Annual Governance and Accountability Return in accordance with *Proper Practices* which:

- summarises the accounting records for the year ended 31 March 2022; and
- confirms and provides assurance on those matters that are relevant to our duties and responsibilities as external auditors.

### 2 External auditor’s limited assurance opinion 2021/22

(Except for the matters reported below)\* on the basis of our review of Sections 1 and 2 of the Annual Governance and Accountability Return, in our opinion the information in Sections 1 and 2 of the Annual Governance and Accountability Return is in accordance with Proper Practices and no other matters have come to our attention giving cause for concern that relevant legislation and regulatory requirements have not been met. (\*delete as appropriate).

(continue on a separate sheet if required)

Other matters not affecting our opinion which we draw to the attention of the authority:

(continue on a separate sheet if required)

### 3 External auditor certificate 2021/22

We certify/do not certify\* that we have completed our review of Sections 1 and 2 of the Annual Governance and Accountability Return, and discharged our responsibilities under the Local Audit and Accountability Act 2014, for the year ended 31 March 2022.

\*We do not certify completion because:

External Auditor Name

External Auditor Signature

Date

**INTERNAL AUDIT REPORT 2021-22 ACCOUNTS  
PERFORMED BY JULIE HARTLEY, IPFA, CILCA**

**NAME OF PARISH:** WHITEHAVEN TOWN COUNCIL

**COMPLETION DATE:** 4<sup>th</sup> May 2022

**SUMMARY STATEMENT:**

Overall, financial controls were found to be sound and confidence can be taken that transactions are made in line with the Council's regulations. From accounting entries and background paperwork provided, I can provide assurance that the balances provided on the AGAR are stated accurately.

**SUMMARY OF TESTING AND FINDINGS**

Internal Control area	Documents reviewed	Findings
Overall financial controls set properly	Financial Regulations Standing Orders Minutes	Up to date.
Budgetary Control – proper arrangements	Budget for 2021/22 Council minutes	Budget Calculation to support precept satisfactory.
Expenditure – authorisation in accordance with standing orders.	Invoices Minutes	Good.
Expenditure – accounting	Cash Book Bank reconciliations	Cash Book is complete.
Income controls	Cash book Bank statements	Income is properly stated and controlled.
Payroll – legally performed	Payroll records	Payroll calculation done via HMRC online.
Risk Management	Insurance Policy Risk management policy	In place Satisfactory
Asset Management	Asset register	Updated.
Information Management (Transparency Code)	Web site	Satisfactory

## COUNCIL'S BANK ACCOUNT

### Purpose of the Report

To inform Members of the present position with authorised signatories for the Council's Bank Account and to recommend that the present 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 2021 with any two from four being required to sign cheques and authorise payments (minute ref 1797/21 refers). The four Councillors were Councillor C Hayes, Councillor R Gill, Councillor B O'Kane and Councillor Roberts.

## **2.0 RECOMMENDATION**

- 2.1 It is recommended that Councillor C Hayes, Councillor R Gill, Councillor B O'Kane and Councillor Roberts continue to be authorised signatories.

**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 4<sup>th</sup> November 2021 the Council considered a report on recommendations made by the Policy and Resources and Finance Committee at their meeting on 13<sup>th</sup> October 2021. The recommendations were as follows
- i. That the Finance and Budget Report monitoring figures be noted and approved
  - ii. That a three year contract for the supply of electricity be entered into at a cost of £3,099.00 per annum
  - iii. That a Budget Working Group be set up comprising those on the Policy and Resources and Finance Committee to work on setting the budget for 2022/23 and make recommendations to full Council

The Council resolved that these recommendations be approved and actioned

**2.0 RECOMMENDATION**

- 2.1 It is recommended that the Council considers the recommendations made by the Policy and Resources and Finance Committee on 13<sup>th</sup> October 2021 and subsequently approved by full Council and that these be noted and approved.



## REVIEW AND ADOPTION OF STANDING ORDERS

### Purpose of the Report

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 27<sup>th</sup> May 2021 (minute 1798/21 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 2022 and their amendments are shown edged red 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 2023 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 21<sup>ST</sup> MAY 2015 – MINUTE REF 7/15(i)  
ADOPTED BY FULL COUNCIL 25<sup>TH</sup> AUGUST 2016 – MINUTE REF 482/16  
AMENDED AT FULL COUNCIL 26<sup>TH</sup> JANUARY 2017 – MINUTE REF 607/17  
REVIEWED & ADOPTED BY FULL COUNCIL ON 5<sup>TH</sup> OCTOBER 2017 – MINUTE REF 794/17  
REVIEWED & ADOPTED BY FULL COUNCIL ON 30<sup>TH</sup> AUGUST 2018 – MINUTE REF 1062/18  
REVIEWED AND ADOPTED BY FULL COUNCIL ON 16<sup>TH</sup> MAY 2019 – MINUTE REF 1305/19  
REVIEWED AND ADOPTED AT THE ANNUAL MEETING ON 27<sup>TH</sup> MAY 2021 – MINUTE REF 1798/21

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# 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.

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- 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.

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- 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.

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### 3. Meetings generally

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



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- 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.**

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- ■ ■ 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.*

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- ■ ■ 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

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- 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

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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

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- 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

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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.



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- 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.

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- 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.

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## **11.** Management of Information

### **See also Standing Order 20**

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

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- 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 publicly accessible and free of charge and not later than one

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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.

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- 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 **or Unitary** Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Proper Officer shall, subject to standing order 11 above, report this to the Council.
- b Where the notification in standing order 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 **or Unitary** Council that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Council shall consider what, if any, action to take against**



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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);

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- 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



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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.

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- 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 the “light touch” arrangements under 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~~



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~~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~~
- f. Where the value of a contract is likely to exceed the threshold specified by the Office of Government Commerce from time to time, the Council must consider whether the Public Contracts Regulations 2015 or the Utilities Contracts Regulations 2016 apply to the Contract and, if either of those Regulations apply, the Council must comply with procurement rules. NALC's procurement guidance contains further details.

## 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

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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.

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## 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.*

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## 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.