

East Grinstead Town Council

Standing Orders and Financial Regulations

Standing Orders

Contents

1	Meetings of the Council.....	1
2	Committees and sub-committees.....	4
3	Ordinary Council meetings.....	4
4	Extraordinary meetings of the Council and committees and sub-committees.....	5
5	Rules of debate at meetings.....	6
6	Disorderly conduct at meetings.....	7
7	Previous resolutions.....	8
8	Voting on appointments.....	8
9	Motions for a meeting that require written notice to be given to the Proper Officer.....	8
10	Motions at a meeting that do not require written notice.....	9
11	Handling confidential or sensitive information.....	9
12	Draft minutes.....	9
13	Code of conduct and dispensations.....	10
14	Code of conduct complaints.....	11
15	Proper Officer.....	11
16	Responsible Financial Officer.....	12
17	Accounts and accounting statements.....	12
18	Financial controls and procurement.....	12
19	Handling staff matters.....	13
20	Requests for information.....	13
21	Relations with the press/media.....	14
22	Execution and sealing of legal deeds.....	14
23	Communicating with District and County or Unitary Councillors.....	14
24	Restrictions on Councillor activities.....	14
25	Standing orders generally.....	14
26	List of standing committees and terms of reference.....	15

TR Terms of Reference	16
TR1 Powers and duties of the standing committees:	
TR2 Delegation to Chairmen generally	
TR3 Leader of the Council	
C Contracts	19
Contracts to comply with Standing Orders	
Tendering Procedures	
Contracts for Supplies, Services or Works	
Contents of Written contracts and penalties	
Corrupt practices	
FR Financial Regulations	24
Financial Administration	
Financial Planning and Annual Estimates	
Budgetary Control	
Income	
Banking Arrangements	
Ordering Procedures	
Payment Procedures	
Petty Cash Account	
Legal Documents	
Insurances	
Investments, Borrowings and Trust Funds	
Internal audit	

This full document is approved by the Council as part of the Standing Orders and Financial Regulations to govern the business of the Council. Use of the word “he” is to be taken in the universal context to mean he/she.

Date adopted by Council: January 2021

STANDING ORDERS

1 Meetings of the Council

- a Meetings of Council and Standing Committee shall take place at The Council Offices at East Court, unless otherwise stated meetings will start at 7pm. Notice of the dates, specific venue and time will be posted in advance on the Councils notice board at East Court. Notices may also be posted on the council's website and neighbourhood community notice boards.
- 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.
 - a) Where a meeting is to be held virtually the notice will be posted on the Councils Website with 5 days' notice in accordance with S78 of the Coronavirus Act 2020 and the provisions of the Local Authorities and Police and Crime Panels (Corona Virus) (Flexibility of Local Authority and Police and Crime Panel meetings) (England and Wales).
- c Council and Standing Committee 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.
- d Members of the public may ask questions of the Chairman at meetings which they are entitled to attend, in respect of the business on the agenda.
 - (i) In respect of Planning Committee meetings, in accordance with the remaining provisions within the standing orders relating to public participation, members of the public may also make representations on the applications.
 - Representations to be made will be restricted to a maximum of two persons speaking for and or against the application.
 - In the event of a large number of speakers indicating to speak on an application, the Chairman has the discretion to increase the number allowed to speak.
- e The period of time designated for public participation at a meeting in accordance with standing order 1(d) shall not exceed thirty minutes for Ordinary Council (excluding annual Council), and fifteen minutes for standing committee, unless suspension of this standing order is approved by motion. If there are not sufficient questions to fill the time allotted the Chairman may draw the item to close and move immediately to the business of the agenda. Public participation is not then permitted once the Chairman has moved in to the substantive agenda.
- f Subject to standing order 1(e), a member of the public shall speak once, not exceed two minutes, and will have no right of reply.

- g In accordance with standing order 1(d), a question shall not require a response at the meeting nor start a debate on the question. The Chairman of the meeting may direct that a written or oral response be given.
- h A person shall raise his hand (during a virtual meeting this will be by raising the hand icon) when requesting to speak and stand when speaking* (except when a person has a disability or is likely to suffer discomfort). Standing will not be required during a virtual meeting. The Chairman of the meeting may at any time permit a person to be seated when speaking. A member of the public should give his name and state his parish of residence when speaking for the minute.

**Standing is only required at meetings of the full Council, for Standing or Sub Committees the Councillor need only raise his hand to indicate he wishes to speak, but may remain seated.*
- i A person who speaks at a meeting shall direct his comments to the Chairman of the meeting.
- j Only one person is permitted to speak at a time. If more than one person wants to speak, the Chairman of the meeting shall direct the order of speaking.
- k Council members may attend any Standing Committee or sub-committee meetings, however where a Councillor is not a member of the committee or sub-committee they may only speak at the meeting, by giving advance notice to the Chair of their attendance and the items they wish to speak upon. Non Members will speak after the committee members are given the opportunity and the Chair is not obliged to allow the non-member to speak should the debate prove lengthy and time short to cover all matters.
- l Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is permitted in accordance with the Councils approved protocol which shall be displayed at the physical meeting. Where the meeting is held virtually the meeting may not be recorded by any member of the public as the meeting will be recorded and placed on the councils you tube channel with a link from the website.
- m 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. The Council shall not be required to accommodate more than two representatives.
- n Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in his absence be done by, to or before the Vice-Chairman of the Council (if any).
- o The Town Mayor, if present, shall preside at a meeting of the Council as Chairman. If the Town Mayor is absent from a meeting, the Deputy Mayor, 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.
- p Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the Councillors with voting rights present and voting.
- q 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 3(h) and (i) below for the different rules that apply in the election

of the Chairman of the Council at the annual meeting of the Council.

- r 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 gives his vote for or against that question. Such a request shall be made before the vote is taken.
- s 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;
 - iii. the names of those who sent apologies for absence, along with the reason, if given.
 - iv. interests that have been declared by Councillors with voting rights;
 - v. whether a Councillor 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.
- t A Councillor who has a disclosable pecuniary or prejudicial interest as set out in the Council's code of conduct in a matter being considered at a meeting, is required to leave the room for the discussion and vote on that matter.
- u No business may be transacted at a Council meeting unless at least one-third of the whole number of members of the Council are present. If at the expiration of fifteen minutes after the time at which any meeting of the Council is appointed to be held, the Town Clerk after establishing the numbers present, announces that a quorum is not present then no meeting shall take place.
 - (i) Quorum at a Committee or Working party will be 1/3 of the whole membership or 3 whichever is the greater.
- v If a meeting becomes inquorate, the Town Clerk will advise that fact to the Chairman who shall adjourn the meeting, those who are present and those who are absent will be entered in to the official minutes. The business on the agenda for the meeting shall be adjourned to another meeting.
- w A meeting shall not exceed a period of two hours.
- x The Business of Ordinary Meetings of the Council will be;
 - a) To choose the person to preside if the Town Mayor or Deputy Mayor is not present
 - b) To deal with any business required by statute to be done before any other business
 - c) To approve as a correct record, the minutes of the last meeting of the Council.
 - d) To receive Member's declarations of interest
 - e) Mayors Announcements
 - f) To receive such communications as the Leader of the Council wishes to lay before the Council
 - g) To dispose of any business (if any) remaining from the last meeting
 - h) Principal Council Update – One of the County or District Councillors may attend to provide a local update
 - i) To receive and consider any reports (or minutes) from standing committees
 - j) To authorise the sealing of documents, so far as the Council's authority is required by statute or these standing orders.
 - k) To consider notices of motions in the order that they have been received

The Chairman may vary the order of business on the agenda for matters iii-x if in his view the matter is of special urgency to demand higher precedence.

2 Committees and sub-committees

- a Unless the Council determines otherwise, a committee may appoint a sub-committee or working party whose terms of reference and members shall be determined by the committee.
- b The members of a sub-committee or working group may include non-Councillors.
- c Non-Councillor members of subcommittees or working parties will not have voting rights
- d Working parties will:
 - a. be discharged once their terms of reference have been completed
 - b. refer all recommendations to their parent committee before they have effect
- e 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 full 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, after it has appointed the members of a standing committee, appoint the Chairman of the standing committee;
 - v. Shall permit a committee other than a standing committee, to appoint its own Chairman at the first meeting of the committee;
 - vi. 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;
 - vii. Shall determine if the public may participate at a meeting of a committee;
 - viii. 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;
 - ix. Shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
 - x. May dissolve a committee.

3 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 the second Monday in May.
- c In addition to the annual meeting of the Council, at least four other ordinary meetings shall be held in each year on the first Monday in January*, April, July and October. (**Where the first Monday in January is New Year's Day or the first Monday in April is Easter Monday, the meeting will be held on the second Monday*).
- d In addition, meetings will usually occur on the last Monday in January (budget and precept) and following the June Finance and General Purposes committee (annual accounts)

- e The first business conducted at the annual meeting of the Council shall be the election of the Chairman (Town Mayor) and Vice-Chairman (Deputy Town Mayor) of the Council.
- f The Town Mayor, 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 Deputy Mayor of the Council, if any, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman (Town Mayor) of the Council at the next annual meeting of the Council.
- h In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he shall preside at the meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the Council but must give a casting vote in the case of an equality of votes.
- i In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, he shall preside at the meeting until a new Chairman of the Council has been elected. He may exercise an original vote in respect of the election of the new Chairman of the Council and must give a casting vote in the case of an equality of votes.
- j Following the election of the Chairman of the Council and Vice-Chairman (if any) of the Council at the annual meeting of the Council, the business of the annual meeting shall include:
 - i. In an election year, delivery by the Chairman of the Council and Councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chairman of the Council of his acceptance of office form unless the Council resolves for this to be done at a later date;
 - ii. Confirmation of the accuracy of the minutes of the last meeting of the Council;
 - iii. Receipt of the minutes of the last meeting of a committee;
 - iv. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;
 - v. Appointment of members to existing committees;
 - vi. Appointment of any new committees in accordance with standing order 2 above;
 - vii. Review of representation on or work with external bodies and arrangements for reporting back;
 - viii. In an election year, to make arrangements with a view to the Council remaining eligible to exercise the general power of competence;
 - ix. Determining the time and place of ordinary meetings of the full Council up to and including the next annual meeting of full Council.

4 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, giving appropriate notice.
- 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, giving appropriate notice.
- d If the Chairman of a committee [or a sub-committee] does not or refuses to call an extraordinary meeting within seven days of having been requested by to do so by two members of the committee [or the sub-committee], any two members of the committee [and the sub-committee] may convene an extraordinary meeting of a committee [and a sub-committee].

5 Rules of debate at meetings

- a Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the Chairman of the meeting.
- b A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- c A motion on the agenda that is not moved by its proposer may be treated by the Chairman of the meeting as withdrawn.
- d If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- e An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- f If an amendment to the original motion is carried, the original motion (as amended) becomes the substantive motion upon which further amendment(s) may be moved.
- g An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the Chairman of the meeting, is expressed in writing to the Chairman.
- h A Councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- i If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the Chairman.
- j Subject to standing order 1(k) below, only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chairman of the meeting.
- k One or more amendments may be discussed together if the Chairman of the meeting considers this expedient but each amendment shall be voted upon separately.
- l A Councillor may not move more than one amendment to an original or substantive motion.
- m The mover of an amendment has no right of reply at the end of debate on it.

- n Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate of the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.
- o Unless permitted by the Chairman of the meeting, a Councillor may speak once in the debate on a motion except:
 - i. To speak on an amendment moved by another Councillor;
 - ii. To move or speak on another amendment if the motion has been amended since he last spoke;
 - iii. To make a point of order;
 - iv. To give a personal explanation; or
 - v. In exercise of a right of reply.
- p During the debate of a motion, a Councillor may interrupt only on a point of order or a personal explanation and the Councillor who was interrupted shall stop speaking. A Councillor raising a point of order shall identify the standing order which he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.
- q 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 understanding order 4(r) above, the contributions or speeches by a Councillor shall relate only to the motion under discussion and shall not exceed five minutes without the consent of the Chairman of the meeting.

6 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 the Chairman feels it necessary, to retain order, that he rises to his feet during a debate, the speaker will stop speaking and retake his seat.
- c 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.

- d If a resolution made under standing order 5(b) 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.

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 seven Councillors to be given to the Proper Officer in accordance with standing order 9 below. This standing order shall not apply to motions moved in pursuance of the report or recommendation of a committee, nor to a motion to rescind any resolution merely postponing consideration of a matter.
- 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

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 seven clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- c The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9(b) above, correct obvious grammatical or typographical errors in the wording of the motion.
- d If the Proper Officer considers the wording of a motion received in accordance with standing order 9(b) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer so that it can be understood at least five clear days before the meeting.
- e If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the Chairman of the forthcoming meeting or, as the case may be, the Councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
- f Subject to standing order 9(e) above, the decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.

- g Motions received shall be recorded in a book for that purpose and numbered in the order that they are received.
- h Motions rejected shall be recorded in a book for that purpose with an explanation by the Proper Officer for their rejection.

10 Motions at a meeting that do not require written notice

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 amend a motion
- vi. To grant leave to withdraw the motion
- vii. To appoint a person to preside at a meeting;
- viii. To change the order of business on the agenda;
- ix. To proceed to the next business on the agenda;
- x. To require a written report;
- xi. To appoint a committee or sub-committee and their members;
- xii. To extend the time limits for speaking;
- xiii. To exclude the press and public from a meeting in respect of confidential or sensitive information which is prejudicial to the public interest;
- xiv. To not hear further from a Councillor or a member of the public;
- xv. To exclude a Councillor or member of the public for disorderly conduct;
- xvi. To temporarily suspend the meeting;
- xvii. To suspend a particular standing order (unless it reflects mandatory statutory requirements);
- xviii. To adjourn the meeting; or
- xix. To close a meeting.

11 Handling confidential or sensitive information

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

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

13 Code of conduct and dispensations

- a All Councillors and non-Councillors shall observe the code of conduct adopted by the Council.
- b Unless he has been granted a dispensation, a Councillor or non-Councillor shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest *or* 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.
- c 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.
- d A decision as to whether to grant a dispensation shall be made by the Proper Officer and that decision is final.
- e 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.
- f Subject to standing orders 13(c) and (e) 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.
- g 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 Mid Sussex District Council that it is dealing with a complaint that a Councillor has breached the Council's code of conduct, the Proper Officer shall, subject to standing order 11, report this to both the Chairman and Leader of the Council.
- b Where the notification in standing order 14(a) relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman and Leader 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 what action, if any, to take.

15 Proper Officer

- a The Proper Officer shall be the clerk or other staff member(s) nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent.
- b The Proper Officer shall:
 - i. At least three clear days before a meeting of the Council, a committee and a sub-committee serve on Councillors, by delivery or post at their residences, a signed summons confirming the time, place and the agenda.]
AND
At least three clear days before a meeting of the Council, a committee and a sub-committee serve on Councillors a summons, by email, confirming the time, place and the agenda provided any such email contains the electronic signature and title of the Proper Officer, any accompanying report will be issued with the summons by electronic form only.
See standing order 1(b) above for the meaning of clear days for a meeting of a full Council and standing order 1 (c) above for a meeting of a committee.
 - ii. Give public notice of the time, place and agenda at least three clear days before a meeting of the Council or a meeting of a committee or a sub-committee (provided that the public notice with agenda of an extraordinary meeting of the Council convened by Councillors is signed by them);
See standing order 1(b) above for the meaning of clear days for a meeting of a full Council and standing order 1(c) above for a meeting of a committee.
 - iii. Subject to standing order 9 above, include on the agenda all motions in the order received unless a Councillor has given written notice at least seven days before the meeting confirming his withdrawal of it;
 - iv. Convene a meeting of full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;
 - v. Facilitate inspection of the minute book by local government electors;
 - vi. Receive and retain copies of byelaws made by other local authorities;
 - vii. Retain acceptance of office forms from Councillors;
 - viii. Retain a copy of every Councillor's register of interests;
 - ix. Assist with responding to requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the Council's policies and procedures relating to the same;
 - x. Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
 - xi. Manage the organisation, storage of, access to and destruction of information held by the Council in paper and electronic form;
 - xii. Arrange for legal deeds to be executed;
See also standing order 22 below.

- xiii. Arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations;
- xiv. Record every planning application notified to the Council, the Council's response to the local planning authority and the final decision in a book for such purpose;
- xv. Manage access to information about the Council via the publication scheme; and
- xvi. Retain custody of the seal of the Council which shall not be used without a resolution to that effect.

16 Responsible Financial Officer

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 via the Finance and General Purpose committee, in March, June, September and 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 highlights any actual or potential overspend.
- d Before the June Finance and General Purposes Meeting, the Responsible Financial Officer shall provide:
 - i. Each Councillor with a statement summarising the Council's receipts and payments for the last quarter and the year to date for information; and
 - ii. To the full Council the accounting statements for the year in the form of Section 1 of the annual return, as required by proper practices, for consideration and approval.
- e The year-end accounting statements shall be prepared in accordance with proper practices and applying the form of accounts determined by the Council (receipts and payments, or income and expenditure) for a year to 31 March. The annual return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to Council for consideration and formal approval before 30 June.

18 Financial controls and procurement

- 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

- iv. required at least annually;
 - iv. The inspection and copying by Councillors and local electors of the Council's accounts and/or orders of payments; and
 - v. Procurement policies including the setting of values for different procedures where a contract has an estimated value of less than £50,000.
- b Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c Financial regulations shall confirm that a proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £50,000 shall be procured on the basis of a formal tender.

19 Handling staff matters

- a A matter personal to a member of staff that is being considered by a meeting of Council, The Finance and General Purpose Committee or Personnel Sub-Committee is subject to standing order 11 above.
- b 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 of the Finance and General Purposes Committee or in his absence, the Vice-Chairman of the Finance and General Purposes Committee in respect of an informal or formal grievance matter, and this matter shall be referred for consideration to the Personnel sub-committee.
- c Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by an employee relates to the Chairman or Vice-Chairman of the Finance and General Purposes Committee, this shall be communicated to another member of the committee, and this matter shall be referred for consideration to the Personnel sub-committee.
- d 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.
- e 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.
- f Only persons with line management responsibilities shall have access to staff records referred to in standing orders 19(d) and (e) above if so justified.
- g Access and means of access by keys or computer passwords to records of employment referred to in standing orders 19(d) and (e) above shall be provided only to The Clerk or The Head of Finance and Support Services.

20 Requests for information

- a Requests for information held by the Council shall be handled in accordance with the Council's policy in respect of handling requests under the Freedom of Information Act 2000 and the Data Protection Act 1998.
- b Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the Chairman of the Council. The Council shall have

the power to do anything to facilitate compliance with the Freedom of Information Act 2000.

- c The Council will employ a Data Protection Officer. A written guide will be produced so that all the legal responsibilities of the Council are clear and will be followed in the event of a data breach. The Council will keep a record of all personal data breaches. Privacy's notices will be able to be viewed on the Town Council's website.

21 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.
- b Notification of Council meetings will be sent to the local newspapers with the agenda.

22 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 22(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. With exception of Deeds of Burial where The Town Mayor and The Town Clerk shall sign as witnesses

23 Communicating with District and County or Unitary Councillors

- a Notification of meetings shall be sent, together with the agenda, to the ward Councillor(s) of the District and County Council representing the area of the Council.

24 Restrictions on Councillor activities

- a. Unless authorised by a resolution, no individual 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.

25 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 seven 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.

- e Every member of the Council attending a meeting of Council or any of its committees or sub committees shall sign his name in the attendance book or sheet provided for that purpose.
- f The Town Clerk, in consultation with the Chairman and Vice Chairman of the relevant committee, to take action deemed desirable on any matters which the Committee concerned have delegated powers but which require urgent action.
- g After the expiry of the preceding period of eligibility to use the General Power of Competence, should the criteria no longer be fulfilled, the Council continues to be an eligible Council solely for the purpose of completing any activity undertaken in the exercise of the general power of competence which was not completed before the expiry of the Council's preceding period of eligibility referred.

26 List of standing committees and terms of reference

- a The Standing Committees of the Council shall be as follows:-

Planning Committee - 7 Members consisting, if possible, of at least one Member representing each Ward of the Town.

Public Services Committee - 7 Members

Amenities and Tourism Committee - 7 Members

Finance & General Purposes Committee - Chairmen of the other three Standing Committees plus four other Members.

The Mayor and Deputy Mayor shall be ex-officio Members of all Standing Committees

- b All the Council's powers and duties shall be delegated to the Standing Committees in accordance with the Terms of Reference, subject to the following exceptions:-
 - (i) The power of raising loans and setting the precept;
 - (ii) The power of incurring capital expenditure not specifically included in the Council's approved estimates of expenditure for the time being;
 - (iii) The appointment to or co-option on a Committee or Sub-Committee of a person who is not a Member of the Council or of a Committee;
 - (iv) Standing Orders and the functions and constitution of Committees and Sub-Committees;
 - (v) Dates of Meetings of the Council;
 - (vi) Appointment or nomination by the Council of persons to fill vacancies on outside bodies arising during the Council year;
 - (vii) Filling of vacancies occurring on any Committee of the Council during the Council year;
 - (viii) The appointment or dismissal of the Town Clerk.
- c Places on each Committee will be allocated in proportion to the numbers of seats held by the various parties or independents as a group at any time rounded to the nearest equivalent

- d The Chairman and Vice-Chairman of the Committee shall be ex-officio a Member of every Sub-Committee or working party appointed by the Committee, unless he signifies in writing to the Town Clerk that he does not wish to serve.
- e Any Committee member can request a substitute from the same party to attend a meeting on their behalf. Substitutes must be notified to the Clerk and Chairman no later than midday on the day of the meeting. As substitutes for the Planning Committee must have undertaken basic planning training arranged by the Council, it will be a requirement that all Councillors attend basic planning training, at least once each term of office.

TERMS OF REFERENCE

TR1 POWERS AND DUTIES OF STANDING COMMITTEES

- A Subject to standing order 26 (b), and to observance of decisions of the Council on matters of principle or policy, Council's powers and duties shall be delegated to the Standing Committees in accordance with the following terms of reference unless otherwise specified.

The acts and proceedings of a Committee shall:

- (a) Where they are delegated to the Committee, so far as is legally permissible be deemed the acts and proceedings of the Council;
- (b) As regards other matters, be subject to confirmation by the Council, and when confirmed shall be deemed the acts and proceedings of the Council;
- (c) In all respects be subject to the provisions of the Council's Standing Orders and Financial Regulations except as otherwise determined by the Council.

- B The Council may at any time without prejudice to executive action already taken revoke any executive power delegated to a Committee.

- C Planning Committee

- (a) The making of representations to the Local Planning Authority on applications for planning permission which have been notified in accordance with the Local Government Act 1972, Section 20, Schedule 16, and other relevant legislation.

The Planning Committee will not routinely consider making recommendations on applications which appear to be minor development of an existing property unless they are controversial and have elicited public objections or concern from the Ward Member, who have advised the Clerk prior to the issue of the agenda. All "TREE, LDC PDOFF and VOC" will likewise not be considered unless by specific request by the ward member, Chairman or Clerk to be placed on the agenda and notified appropriately.

Large developments including all "FUL" and Listed Building applications, will always be considered by the Committee. All others will be delegated to the Clerk in consultation with Chairman and Vice Chairman for response and these will be reported to the Committee;

- (b) The making of representations in respect of appeals against the refusal of planning permission;
- (c) The making of recommendations regarding street naming;
- (d) To consider and monitor the Town and other developmental plans and the making of all appropriate representations.
- (e) The facilitation of economic development initiatives, including those pertaining to town centre matters, for the benefit of East Grinstead and the making of recommendations on all related matters and liaison as appropriate with other agencies;
- (f) The making of representations to the appropriate Planning Authority in respect of other planning matters not otherwise referred to in Terms of Reference (a) - (e) above.

D Public Services Committee

- (a) The making of representations to the appropriate authority in respect of highways matters.
- (b) The making of representations to the appropriate authority in respect of public transport services.
- (c) The making of representations to the appropriate authority in respect of all health care/service matters.
- (d) The making of representations to Sussex Police Authority and other appropriate police personnel in respect of all local policing matters, including the establishment of joint partnership initiatives.
- (e) The making of representations to Mid Sussex District Council regarding Public Entertainment Licensing and Licensed Premises generally.
- (f) The receiving of a report from the Community Liaison Officer and matters pertaining to this work stream.
- (g) All other matters (except planning) which are the responsibility of third party agencies and directly affect the town's basic infrastructure.

E Amenities & Tourism Committee

- (a) Dealing with the provision, maintenance and management of The Old Court House, East Court Mansion and grounds, the Meridian Hall, and the maintenance and management of any other land holdings and/or buildings of a leisure nature - amenities, sports, cultural or community for example - and the making of recommendations annually to the Finance & General Purposes Committee of rents and charges;
- (b) Dealing with the provision and maintenance street furniture and Town Council public owned facilities including: -
 - (i) Public clock
 - (ii) War memorials

- (iii) Public seats
 - (iv) Bus Shelters
 - (v) Public Notice Boards
 - (vi) Salt and Grit Bins
- (c) Dealing with the provision and maintenance of allotments and cemeteries;
 - (d) The co-ordination and direction of the Council's promotional events;
 - (e) Dealing with the publication of the official Town Guide, Town Map and other publications relevant to the work of the Committee;
 - (f) The provision of an emergency community handyman/housekeeping service;
 - (g) The provision and maintenance of all street and footway lighting in the ownership of the Town Council;
 - (h) Co-ordination of any Town Council community safety initiatives including the local provision of CCTV.
 - (i) The making of recommendations to the Finance & General Purposes Committee regarding matters relating to the Town Council's staff engaged on caretaking and cleaning duties and in the cemeteries.
 - (j) The making of recommendations to the Finance & General Purposes Committee regarding grant applications from the Council's Capital Initiatives Fund.
 - (k) The facilitation of tourism initiatives and the provision of tourist information facilities for the Town in liaison, as appropriate, with other local authorities and agencies.

F Finance and General Purposes Committee

- (a) The making of recommendations in respect of items (c) to (h) of the matters to be dealt with solely by the Town Council;
- (b) Dealing with all matters relating to the general day-to-day administration of the Council;
- (c) Dealing with matters specifically referred by the Town Council or any other Standing Committee and with all matters not specifically referred or delegated to any other Standing Committee;
- (d) Dealing with the Terms and Conditions of Service and superannuation of the Town Council's staff and making appropriate recommendations relying on, where appropriate, the Scheme of Conditions of Service of the National Joint Councils, the National Association of Local Councils, and the Local Conditions of Service of the Mid Sussex District Council;
- (e) The making of appropriate recommendations in respect of community and other grants from the Town Council's revenue and capital funds;

- (f) Giving consideration to, agreeing and making appropriate recommendation in respect of the Town Council's revenue estimates, including reimbursable expenditure;
- (g) Acting as lead Committee in respect of any partnership initiative of a corporate nature with the principal Local Authorities for the area including, as appropriate, the development of Joint Partnership Committees and Recommendations on Terms of Reference and constitutional matters.

TR2 DELEGATION TO CHAIRMEN GENERALLY

To cancel or postpone a meeting owing to lack of business or in an emergency.

TR3 LEADER OF THE COUNCIL

In accordance with approved Council policy minute no. 52 of 1.12.03 that ratified Finance & General Purposes Committee minute 277 of 20.11.03, the Leader of the majority group on the Town Council at any time will assume the position of Leader of the Council and, *for the purposes of democratic legitimacy will be subject to formal appointment at the Annual Town Council meeting* (s)he will have the following approved powers:-

- (a) The Chairing of all meetings of the Chairmen's Group;
- (b) Overseeing the preparation of business for Council consideration;
- (c) To act as the liaison between the majority group of the Council and the Town Clerk in indicating the priorities and programmes of the Group for inclusion in Council business and their likely reaction to new policies for projects;
- (d) To be the first port of call for the Town Clerk when an issue arises that requires a political or policy response from the Council and the issue does not naturally fall within the terms of reference of any of the four Programme Committees, and
- (e) In discussion with Members of the opposition group(s) to propose Council appointments to outside bodies.

Contracts

C1 CONTRACTS TO COMPLY WITH STANDING ORDERS

- a Every contract, whether made by the Council or by a Committee or Sub-Committee to which the power of making contracts shall have been delegated, shall comply with Standing Orders and Financial Regulations and no exception from any of the following provisions shall be made otherwise than by direction of the Council or, in an emergency, by such a Committee or Sub-Committee as aforesaid with the approval of the Chairman of the Finance and General Purposes Committee.

Exceptions

- b Every exception made by a Committee or Sub-Committee to which the power of making contracts has been delegated shall be reported to the Council and the report shall specify the emergency by which the exception shall have been justified.

- c Express note of any exception from any of the provisions of these Standing Orders and of the emergency, if any, by which the exception shall have been justified shall, unless recorded in the report of a Committee or Sub-Committee, which is laid before the Council, be made in the Minutes of the Council.
- d Before any contract for the supply of goods and materials, execution of works, or any provision as to the maintenance or servicing thereof is made, the Town Clerk or Head of Service initiating such order shall ensure that the estimated cost of said supply or works has been included in the annual budget of the Council under the appropriate heading.
- e Any proposed contract for the supply of goods and materials, execution of works or any provision as to the maintenance or servicing thereof which has not been included in the annual budget shall be the subject of a separate report to the appropriate Committee or the Council. If approved, normal tender procedures will apply.

C2 TENDERING PROCEDURES

Invitation of tenders

- a A specification for the goods, materials, services or the execution of works shall be drawn up;
- b An invitation to tender shall be drawn up to confirm
 - (i) The Council's specification
 - (ii) The time, date and address for the submission of tenders
 - (iii) The date of the Council's written response to the tender and
 - (iv) The prohibition on prospective contractors contacting Councillors or staff to encourage or support their tender outside the prescribed process;
- C Where the estimated cost of works, goods and materials and related services is as set out below and the requisite provision thereof has been made in the approved budget, the arrangements for the invitation of tenders or quotations and the subsequent acceptance thereof shall be as shown.

<u>Estimated Value</u>	<u>Method of Invitation</u>	<u>Acceptance by</u>
£5,000 to £20,000	Minimum of two invitations for quotations	Appropriate Head of Service and Committee Chairman
£20,000 to £50,000	Minimum of three invitations for quotations	Town Clerk and Chairman of Appropriate Committee
Above £50,000	Minimum of four invitations for tenders (with discretion to invite tenders by public advertisement up to £75,000)	Town Clerk and Chair of appropriate Committee and Chairman of F&GP.

A In all cases up to £20,000 where the lowest tender received is in excess of 5% above the original estimate, or in cases over £20,000 where it is in excess of the original estimate, it shall be reported to the appropriate Committee for acceptance or otherwise.

B Public Advertisement

Contracts which exceed £75,000 in value or amount for the supply of goods or materials or the execution of any work for which provision has been made in the annual budget

shall not be made unless at least ten days public notice has been given in one or more of the local newspapers circulating in the district. Provided that it shall not be obligatory for the Council or any Committee or Sub-Committee exercising powers delegated by the Council to invite tenders for a contract or materials where effective competition is prevented by Government control or where the Town Clerk reports in writing to the Council or to the Committee or Sub-Committee exercising such powers that effective competition is prevented by the special nature of the goods or materials required. Nor shall it be necessary to give public notice of the intention to enter into such a contract.

C Standing Lists of Tenderers

- (i) Where the Council has determined that lists shall be kept of persons to be invited to tender for contracts for the supply of goods and materials of specified categories, values or amounts or for the execution of specified categories of work, notices inviting applications for inclusion in the lists shall be published in one or more newspapers or journals circulating amongst such persons as undertake contracts of specified values or amounts or categories.
- (ii) The list shall contain the names of all persons who wish to be included in it and are approved by the appropriate Committee and indicate whether a person whose name is included on it is approved for contracts for all, or only some of the specified values or amounts or categories.
- (iii) The said list shall be amended as required from time to time and shall be reviewed at intervals not exceeding five years.
- (iv) Where, by virtue of a decision of the Council or of the Committees or the Town Clerk duly authorised on that behalf, invitation to tender for a contract is limited to persons whose names appear on the list maintained under this Order, an invitation to tender for a particular contract shall be sent. In respect of contracts of above £5,000 but less than £20,000 to two tenderers, less than £50,000 to three tenderers, £50,000 and above to four tenderers. Should the said list not include the required number of tenderers then a minimum of two will be invited to tender.
- (v) The Council has approved the use of Construction line and the Contractors Health and Safety Scheme (CHAS) as part of the tendering and Health and Safety Processes associated with future contracts entered into by the Town Council.
- (vi) Where the value of a contract is likely to exceed £189,330 (or other threshold specified by the Office of Government Commerce from time to time) the Council must consider whether the Public Contracts Regulations 2006 (SI No.5. as amended) and the Utilities Contracts Regulations 2006 (SI No.6, as amended) apply to the contract and, if either of those Regulations apply, the Council must comply with EU procurement rules.

D Exceptions to procedures

The Order shall not apply to:-

- (i) The supply of goods and materials or the execution of works of less than £5,000 in value;
- (ii) Purchase by auction;
- (iii) Purchase or repair of patented or proprietary goods or materials sold at fixed price;
- (iv) Purchase of materials normally supplied by specialist contractors;
- (v) The execution of work, the purchase of goods or materials or the provision of services involving special, scientific or artistic knowledge;

- (vi) The execution of work or the purchase of goods or materials which are a matter of urgency after prior reference to the appropriate Committee Chairman;
- (vii) The purchase of goods or materials which the Town Clerk may from time to time deem it expedient to make in the open market provided that before making any such purchase the approval of the Chairman of the appropriate Committee concerned is obtained and finance is available in the appropriate budget;
- (viii) Contracts with professional persons for the execution of works in which the personal skills of the person is of primary importance, and
- (ix) Those contracts where a Committee may expressly determine that it is in the Council's interests that a tender be negotiated directly with a contractor or supplier of goods or services.

E Requirements for submission of tenders

Where a public invitation to tender is required, every notice of such invitation shall state that no tender will be received except in a plain sealed envelope which shall bear the word "Tender" followed by the subject to which it relates, but shall not bear any name or mark indicating the sender and such envelopes shall remain in the custody of the Town Clerk until the time appointed for their opening.

F Declarations as to conduct of Tenderer

In connection with the submission of tenders for the execution of works or supply of goods and materials, declaration shall be obtained from each tenderer in the following form:-

"We declare that we are not parties to any scheme or arrangement under which

- (i) We communicate the amount of our tender to any other person or body before the contract is let;
- (ii) Any other tenderer for the works, which are the subject of our tender, is reimbursed any part of his tendering costs, and
- (iii) Our tender prices are adjusted by reference directly or indirectly to the prices of any other tenderer for the works.

No provision is made in our tender price for any reimbursement of any adjustment of any contribution thereto."

G Procedure for opening tenders

Tenders shall be opened by the Town Clerk or an official of the Council designated by him at one time and only in the presence of such Member or Members of the Council as may have been designated for the purpose by the Council or by the Committee or Sub-Committee to which the power of making the contract to which the tenders relate has been delegated. Where tenders have been opened in pursuance of this paragraph they shall be recorded and reported to the next meeting of the appropriate Committee or Sub-Committee.

H Limitations of acceptance of tenders

A tender other than the lowest tender if payment is to be made by the Council or the highest tender if payment is to be received by the Council shall not be accepted until the Council shall have considered a written report from the appropriate Officer.

C3 CONTRACTS FOR SUPPLIES AND SERVICES OR WORKS ETC

- A Every contract which exceeds £10,000 in value or amount shall be in writing.
- B Every contract in writing shall be signed by the Town Clerk or relevant Head of Service on behalf of the Council.
- C Every contract for which provision has been made in the approved annual estimates and/or approved by the appropriate Committee or Sub-Committee of the Council pursuant to Standing Orders and being in value of amount less than £10,000 shall be entered into on behalf of the Council by the Town Clerk or his nominated representative by issuing an official order only.

C4 CONTENTS OF WRITTEN CONTRACTS AND PENALTIES

Every written contract shall specify:-

- (i) The work, materials, matters or things to be furnished, had or done;
- (ii) The price to be paid with a statement of discounts or other deductions, and
- (iii) The time or times within which the contract is to be performed.

C5 CORRUPT PRACTICES

There shall be inserted in every written contract a clause empowering the Council to cancel the contract and to recover from the contractor the amount of any loss resulting from such cancellation if the contractor shall have offered or given or agreed to give to any person any gift or consideration of any kind as an inducement or reward for doing or forbearing to do or for having done or forborne to do any action in relation to the obtaining or execution of the contract or any other contract with the Council, or for showing or forbearing to show favour or disfavour to any person in relation to the contract or any other contract with the Council, or if the like acts shall have been done by any person employed by him/her or acting on his/her behalf (whether with or without the knowledge of the contractor) or if in relation to any contract with the Council the contractor or any person employed by him/her or acting on his/her behalf shall have committed any offence under the Prevention of Corruption Acts 1889 to 1916, or shall have given any fee or reward the receipt of which is an offence under section 117(2) of the Local Government Act 1972.

FINANCIAL REGULATIONS

These financial regulations govern the conduct of financial management by the council and may only be amended or varied by resolution of the council. Financial regulations are one of the council's three governing policy documents (the others are Standing Orders and Code of Conduct) providing procedural guidance for members and officers.

1 FINANCIAL ADMINISTRATION

- 1.1 The Town Clerk, under the direction of the Finance & General Purposes Committee, shall regulate and control the finances and accounts of the Town Council and supervise and co-ordinate financial and accounting methods.
- 1.2 The Responsible Finance Officer (the Head of Finance and Support Services) shall be responsible, under general direction of the Town Clerk, for the proper administration of the Council's financial affairs and the production of financial management administration, all in accordance with approved policy.
- 1.3 The Estates Manager is responsible for the day-to-day control of cleaning/caretaking staff and for the security and custody of East Court Mansion, Meridian Hall and the Old Court House, their plant, equipment, materials and stores.
- 1.4 The Town Promotions Manager is responsible for the day to day running of the Tourist Information services and staff, delivering marketing strategies and events, and is responsible for the publication and distribution of the 'The Line'.
- 1.5 The Council shall seek to be transparent as possible with regards to both decision making and transactions to the extent allowed by law. The requirements of the Local government transparency code 2014 shall be used as the minimum requirement.

2 FINANCIAL PLANNING AND ANNUAL ESTIMATES

- 2.1 The Town Clerk shall each year recommend to the Town Council a programme for consideration of estimates and the programme is to include adequate time for such discussions between the Finance & General Purposes Committee, other programme committees and Council.
- 2.2 Detailed estimates of income and expenditure on revenue accounts, and receipts and payments on capital account, shall be prepared each year by the Town Clerk, in consultation with the Responsible Finance Officer, who will examine and complete the estimates and submit them to the committees responsible for the services by the prescribed date.
- 2.3 The Finance & General Purposes Committee shall review the estimates and submit them to the Council not later than February in each year, together with such summaries, statements and reports as are considered desirable in order to enable Council to determine the precept to be levied for the ensuing year.
- 2.4 Concurrently with the report to the Council and the proposed precept to be levied for the ensuing year, the Town Clerk shall report as to the funding of the capital programme in order to enable a definite programme for the following year to be determined.

3 BUDGETARY CONTROL

- 3.1 Expenditure on the revenue account may be incurred up to the amounts included in the approved budget on a cost centre basis, subject to the requirements of Standing Orders.
- 3.2 The Town Clerk has powers to vire amounts provided within the approved revenue and capital budgets, except in the case of sums provided for pay and allowances or when any continuing expenditure is to be generated.
- 3.3 Expenditure may not be incurred which cannot be met from the amount provided within the net revenue cost centre budget or when there is likely to result an

overspending in the year unless a request for a supplementary estimate has been submitted to the Finance & General Purposes Committee. This regulation shall apply where such event would result in an increase in net cost within the financial year.

- 3.4 Except as provided in Standing Orders, all proposals involving expenditure on capital account shall be the subject of an annual report to the appropriate committee and the report shall include the full financial implications of the proposals.
- 3.5 The Finance & General Purposes Committee shall carry out a review of the expenditure and income of the Council at the same time as it undertakes its evaluation of the following year's budgetary requirements.

4 INCOME

- 4.1 The collection of all sums due to the Council shall be under the supervision of the Responsible Finance Officer, who shall make and maintain adequate arrangements for prompt and proper accounting for all receipts of monies, including its collection, custody, control and deposit.
- 4.2 The Town Council will agree the scale of fees and charges for each service on, at least, an annual basis following a report of the Town Clerk.
- 4.3 Neither personal cheques nor card transactions shall be cashed out of money held on behalf of the Council.

5 BANKING ARRANGEMENTS

- 5.1 All arrangements with the Council's Bankers shall be made by or under arrangements approved by the Town Clerk who shall be authorised to operate such banking accounts as he/she may consider necessary.
- 5.2 Where possible, all payments made shall be via electronic banking. All payments made, irrespective of method or value, will require approval by way of a signature by two members of the council. Electronic payments of less than £10,000 will require authorisation by either the RFO, the Town Clerk, or the Assistant Town Clerk. Electronic payments of £10,000 or greater will require dual authorisation.
- 5.3 In the unlikely event of a cheque payment being required, all cheque payments will require signing by two designated Council Members, unless the value of the cheque is less than £5,600, in which case the Town Clerk is able to be the sole signatory.
- 5.4 Transfers between different bank accounts operated by the Council for the purposes of separating funds for particular purposes or for the purposes of maximising bank interest to the Council shall be authorised to the Bank in writing, or by online instruction, by the Responsible Finance Officer save that any single transfer of funds shall not exceed an amount approved on an annual basis at the annual Council meeting in May. Investment of surplus funds in excess of this figure shall be authorised by two Members of the Council.
- 5.5 Any Debit Card issued for the use will be specifically restricted to the Clerk and the RFO and will also be restricted to a single transaction amount of £500 unless authorised by Council or finance committee in writing before any order is placed.
- 5.6 Any corporate credit card or trade card account opened by the Council will be specifically restricted to use by the Town Clerk, the RFO or the Town Promotions Manager, and shall be subject to automatic payment in full on a monthly basis.

6 ORDERING PROCEDURES

6.1 Before any payment is made, the Council's finance section, under the authority of the RFO should be satisfied that the goods or services have been duly authorised and approved by the relevant Head of Service, who will ensure that the goods or service have been received in accordance with the specification.

6.2 Every order raised shall conform to the directions of the council with respect to Standing Orders.

7 PAYMENT PROCEDURES

7.1 Apart from petty cash, the normal method of payment of money due from the Council shall be by electronic transmission.

7.2 Before payment of accounts is made the Council's Finance Section under the authority of the Responsible Finance Officer should be satisfied that the goods have been authorised for payment by the relevant Head of Service, who will ensure that the goods/services have been received in accordance with the specification.

7.3 The payment of all salaries, wages and other emoluments shall be made by the Finance Section in accordance with the instructions of the Responsible Finance Officer concerning national pay awards and other information likely to have a bearing on individual members of staff conditions of service.

7.4 The Responsible Finance Officer is responsible for keeping all payments of salary and wages information fully up-to-date, including information on superannuation, income tax, national insurance and other statutory payments or deductions.

8 PETTY CASH ACCOUNT

8.1 The Responsible Finance Officer shall maintain petty cash of such amount as may, from time to time, be necessary for the payment of small miscellaneous items and such urgent payments as may be determined.

8.2 Vouchers for payments made from these accounts shall be kept in accordance with instructions laid down from time to time by the Responsible Finance Officer.

8.3 Income received must not be paid into any petty cash account but must be separately banked in accordance with regulations.

8.4 Petty Cash payments should not exceed £25.00

9 LEGAL DOCUMENTS

9.1 The Town Clerk shall have the custody of all Title Deeds of properties owned by the Council and shall ensure a record is maintained of all such properties and that all such documents are securely kept and maintained within the Council's Deed Box.

10 INSURANCES

10.1 The Responsible Finance Officer, in consultation with the Town Clerk shall effect all insurance cover and negotiate all claims.

10.2 All members of staff with line responsibility are responsible for notifying the Responsible Finance Officer of all new risks which require to be insured and of any alterations affecting existing risks or insurances.

- 10.3 A comprehensive record of all insurances effected by the Council and the property and risks covered thereby shall be maintained by the Responsible Finance Officer and this reviewed annually.
- 10.4 All members of staff are responsible for immediately notifying the Responsible Finance Officer, in writing, of any loss, liability or damage, or of any event likely to lead to a claim.

11 INVESTMENTS, BORROWINGS AND TRUST FUNDS

- 11.1 All investments of money under the control of the Council shall be in the name of the Council and made under arrangements approved by the Town Clerk, acting on recommendations of the Responsible Finance Officer, and within the approved policy of the Council.
- 11.2 All borrowings shall be effected in the name of the Council.

12 INTERNAL AUDIT

- 12.1 On a regular basis, at least once in each quarter and at each financial year end, two Council members shall verify all bank reconciliations produced by the RFO. The members shall sign the reconciliations and the original bank statements as evidence of verification. This activity shall on conclusion be reported to the Finance & General Purposes committee.
- 12.2 In accordance with approved best practice and legislative requirements the Town Council adopts a policy of programmed Internal Audit. This is conducted independently of the Finance section and core responsibility rests with the Chairman of the Finance & General Purposes committee supported, as appropriate, by other nominated persons and the Town Clerk. Appointment of the Internal Auditor will be ratified by Council each year in accordance with recommendations of the Finance & General Purposes committee.
- 12.3 The RFO shall complete the annual statement of accounts, and any related documents of the Council contained in the Annual Governance & Accountability Return as soon as practicable after the end of the financial year and having certified the accounts shall submit them and report thereon to the Council within the timescales set by the Accounts & Audit regulations.
- 12.4 The RFO shall make arrangements for the exercise of electors' rights in relation to the accounts including the opportunity to inspect the accounts, and display or publish any notices and statements of account required by Audit Commission Act 1988, or any superseding legislation, and the Accounts and Audit Regulations.
- 12.5 The RFO shall, without undue delay, bring to the attention of all councillors any correspondence or report from either internal or external auditors.