

**Notice of Meeting:** ANNUAL TOWN COUNCIL  
**Date and Time:** Wednesday 17<sup>th</sup> May 2023 19.00  
**Venue:** The Old Courthouse

## **AGENDA**

- 23/05/001 To elect the Chairman of the Council**  
Outgoing Chair's Address
- 23/05/002 To receive the Chairman's Declaration of 'Acceptance of Office of Chairman' and if not now received to agree to do so before or at the next meeting of the Full Council**
- 23/05/003 To elect the Vice Chairman of the Council**
- 23/05/004 To receive the Vice Chairman's Declaration of 'Acceptance of Office of Vice Chairman' and if not now received to agree to do so before or at the next meeting of the Full Council**
- 23/05/005 Apologies for absence**
- 23/05/006 To receive any declarations of interest**  
*Members are hereby reminded of the provisions of sections 26-34 and Schedule 4 of the Localism Act 2011.*
- 23/05/007 Minutes of previous meetings**  
7.1 Minutes Wednesday 19th April – previously circulated  
7.2 Matters arising (not covered by the Agenda – for information only).
- 23/05/008 Opportunity for questions from Councillors and Members of the Public**
- 23/05/009 Chairman's Report and Announcements**
- 23/05/010 To elect Committees and Sub Committees of the Council**  
10.1 Planning Committee – 10 members  
10.2 Governance & Finance Committee – 9 members  
10.3 Town Environment Committee – 9 members  
10.4 Human Resources Committee – 5 Members
- 23/05/011 To elect members of Working Groups/Panels as below and instigate other Working Groups as appropriate**  
11.1 Strategic Planning 2023-26 Working Group- 5 specified members  
11.2 CIL Strategic Planning Working Group – 3 members  
11.3 Climate Change Working Group- 3 members  
11.4 Communications Working Group- 3 members  
11.5 Market Working Group – 6 members  
11.6 Neighbourhood Plan Working Group -4 members

- 11.7 Tourism Partnership – 3 members
- 11.8 Events Working Group – 5 members
- 11.9 Future Transport Working Group -3 members
- 11.10 Car Park Charging Working Group – 3 members
  
- 23/05/012 To elect the Council’s Risk Assessment Panel 3 Members (from Governance & Finance Committee)**
  
- 23/05/013 To elect members to represent the Council to the following bodies and other organisations as appropriate.**
  - 13.1 Charity for the Poor & Sick Poor 3 member, plus Non council member
  - 13.2 Minster School Liaison – 1 member
  - 13.3 NTU Brackenhurst Liaison Representative – 1 member
  - 13.4 Safer Neighbourhood Group minimum – 1 member
  - 13.5 Sports Forum Representative – 1 member
  - 13.6 Friends of Southwell Playparks – 1 member
  - 13.7 Friends of Ash Tree Spinney - 1 member
  - 13.8 Green Southwell – 1 member- tbc
  
- 23/05/014 To resolve into Committees for the purposes of electing a Chairman and Vice Chairman as appropriate of**
  - 14.1 Planning Committee
  - 14.2 Governance & Finance Committee
  - 14.3 Town Environment Committee
  - 14.4 Human Resources Committee

Note the Chairman/Convenor of other Working Group/Panels will be elected at their first meeting
  
- 23/05/015 Finance Matters – no financial reports until June due to year end closedown**
  - 15.1 Bills for Payment – previously circulated
  - 15.2 Late bills for payment (to be circulated)
  
- 23/05/016 Review date of the Policies as per Standing Order 2j iii/iv – previously circulated**
  - 16.1 Approve Standing Orders – previously circulated
  - 16.2 Approve Financial Regulations – previously circulated
  - 16.3 Approve Councillor Code of Conduct - previously circulated
  - 16.4 Policy adoption and renewal dates – previously circulated
  
- 23/05/017 General Power of Competence- previously circulated**
  
- 23/05/018 Councillors to resolve to use only Southwell Town Council email addresses when conducting Town Council business – previously circulated**
  
- 23/05/019 Future Meetings**
  - 19.1 To agree and note dates for 2023-24 Meetings previously circulated
  
- 23/05/020 Decision on how to fill the vacancy in West Ward.**
  
- 23/05/021 County Councillor Report**
  
- 23/05/022 District Councillor Report**
  
- 23/05/023 Clerk/Project Manager Report – previously circulated**

- 23/05/024      Application for Grant from the Gate to Southwell Music Festival – previously circulated**
- 23/05/025      Review of the Draft Partnership Agreement with Southwell Heritage Trust – previously circulated**
- 23/05/026      Proposal for the Future Management of Ash Tree Spinney – previously circulated**
- 23/05/027      To receive and note the most recent committee meeting minutes from the following standing committees that have taken place since the last Full Council meeting.**  
27.1    Draft Governance & Finance Meeting – 25<sup>th</sup> April 2023  
27.2    Draft Planning & Highways Meeting – 4<sup>th</sup> May 2023
- 23/05/028      Items for Communication**
- 23/05/029      Items for discussion at next meeting**
- 22/05/030      Date of next meeting    Wednesday 14<sup>th</sup> June 2023 7pm (TBC)**

Lesley Wright

Clerk to the Town Council

11/05/2023

**Notice of Meeting:** FULL COUNCIL  
**Date and Time:** Wednesday 19<sup>th</sup> April 2023 19.00  
**Venue:** The Old Courthouse

Present: Cllrs Stott (Chair), Brock (Vice Chair), Blaney (left @ 19.42), L Harris, P Harris, Martin, Perry, Rainbow, Reynolds, Roberts, Thompstone. Lightwood, Handley, Scorer & Jeffrey (left @ 20.45)

In attendance – L Wright – Clerk, A Brackenbury- Project Manager, 1 member of public and 1 member of the press

### **AGENDA**

- 22/04/209**      **Apologies for absence -none**
- 22/04/210**      **To receive any declarations of interest** under the provisions of sections 27-34 and Schedule 4 of the Localism Act 2021 – none received.
- 22/04/211**      **Approval of Minutes of previous meeting**  
211.1 Full Council Meeting 15<sup>th</sup> March 2023  
To note the correction item 204, change abstain to object.  
Agreed unanimously.  
188.2 Matters Arising (not covered in the agenda) –
- 211.2 Matters Arising (not covered in the agenda) – for information only –  
211.2.1 Fruit Tree Walk – no further progress  
211.2.2 Riverside Bridge and Walk – no further progress- Council wish the bridge to be repaired as a matter of urgency and a footpath order be requested.  
211.2.3 The Communications and Social Media policy – no further progress
- Standing orders were suspended and subsequently re-instated after agenda item 212  
Proposed M Jeffrey Seconded P Rainbow  
**Agreed Unanimously**
- 22/04/212**      **Opportunity to hear questions or statements from members of the public.** A member of Southwell Rotary asked if the council would accept the donation of an Oak tree together with protective fencing and an all weather bench to commemorate the Coronation. The council agreed in principle to and referred to this the Town Environment Committee for a decision on the location.
- 22/04/213**      **County Councillor Report**  
The dyke on Nottingham Road has been cleared .  
Cllr Jackson responded to the 3 questions from Cllrs P Harris as per below:

1. 1.The double yellow lines on Kirklington Road are scheduled but after 2 attempts to the paint the lines where aborted due to parked cars. A road traffic order is to be applied for.
2. The Bus stop near the Co-op is to be interactive.
3. Discussions are taking place to pull forward the re surfacing of The Ropewalk and Queen Street.

Interactive signs on Easthorpe were requested.

Funding is still available for the Riverside Bridge, but Council to agree on the solution.

NCC are talking to parent whose child requires a more appropriate school.

Southwell has been selected for a trial of low spray area and low now on verges.

Clerk to contact NSDC and Via to progress.

The Minster & Harvey's field lease was signed in 2009 to protect the open green space.

It is not the policy on NCC at this present time to install 20mph signs with the exception of school entrance areas

Questions asked

Has there been any progress of Crew Lane as there have been some serious incidents over the last few weeks ?

With regards to the flooding 10 years ago:

After 10 years, the project does not seem to have the momentum or priority needed; does the Community deserve an update on the alleviation measures and the estimated completion date?

Many residents are concerned about the strength of broadband to their homes – NCC are not involved in this, and residents are advised to contact their service provider. However, Cllr Jackson agreed to contact the NCC officer for digital infrastructure.

**22/04/214 District Councillors Report – see attached**

Cllr P Rainbow – Citizen advice have now received some monies from the levelling up fund and are recruiting to set up an outreach program.

**22/04/215 Chairs Report and Announcements**

The Chair thanked all retiring Councillors for their commitment over the last 4 years and wished good luck to all nominated councillors in the election.

Clerk to represent Southwell Town council on the Newark Field Sports Survey

Cllr D Martin to represent Southwell at the Minster service on 7<sup>th</sup> May

Sees Mayor has responded to the letter regarding twining.

Cllr P Rainbow to represent Southwell Town council at the Newark Agricultural Society reception.

**22/04/216 Clerks Monthly Report – noted**

**22/04/217 Finance**

217.1 Draft Income/Expenditure to 31<sup>st</sup> March 2023 – previously circulated

217.2 Draft Reserves to 31<sup>st</sup> March 2023 – previously circulated

217.3 Bills for Payment – previously circulated

217.4 Late bills for payment (to be circulated)

**Agreed Unanimously**

Cllr Handley recommended that is future all agreed expenditure must be allocated to a cost code. In his opinion the next council will have a very limited budget with inadequate emergency reserve and maintenance reserves

217.5 Payment of NCC bill for Minster Field – The Clerk to write to NCC with the assistance of Cllrs Harris and Handley to explain the history of the suspension of payment and start re negotiation on the rent proposed.

**22/04/218 The Motion under Standing order 1b to amend standing orders June 2022 to include amends from model standing orders March 2023. –**  
Agreed Unanimously

**22/04/219 Governance a & Finance**

**219.1** To accept proposal for the Grant and Aid Strategy – Council asked for monetary limits to be applied to the policy. To be deferred to the new Full Council Meeting. It was also suggested that budgets virement could be added to each agenda.

The Clerk to commit to submit applications to the Full Council for consideration.

**219.2** To accept the recommendation for the new Car Park Charges  
With the addition of, the period of increase to be fixed to 12 months.  
**Agreed unanimously.**

**22/04/220 Planning and Highways**

**220.1 Application for variation of licence –**  
Agreed by majority with no additional comments.  
6 For, 2 against, 4 abstain.

**22/04/221 Approval of the following Memorial Donations as previously discussed.**

**221.1** Donation of a Memorial Bench from Rainbows, to be positioned on the Burgage

**221.2** Acceptance of a Memorial Oak Tree to be positioned on Froggatts Field near the present memorial tree.

**Proposed S Perry Seconded M Jeffrey**

**Agreed Unanimously**

**22/04/222 Tree Works**

**222.1 Review of Risk Assessment panel notes –** Cllr Roberts expressed concern that a risk assessment matrix was not completed.

**222.2 Tree works update and Ash Tree Spinney decision.**

Item 1 – Proposed K Roberts Seconded S Perry

**Agreed unanimously.**

**Item 2 –** Deferred to next Town Environment meeting.

**22/04/223 Project update –** noted

**22/04/224 Coronation Grant spend approval –**  
**Agreed unanimously.**

**22/04/225 Removal of Brackenhurst Sign –** Cllr Harris has a meeting with the Dean of Brackenhurst in the next few weeks.

**22/04/226 Progress on King Street Road Closure –** The business survey was noted, with a 100% positive response. A meeting date has been set for June when the new council is in place. The council thanked Cllr Brock for his work on this project.

**22/04/227 To receive and note the most recent committee meeting minutes from the following standing committees that have taken place since the last Full Council meeting.**

227.1 Planning & Highways Meeting – 5<sup>th</sup> April 2023 – noted  
227.2 Human Resources Meeting – 6<sup>th</sup> March 2023 -noted

**22/02/228 To resolve on whether the Council will move into closed session in accordance with the Public Bodies (admission to meetings) Act 1970 as amended by Section 100 of the Local Government Act 1972 for the following confidential items:**

**Proposed K Roberts Seconded M Brock  
Unanimously**

228.1 HR Update  
Item 1 – Agreed unanimously.  
Item 2 – Agreed by majority 1 abstain

To suspend standing order for 15mins to conclude the business of the meeting.  
Agree unanimously

Item 3 &4  
Agreed by majority 1 against, 1 abstain

228.2 Skatepark Funding

To accept the proposal  
Agreed unanimously.

**22/04/229 Items for discussion at next meeting**  
The removal the Brackenhurst sign  
Grant & Aid Strategy

**22/04/230 Items for Communication**

**22/04/231 Date of next meeting – 17<sup>th</sup> May 2023 Annual Town Council Meeting  
31<sup>st</sup> May 2023 Annual Town Meeting**

Meeting Closed 21.15pm

Chair of Southwell Town Council

Date 20/04/23

**Agenda item 214**

**WARD MEMBERS' (Peter Harris & Malcolm Brock) REPORT FOR April 2023**

**Since our last report there have been very few meetings - with at least two being cancelled.**

**Planning**

Sainsbury's application

The proposal was for 'neighbourhood hub store' approximately comparable in floor area to that of the Co-op store in Southwell.

The Planning Officers concluded that there was no policy support for the proposal and that it was contrary to the Development Plan. The Development Plan has primacy in making such decisions. This proposal was outside the urban boundary of Southwell and, in planning terms, located in the open countryside.

Officers reported that the proposal would conflict with the environmental objectives of the Development Plan. Members of the planning committee undertook a site visit and subsequently voted unanimously against the proposal. Cllrs P Scorer and P Harris addressed the meeting. The meeting devoted some 90 minutes to this proposal.

It is instructive to report how surrounding parishes viewed the proposal in their formal submissions. Halloughton Parish; support. Halam Parish; object. Rolleston Parish; support. Fiskerton Parish; abstain. Bleasby Parish; object. Kirklington Parish; support. Edingley Parish; object

### **Licensing Act 2003; Hearty Goodfellow**

There is an application from Everard's Brewery Ltd to incorporate a new outdoor bar within the garden of the Hearty Goodfellow (King Street, Southwell) to operate daily between 11.00 and 22.00 hours.

Any representations regarding this should be submitted to NSDC (Licensing and Enforcement) by 01.05.23. Such representations should have regard to (i) prevention of crime and disorder (ii) public safety (iii) prevention of public nuisance (iv) protection of children from harm.

### **Cabinet**

The March Cabinet meeting considered a new Customer Strategy. This resulted from work chaired by Peter to improve response to residents and visitors, including giving a named officer who will follow issues through to a conclusion. Times of response will also be clearer so that people contacting the Council will know when to expect a report back or conclusion. The times for opening telephone lines and webchat are to be extended on trial basis. Training will be implemented across every member of staff and there will be 'secret customer' tests to ensure that the response of the Council is what is expected.

The April Cabinet meeting was cancelled

### **Council**

The new Council meets for the first time on May 23.





## **2023-2024 COMMITTEES, WORKING GROUPS AND EXTERNAL ORGANISATION REPRESENTATIVES**

Chair of the Council

Vice Chair

### **COMMITTEES**

#### **To be Elected at the Annual Town Council Meeting**

|   |   |
|---|---|
| <b>Planning Committee</b>                 | <div>1 Chair</div> <div>2 Vice Chair</div> <div>3</div> <div>4</div> <div>5</div> <div>6</div> <div>7</div> <div>8</div> <div>9</div> <div>10</div> <div>Clerk - Town Clerk (David Martin to September)</div> |
| <b>Governance &amp; Finance Committee</b> | <div>1 Chair</div> <div>2 Vice Chair</div> <div>3</div> <div>4</div> <div>5</div> <div>6</div> <div>7</div> <div>8</div> <div>9</div> <div>Clerk - Town Clerk</div>   |
| <b>Human Resources Committee</b>          | <div>1 Chair</div> <div>2</div> <div>3</div> <div>4</div> <div>5</div> <div>Clerk – Town Clerk</div>  |
| <b>Town Environment Committee</b>         | <div>1 Chair</div> <div>2 Vice Chair</div> <div>3</div> <div>4</div> <div>5</div> <div>6</div> <div>7</div> <div>8</div> <div>9</div> <div>Clerk – Projects and Tourism Manager</div>                         |

**WORKING GROUPS**  
**To be elected at the Annual Town Council Meeting**

|   |  |
|---|--|
| <b>Strategic Planning 2023-2026 Working Group</b> | 1 Chair<br>2 Vice Chair<br>3 Member of Planning & Highways<br>4 Member of Governance & Finance<br>5 Member of Town Environment<br>6 Town Clerk<br>7 Deputy Clerk |
| <b>CIL Strategic Working Group</b>                | 1<br>2<br>3<br>Supported by Town Clerk   |
| <b>Climate Change Working Group</b>               | 1 Convenor<br>2<br>3<br>Plus, non-Council members<br>Supported by Communications Manager   |
| <b>Communications Working Group</b>               | 1<br>2<br>3<br>Supported by Communications Manager   |
| <b>Market Working Group</b>                       | 1<br>2<br>3<br>4<br>5<br>6<br>Supported by Projects and Tourism Manager  |
| <b>Neighbourhood Plan Working Group</b>           | 1 Convenor<br>2<br>3<br>4<br>Plus non council members<br>Supported by Projects and Tourism Manager   |
| <b>Tourism Partnership</b>                        | 1 Convenor<br>2<br>3<br>Supported by Projects and Tourism Manager  |
| <b>Events Working Group</b>                       | 1<br>2<br>3<br>4<br>5<br>Supported by Projects and Tourism Manager   |
| <b>Future Transport Working Group</b>             | 1<br>2<br>3  |

Agenda items 10-14

|  |  |
|--|--|
|  | Supported by Project and Tourism Manager |
| <b>Car Park Charging Working Group</b> | 1<br>2<br>3<br>Convenor                  |

|   |  |
|---|--|
| <b>Risk Assessment Panel</b><br>From Governance and Finance Committee | 1<br>2<br>3<br>Supported by Town Clerk |
|---|--|

**EXTERNAL ORGANISATIONS**

**To be Elected at the Annual Town Council Meeting**

|  |  |
|--|--|
| <b>Charity for the Poor and Sick Poor<br/>(next election 2023)</b> | 1<br>2<br>3<br>4<br>5 Non council Member |
| <b>Minster School Liaison Rep</b>                                  | 1  |
| <b>Brackenhurst Liaison Rep</b>                                    | 1<br>2                                   |
| <b>Safer Neighbourhood Rep</b>                                     | 1<br>2                                   |
| <b>Sports Forum Rep</b>  | 1  |
| <b>Friends of Southwell Playparks Rep</b>                          | 1  |
| <b>Friends of Ash Tree Spinney</b>                                 | 1  |
| <b>Green Southwell (tbc)</b>                                       | 1  |

**TRUSTEES**

|  |             |
|--|-------------|
| <b>Southwell Leisure Centre</b>                                  | 1<br>2<br>3 |
| <b>Easthorpe Common Land<br/>Foundation (next election 2023)</b> | 1<br>2      |

**Working Groups to be Elected as Required at Standing Committee**

|  |  |
|--|--|
|  |  |
|--|--|

Agenda items 10-14

|  |   |          |
|--|---|----------|
| <b>Play Area Development Working Group</b> | 1 | Convenor |
|  | 2 |          |
|  | 3 |          |
|  | 4 |          |
| <b>Civic Champions Working Group</b>       | 1 | Convenor |
|  | 2 |          |
|  | 3 |          |
|  | 4 |          |
| <b>Open Spaces Working Group</b>           | 1 | Convenor |
|  | 2 |          |
|  | 3 |          |
|  | 4 |          |



## **2023-2024 COMMITTEES, WORKING GROUPS AND EXTERNAL ORGANISATION REPRESENTATIVES**

Chair of the Council

Vice Chair

### **COMMITTEES**

#### **To be Elected at the Annual Town Council Meeting**

|   |   |
|---|---|
| <b>Planning Committee</b>                 | <div>1 Chair</div> <div>2 Vice Chair</div> <div>3</div> <div>4</div> <div>5</div> <div>6</div> <div>7</div> <div>8</div> <div>9</div> <div>10</div> <div>Clerk - Town Clerk (David Martin to September)</div> |
| <b>Governance &amp; Finance Committee</b> | <div>1 Chair</div> <div>2 Vice Chair</div> <div>3</div> <div>4</div> <div>5</div> <div>6</div> <div>7</div> <div>8</div> <div>9</div> <div>Clerk - Town Clerk</div>   |
| <b>Human Resources Committee</b>          | <div>1 Chair</div> <div>2</div> <div>3</div> <div>4</div> <div>5</div> <div>Clerk – Town Clerk</div>  |
| <b>Town Environment Committee</b>         | <div>1 Chair</div> <div>2 Vice Chair</div> <div>3</div> <div>4</div> <div>5</div> <div>6</div> <div>7</div> <div>8</div> <div>9</div> <div>Clerk – Projects and Tourism Manager</div>                         |

**WORKING GROUPS**  
**To be elected at the Annual Town Council Meeting**

|   |  |
|---|--|
| <b>Strategic Planning 2023-2026 Working Group</b> | 1 Chair<br>2 Vice Chair<br>3 Member of Planning & Highways<br>4 Member of Governance & Finance<br>5 Member of Town Environment<br>6 Town Clerk<br>7 Deputy Clerk |
| <b>CIL Strategic Working Group</b>                | 1<br>2<br>3<br>Supported by Town Clerk   |
| <b>Climate Change Working Group</b>               | 1 Convenor<br>2<br>3<br>Plus, non-Council members<br>Supported by Communications Manager   |
| <b>Communications Working Group</b>               | 1<br>2<br>3<br>Supported by Communications Manager   |
| <b>Market Working Group</b>                       | 1<br>2<br>3<br>4<br>5<br>6<br>Supported by Projects and Tourism Manager  |
| <b>Neighbourhood Plan Working Group</b>           | 1 Convenor<br>2<br>3<br>4<br>Plus non council members<br>Supported by Projects and Tourism Manager   |
| <b>Tourism Partnership</b>                        | 1 Convenor<br>2<br>3<br>Supported by Projects and Tourism Manager  |
| <b>Events Working Group</b>                       | 1<br>2<br>3<br>4<br>5<br>Supported by Projects and Tourism Manager   |
| <b>Future Transport Working Group</b>             | 1<br>2<br>3<br>Supported by Project and Tourism Manager  |

## Agenda items 10-14

|  |                      |
|--|----------------------|
|  |                      |
| <b>Car Park Charging Working Group</b> | 1 Convenor<br>2<br>3 |

|   |  |
|---|--|
| <b>Risk Assessment Panel</b><br>From Governance and Finance Committee | 1<br>2<br>3<br>Supported by Town Clerk |
|---|--|

## **EXTERNAL ORGANISATIONS**

### **To be Elected at the Annual Town Council Meeting**

|  |  |
|--|--|
| <b>Charity for the Poor and Sick Poor<br/>(next election 2023)</b> | 1<br>2<br>3<br>4<br>5 Non council Member |
| <b>Minster School Liaison Rep</b>                                  | 1  |
| <b>Brackenhurst Liaison Rep</b>                                    | 1<br>2                                   |
| <b>Safer Neighbourhood Rep</b>                                     | 1<br>2                                   |
| <b>Sports Forum Rep</b>  | 1  |
| <b>Friends of Southwell Playparks Rep</b>                          | 1  |
| <b>Friends of Ash Tree Spinney</b>                                 | 1  |
| <b>Green Southwell (tbc)</b>                                       | 1  |

## **TRUSTEES**

|  |             |
|--|-------------|
| <b>Southwell Leisure Centre</b>                                  | 1<br>2<br>3 |
| <b>Easthorpe Common Land<br/>Foundation (next election 2023)</b> | 1<br>2      |

## **Working Groups to be Elected as Required at Standing Committee**

Agenda items 10-14

|  |   |          |
|--|---|----------|
| <b>Play Area Development Working Group</b> | 1 | Convenor |
|  | 2 |          |
|  | 3 |          |
|  | 4 |          |
| <b>Civic Champions Working Group</b>       | 1 | Convenor |
|  | 2 |          |
|  | 3 |          |
|  | 4 |          |
| <b>Open Spaces Working Group</b>           | 1 | Convenor |
|  | 2 |          |
|  | 3 |          |
|  | 4 |          |



**CASH POSITION BEFORE ANY PAYMENTS ARE MADE****£**

CCLA Deposit Account  
 NatWest Current Account  
 Natwest Direct Saver  
 Natwest Car Park Account

| Ref No | Supplier A/c Name            | Analysis Description             | Amount      | VAT        | Invoice Total |
|--------|------------------------------|----------------------------------|-------------|------------|---------------|
| 3465   | VODAFONE                     | CARD PROCESSING FEE              | £ 10.05     | £ 2.01     | £ 12.06       |
| 3537   | LESLEY WRIGHT                | ZOOM MONTHLY FEE                 | £ 12.99     | £ -        | £ 12.99       |
| 3538   | RURAL MARKET TOWN MEMBERSHIP | ANNUAL MEMBERSHIP                | £ 115.00    | £ 23.00    | £ 138.00      |
| 3539   | OPUS ENERGY                  | ELECTRIC - BISHOPS DRIVE         | -£ 33.94    | -£ 1.70    | -£ 35.64      |
| 3540   | OPUS ENERGY                  | ELECTRIC - OLD COURT HOUSE       | £ 171.99    | £ 34.40    | £ 206.39      |
| 3541   | OPUS ENERGY                  | ELECTRIC - BISHOPS DRIVE         | £ 14.46     | £ 0.72     | £ 15.18       |
| 3542   | OPUS ENERGY                  | ELECTRIC - MARKET PLACE          | £ 32.70     | £ 1.64     | £ 34.34       |
| 3543   | OPUS ENERGY                  | ELECTRIC - CHURCH STREET TOILETS | £ 56.16     | £ 2.81     | £ 58.97       |
| 3544   | OPUS ENERGY                  | ELECTRIC - KING STREET CAR PARK  | £ 13.11     | £ 0.66     | £ 13.77       |
| 3545   | OPUS ENERGY                  | ELECTRIC - KING STREET CAR PARK  | £ 27.35     | £ 1.37     | £ 28.72       |
| 3546   | OPUS ENERGY                  | ELECTRIC - BISHOPS DRIVE         | £ 61.66     | £ 3.08     | £ 64.74       |
| 3547   | VITAX                        | NOZZLE & ADAPTER - LINE MARKER   | £ 26.60     | £ 5.32     | £ 31.92       |
| 3548   | SSE                          | NOTTINGHAM ROAD CAR PARK         | £ 40.68     | £ 2.03     | £ 42.71       |
| 3551   | BRANDON HIRE STATION         | HERAS FENCING HIRE - WMRG        | £ 2.52      | £ 0.50     | £ 3.02        |
| 3552   | BRANDON HIRE STATION         | HERAS FENCING HIRE - WMRG        | £ 17.85     | £ 3.57     | £ 21.42       |
| 3553   | BRANDON HIRE STATION         | HERAS FENCING HIRE - WMRG        | £ 175.35    | £ 35.07    | £ 210.42      |
| 3554   | MAPLEBECK TREE CARE          | AERIAL BAT SURVEY                | £ 715.00    | £ 143.00   | £ 858.00      |
| 3555   | MAPLEBECK TREE CARE          | TREE WORKS AS PER TREE SURVEY    | £ 10,812.00 | £ 2,162.40 | £ 12,974.40   |
| 3556   | THE MOWER SHOP               | ECHO SERVICE KIT                 | £ 17.48     | £ 3.50     | £ 20.98       |
| 3557   | STEPHON SHEPPARD             | UPSTAIRS PAINTING AT OCH         | £ 1,470.00  | £ -        | £ 1,470.00    |
| 3558   | THE MOWER SHOP               | BATTERY MOWER                    | £ 1,250.00  | £ 250.00   | £ 1,500.00    |
| 3559   | BE FUEL CARDS                | DIESEL/UNLEADED                  | £ 170.08    | £ 34.02    | £ 204.10      |
| 3560   | BAT ECOLOGICAL               | AERIAL BAT SURVEY                | £ 445.00    | £ 89.00    | £ 534.00      |
| 3561   | RIALTAS                      | ANNUAL SUPPORT & MAINTENANCE     | £ 762.63    | £ 152.52   | £ 915.15      |
| 3562   | BRANDON HIRE STATION         | HERAS FENCING HIRE - WMRG        | £ 181.59    | £ 36.32    | £ 217.91      |
| 3563   | BRANDON HIRE STATION         | HERAS FENCING HIRE - WMRG        | £ 17.85     | £ 3.57     | £ 21.42       |
| 3564   | BRANDON HIRE STATION         | HERAS FENCING HIRE - WMRG        | £ 2.52      | £ 0.50     | £ 3.02        |
| 3565   | COUNTY SUPPLIES              | TOILET ROLL                      | £ 26.66     | £ 5.33     | £ 31.99       |
| 3566   | LUCY JOHNSON                 | APRIL TOILET CLEANING            | £ 690.00    | £ -        | £ 690.00      |
|        | SCREWFIX                     | RIPSTOP SHORTS                   | £ 20.53     | £ 4.16     | £ 24.69       |
|        | STEVE COOK                   | WORKSHOP ELECTRICAL UPDATE       | £ 960.00    | £ 192.00   | £ 1,152.00    |
|        | WATERPLUS                    | WMRG WATER                       | £ 145.69    | £ -        | £ 145.69      |
|        | WATERPLUS                    | WMRG WATER                       | -£ 145.69   | £ -        | -£ 145.69     |
|        | WATERPLUS                    | WMRG WATER                       | £ 30.48     | £ -        | £ 30.48       |
|        | WATERPLUS                    | WMRG WATER                       | £ 38.31     | £ -        | £ 38.31       |
|        | WATERPLUS                    | WMRG WATER                       | -£ 151.58   | £ -        | -£ 151.58     |
|        | HANDICENTRE                  | TOOLS                            | £ 26.23     | £ 5.24     | £ 31.47       |
|        | HANDICENTRE                  | PAINT & SUNDRIES                 | £ 175.26    | £ 35.05    | £ 210.31      |
|        | ULTIMATE PRINT               | BANNERS KING CORONATION          | £ 155.00    | £ 31.00    | £ 186.00      |
|        | T & M CLEANING               | COURTHOUSE CLEANING              | £ 111.00    | £ -        | £ 111.00      |
|        | WATERPLUS                    | CHURCH STREET TOILETS            | £ 87.28     | £ -        | £ 87.28       |
|        | WATERPLUS                    | CHURCH STREET TOILETS            | -£ 87.28    | £ -        | -£ 87.28      |
|        | WATERPLUS                    | CHURCH STREET TOILETS            | £ 22.60     | £ -        | £ 22.60       |
|        | WATERPLUS                    | CHURCH STREET CARPARK            | £ 228.45    | £ -        | £ 228.45      |
|        | WATERPLUS                    | THE OLD COURTHOUSE               | £ 84.47     | £ -        | £ 84.47       |
|        | WATERPLUS                    | BURGAGE WATER                    | £ 184.12    | £ -        | £ 184.12      |
|        | WATERPLUS                    | KINGS STREET CARPARK             | £ 152.66    | £ -        | £ 152.66      |
|        |                              |                                  |             | £ -        | £ -           |
|        |                              |                                  |             | £ -        | £ -           |
|        |                              |                                  |             | £ -        | £ -           |
|        | Total                        |                                  | £ 19,342.87 | £ 3,262.09 | £ 22,604.96   |

Signature 1

Date

Signature 2

Date



## Adopted at the March 2023 Full Council Meeting

### 1 Standing Order Generally

- a. All or any part of any Standing Order **except one that incorporates mandatory statutory requirements of the Local Government Act 1972, written in bold below**, may be suspended in relation to any specific item of business by a resolution agreed by a vote without dissent of the Members of the Council present. Such resolution shall state the reason for such suspension
- b. A proposal to permanently add, vary or revoke a Standing Order shall, when proposed and seconded and supported by three other Members, be adjourned without discussion to the next ordinary meeting of the Council where it shall be voted on. It shall be passed by a two thirds majority of Councillors present.
- c. The Proper Officer shall provide a copy of the Council's standing orders to a Councillor as soon as possible after they have delivered their acceptance of office form.
- d. The decision of the Chair of a meeting as to the application of standing orders at the meeting shall be final.

### 2 Ordinary Council Meetings including the Annual Meeting

- 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 decides.**
- c. Meetings of the Council shall be at 7pm. **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 decides.**
- e. **The first business conducted at the annual meeting of the Council shall be the election of the Chair who shall not be designated 'Town Mayor' and Vice-Chair, if there is one of the Council.**
- f. **The Chair of the Council, unless he/she/they 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-Chair of the Council, if there is one, unless he/she/they resigns or becomes disqualified, shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the Council.**
- h. **In an election year, if the current Chair of the Council has not been re-elected as a Member of the Council, he/she/they shall preside at the annual meeting until a successor Chair of the Council has been elected. The current Chair of the Council shall not have an original vote in respect of the**

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**election of the new Chair of the Council but shall give a casting vote in the case of an equality of votes.**

- i. **In an election year, if the current Chair of the Council has been re-elected as a Member of the Council, he/she/they shall preside at the annual meeting until a new Chair of the Council has been elected. He/she/they may exercise an original vote in respect of the election of the new Chair of the Council and shall give a casting vote in the case of an equality of votes.**
- j. Following the election of the Chair of the Council and Vice-Chair 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 Chair 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 Chair 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 or Annual Meeting of the Council.
  - iii. Review and adoption of the Council's Standing Orders and Financial Regulations
  - iv. Confirmation that during the previous year the following have been reviewed by the Council:
    - the Terms of Reference for the standing committees,
    - the delegation arrangements to committees, sub-committees, staff and other local authorities, and review of the Scheme of Delegation.
    - the arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses.
    - the representation on or work with external bodies and arrangements for reporting back.
    - the inventory of land and other assets including buildings and office equipment.
    - a confirmation of arrangements for insurance cover in respect of all insurable risks.
    - the Council's and/or staff subscriptions to other bodies.
    - the Council's complaints procedure.
    - 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]
    - the Council's policy for dealing with the press/media.
    - the Council's employment policies and procedures.
    - the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the general power of competence.
    - the time and place of ordinary meetings of the Council up to and including the next Annual Meeting of the Council.
  - v Appointment of any new committees and sub-committees in accordance with Standing Orders
  - vi Appointment of members to existing and new committees and sub-committees
  - vii Appointment of Members to external bodies
  - viii 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.
- k. The business of the other meetings of the Full Council shall include:
  - i. To receive apologies for absence.
  - ii. To receive Declarations of Members' interests for items on the Agenda

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- iii. To receive presentations from individuals and organisations as agreed by the Chair at the pre-agenda meeting.
- iv. Confirmation of the accuracy of the minutes of the last meeting of the Council and signing as such by the Chair
- v. To receive and answer questions from Members of the public.
- vi. To consider referring issues raised by Members of the public under standing order 6h to a committee of the Council.
- vii. To dispose of business, if any, remaining from the last meeting.
- viii. To deal with business expressly required by statute to be done.
- ix. To receive and consider reports, information, presentations, resolutions, recommendations, on the strategic direction of the Council
- x. To receive and consider financial reports and authorise expenditure,
- xi. To receive, note and raise questions in relation to the minutes and draft minutes of the last meeting of a committee.
- xii. To receive such communications as the person presiding may wish to lay before the Council.
- xiii. To answer questions from Councillors.
- xiv. To receive tabled briefings and orally in exceptional circumstances from the Southwell division County Councillor; and Southwell ward District Councillors and enable questions to be asked of those County and District Councillors.
- xv. To receive tabled briefings from Town Councillors, Sub Committees and Working Groups.
- xvi. To receive correspondence.
- xvii. To consider referring issues raised under standing order 4k[xvi] to a committee of the Council.
- xviii. Confirm the date of the next meeting of the Full Council.

### 3 Extraordinary Meetings of the Council,

- a. **The Chair of the Council may convene an extraordinary meeting of the Council at any time.** The time and place of the meeting will be subject to Standing Order 6. Less than four days' notice may be given with the written consent of the Vice-chair and the Chair of each Standing Committee.
- b. **If the Chair of the Council does not call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two Councillors, any two Councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting must be signed by the two Councillors.** The agenda will contain details and motions to be considered by the extraordinary meeting
- c. The Chair of a committee or a sub-committee may convene an extraordinary meeting of the committee or the sub-committee at any time, subject to Standing Order 6.
- d. If the Chair of a committee or a sub-committee does not or refuses to call an extraordinary meeting within five clear 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, subject to Standing Order 6.
- e. Extraordinary meetings of the Council are subject to Standing Order 6 except in extraordinary circumstances such as civil emergencies and shall take place at 7pm in the Town Council offices.

### 4a Motions for a Meeting that require written notice to be given to the Proper Officer

#### Agenda item 16.1

- 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. A motion can be tabled at a meeting of the relevant Committee.
- c. 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 **six** clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- d. The Proper Officer may, before including a motion on the agenda received in accordance with standing order 4c above, correct obvious grammatical or typographical errors in the wording of the motion.
- e. If the Proper Officer considers the wording of a motion received in accordance with standing orders 4c 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 four clear days before the meeting.
- f. If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the Chair 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.
- g. Subject to standing order 4e above, the decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- h. Motions received shall be recorded in a book for that purpose and numbered in the order that they are received.
- i. Motions rejected shall be recorded in a book for that purpose with an explanation by the Proper Officer for their rejection.

#### **4b 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 amend the motion.
- iv. to defer consideration of a motion.
- v. to refer a motion to a particular committee or sub-committee.
- vi. to appoint a person to preside at a meeting.
- vii. to change the order of business on the agenda.
- viii. to proceed to the next business on the agenda.
- ix. to require a written report.
- x. to appoint a working group or task and finish group and its members.
- xi. to extend the time limits for speaking.
- xii. to exclude the press and public from a meeting in respect of confidential or sensitive information which is prejudicial to the public interest.
- xiii. to not hear further from a Councillor or a Member of the public.
- xiv. to exclude a Councillor or Member of the public for disorderly conduct.
- xv. to temporarily suspend the meeting.
- xvi. to suspend a particular standing order [unless it reflects mandatory statutory requirements].
- xvii. to adjourn the meeting; or

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xviii. to close a meeting

## 5 Committees and sub-committees

- a. The Standing Committees, and other Committees as the Council deems appropriate, of the Council shall be

|                                  | Number of Members | Quorum | Indicative Number of times p.a. | Usual timing   |
|----------------------------------|-------------------|--------|---------------------------------|--|
| The Council                      | 15                | 5      | 10                              | Monthly, 3 <sup>rd</sup> Wednesday; excl Aug & Dec   |
| Planning and Highways Committee  | 10                | 4      | 12                              | Monthly. 1 <sup>st</sup> Wednesday of the month  |
| Governance and Finance Committee | 9                 | 4      | 6                               | Bi-monthly 2 <sup>nd</sup> Wednesday of the month to alternate with Town Environment Committee       |
| Town Environment Committee       | 9                 | 4      | 6                               | Bi-monthly 2 <sup>nd</sup> Wednesday of the month to alternate with Governance and Finance Committee |
| Human Resources Committee        | 5                 | 3      | 4                               | Quarterly  |
| Subcommittees & Working Groups   | 5                 | 3      | variable                        | to be agreed for Subcommittees by the Council and for Working Groups by the appointing Committee     |

- b. Any Member may attend any meeting, and shall have speaking rights, but only an elected Member of that Committee, Sub Committee, or Working Group will have voting rights.
- c. **Unless the Council determines otherwise, a committee may appoint a sub-committee or Working Group whose terms of reference and Members shall be determined by the committee** at the time of its appointment. The Council has determined that Committees shall not appoint or establish sub-committees or advisory committees. A working group shall not have delegated powers or authority.
- d. **The Members of a committee may include non-Councillors unless it is a committee which regulates and controls the finances of the Council.** Non-Councillors will not form a majority on any Committee or Sub-Committee of the Council.
- e. **Unless the Council determines otherwise** by suspending Standing Order 5b or 5d, **all the Members of an advisory committee and a sub-committee of the advisory committee may be non-Councillors.**
- f. The Council will appoint standing committees as in Standing Order 5a and any Advisory Committee and/or Sub-Committee[s] as may be necessary, and:
- shall determine their terms of reference.
  - shall, subject to standing orders 5a above, 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.

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- iii. shall, subject to standing orders 5b, 5c and 5d above, appoint the Members of such a committee for the year until the next annual meeting.
- iv. shall, after it has appointed the Members of a standing committee and sub-committees, appoint the Chair of the committee.
- v. shall establish when they shall report back and to which meeting of the Council.
- vi. may dissolve a committee.

## 6 Meetings Procedure

- a. Unless the Council determines otherwise, all meetings of the Council, its committees and sub-committees will be held in the Council offices and commence at 7pm. **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. Working group meetings may be held at other times and places as agreed by Members of the working group.
- c. The Chair of the Council and the Chairs of a Committee on the advice of the Proper Officer may conduct the Council or Committee meeting virtually using appropriate software, having first ensured that such software is generally available free of charge to Councillors. Such meetings will be recorded and published on the Council's website. Meetings may be 'hybrid' if allowed by legislation i.e., in a mix of face-to-face and virtual, providing that all Members of the Council and any members of the public can be part of the meeting. The Chairs of virtual meetings will ensure equality of access to the meeting as in Standing Order 8.
- d. The usual notice for a notice of a meeting will be three clear days. Notice will be sent to all Councillors, any non-Councillors who are members of the Committee or Sub-Committee and posted on the Council's notice board and website. To avoid 'drip-feeding' of papers and meeting confusion the notice of a meeting shall normally include all papers, reports, etc, that are to be considered at the meeting, but late papers shall be included in a complete set of papers to be sent out, electronically one clear day before the meeting.
- e. **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 Saturday, 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.** (For the avoidance of doubt: for a meeting on a Wednesday, Notice is therefore normally required to be issued the previous Thursday; should there be an intervening day of the Christmas break, a day of the Easter break, a bank holiday or a day appointed for public thanksgiving or mourning, then notice would be required to be issued the previous Wednesday). Notice will be sent to all Councillors, any non-Councillors who are members of a Committee, Sub-Committee, or working party, and shall be posted on the Council's notice board and website.
  - i. Late Papers. The notice of a meeting shall normally include all papers, reports, etc, that are to be considered at the meeting. On exception when papers are not available, the agenda item in the notice of meeting will be annotated 'papers to follow'. Such late papers should be sent to the office no later than Monday lunchtime for a Wednesday meeting (ie 36 hours minimum before a meeting. The Chair and the Clerk will jointly determine whether any late paper may/may not be considered. The late papers may then be issued as a complete set at least 1 clear day before the meeting. Late papers can only be considered for agenda items on the notice of meeting; they cannot introduce new items/subjects.
- f. **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.**



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- g. Members of the public and press are permitted to attend all meetings of the Council, committees and sub-committees of the Council. **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.**
- h. 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, and any other local matters that they wish to raise, in a specifically allocated time on the agenda. The Council or Committee may vote on Standing Order 2k[vi] for the matter to be taken at other times in the meeting, to facilitate discussion.
- i. The period of time designated for public participation at a meeting in accordance with standing order 6f shall not exceed twenty minutes unless directed by the Chair of the meeting.
- j. Subject to standing order 6g, a single Member of the public shall not speak for more than three minutes.
- k. A Member may ask the Chairman of the Council or the Clerk any question concerning the business of the Council. Supplementary questions may be put.
- l. In accordance with standing orders 2k[v] and 2k[xiii], a question shall not require a response at the meeting nor start a debate on the question. A person to whom a question has been put may decline to answer immediately but after doing so must present a written response within five working days of the question being put.
- m. A person shall raise his hand when requesting to speak and remain seated when speaking
- n. A person who speaks at a meeting shall direct his comments to the Chair of the meeting.
- o. Only one person is permitted to speak at a time. If more than one person wants to speak, the Chair of the meeting shall direct the order of speaking.
- p. **Subject to standing order 6(q), 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 of to report or to provide oral or written commentary about the meeting takes place or later to persons not present.**
- q. **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**
- r. **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.**
- s. **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chair of the Council may in his absence be done by, to or before the Vice-Chair of the Council**
- t. **The Chair, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice-Chair (if there is one), if present, shall preside. If both the Chair and the Vice-Chair are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.**
- u. **Subject to a meeting being quorate, all questions, motions and decisions at a meeting shall be decided by a majority of the Councillors and non-Councillors with voting rights present and voting.**
- v. **The Chair 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 their casting vote whether or not he/she/they gave an original vote.** Standing orders 2h and 2i above show the different rules that apply in the election of the Chair of the Council at the annual meeting of the Council.

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- w. **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.
- x. 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 those apologising for absence.
  - iii. interests that have been declared by Councillors and non-Councillors with voting rights.
  - iv. whether a Councillor or non-Councillor with voting rights left the meeting when matters that they held interests in were being considered.
  - v. if there was a public participation session.
  - vi. the resolutions made. and
  - vii. the result of a recorded vote, where this is required under Standing Order 6u
- y. **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.**
- z. **No business may be transacted at a meeting unless at least one-third of the whole number of Members of the Council are present and in no case shall the quorum of a meeting be less than three.**
- aa. **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.
- bb. A meeting shall not exceed a period of two hours, unless at any time during the meeting the Members present resolve by a majority of those voting, to extend the meeting for any reason, by 15 minute periods. The Chair of the meeting is entitled to a casting vote.
- cc. The Openness of Local Government Bodies Regulations 2014 provides that **a person may** not orally report or comment about a meeting as it takes place if the person is present at the meeting of the Council or its committees but otherwise may:
  - I. **film, photograph or make an audio recording of a meeting.**
  - II. **use any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later.**
  - III. **report or comment on the proceedings in writing during or after a meeting or orally report or comment after the meeting.**

## 7 Rules of Debate at Meetings

- a. A Councillor may place a proposal or recommendation on the agenda of the next meeting of the Council or committee by submitting it in writing with the names of the proposer and seconder or recommendation to the Clerk within six clear days of the meeting.
- b. Every proposal or recommendation shall be relevant to some subject over which the Council has power or duties, or which affects Southwell.
- c. The Clerk shall date every written notice of proposals or recommendation when received by them, shall number each notice in the order in which it was received and shall enter it in a book which shall be open to the inspection of Members of the Council and the public.
- d. Motions on the agenda shall be considered in the order that they appear unless the order is changed with the agreement of the meeting.
- e. If the subject matter of a proposal comes within the province of a committee of the Council, it shall, upon being moved and seconded, stand referred without discussion to such committee or to

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such other committee as the Council may determine for report. If the Chair considers it to be a matter of urgency, they may allow it to be dealt with at the meeting at which it was moved.

- f. A motion [including an amendment] shall not be progressed unless it has been moved and seconded.
- g. A motion on the agenda that is not moved by its proposer may be treated by the Chair of the meeting as withdrawn.
- h. 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.
- i. An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- j. If an amendment to the original motion is carried, the original motion becomes the substantive motion upon which further amendment[s] may be moved.
- k. An amendment shall not be considered unless early verbal notice of it is given during the discussion of the motion.
- l. 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.
- m. If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the Chair.
- n. Subject to standing order 7k above, only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chair of the meeting.
- o. One or more amendments may be discussed together if the Chair of the meeting considers this expedient, but each amendment shall be voted upon separately.
- p. A Councillor may not move more than one further amendment to an original or substantive motion.
- q. The mover of an amendment has the right of reply at the end of debate on it.
- r. Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply at the very end of debate on the final substantive motion immediately before it is put to the vote.
- s. Unless permitted by the Chair 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 since the Member last spoke.
  - ii. to make a point of order.
  - iii. to give a personal explanation; or
  - iv. in exercise of a right of reply.
- t. A point of order shall be decided by the Chair of the meeting and their decision shall be final.
- u. When a motion is under debate, no other motion shall be moved except those in Standing 4b:
- v. The contributions or speeches by a Councillor shall relate only to the motion under discussion or a motion under standing order 7u and shall not exceed three minutes without the consent of the Chair of the meeting.
- w. Before an original or substantive motion is put to the vote, the Chair 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 their right of reply.
- x. Any matter raised by a proposal by a Member or by a committee of the Council that, in the opinion of the Chair of the Council or the Chair of the Governance and Finance Committee has an impact of the finances, either positively or negatively, of the Council shall be referred to the Governance and Finance Committee for its recommendation to the Council, before it is enacted.

## 8 Conduct and dispensations

Adopted March 2023

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- a. No person shall obstruct the transaction of business, be offensive or act improperly at a meeting. The Chair shall request such person[s] to improve their conduct.
- b. If person[s] disregards the request of the Chair, any Councillor 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 4b xiii above is ignored, the Chair of the meeting may temporarily suspend or move an amendment under 4b xvii to adjourn the meeting to a specified date and time under standing order 6.
- d. A Councillor not attending a committee meeting for six consecutive months shall only continue in office after a specific motion extending a leave of absence is approved, prior to the end of the six months absence.
- e. All Members with voting rights shall observe the code of conduct and adhere to policies adopted by the Council.
- f. Unless authorised by a resolution, no Councillor shall: Incur cost, issue orders, instructions or directions on behalf of the Council.
- g. Upon notification by the District 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 report this to the Council.
- i. **Upon notification by the District Council that a Councillor or non-Councillor with voting rights has breached the Council's code of conduct, the Council shall consider what action to take. Such action excludes disqualification or suspension from office.**
- h. Upon receipt of a complaint relating to the Proper Officer, the Proper Officer shall notify the Council Chair and the Chair shall nominate another staff Member to assume the duties of the Proper Officer until it has been determined and the Council has agreed what action to take.
- i. The Council may:
  - i. provide information or evidence to progress an investigation of the complaint or as required by law.
  - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter.
- j. Unless they have been granted a dispensation, Members with voting rights shall withdraw from a meeting when it is considering a matter in which they have a pecuniary interest or other interest set out in the Councils code of conduct. They may return to the meeting after the matter has considered.
- k. **Dispensation requests shall be in writing and submitted to the Proper Officer** before the meeting or requested verbally at the start of the meeting for which the dispensation is required.
- l. A decision to grant a dispensation shall be made by the Proper Officer, that decision is final.
- m. 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 in a discussion only or a discussion and a vote.
  - iii. the date of the meeting or the period for which the dispensation is sought
  - iv. and the reason why the dispensation was granted.
- n. **A dispensation may be granted in accordance with standing order 8(l) if having regard to all relevant circumstances, any of the following apply:**
  - 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.**

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- ii. **granting the dispensation is in the interests of persons living in the Council's area.**
- iii. **it is otherwise appropriate to grant a dispensation.**

## 9 Previous Resolutions

- a. A resolution of the Council shall not be reversed within six months except by a special motion. This requires written notice by at least three Councillors to be given to the Proper Officer in accordance with standing order 4.
- b. A delegated decision by a committee can be reversed or negated by a minimum of five Councillors and the decision or report referred to the next meeting of the Council. This must be sent to the Clerk of the Council within three days of the delivery of the minutes of the committee or sub-committee.
- c. When a motion moved pursuant to standing order 7 has been disposed of, no similar motion may be moved within a further six months.

## 10 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 Chair of the meeting.

## 11 Handling confidential or sensitive information

- a. The agenda or papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential or sensitive information. The agenda shall refer to a motion under Standing Order 11[b]. This shall be voted on by the Council. If this motion agreed, separate confidential minutes shall be circulated to Councillors and shall be treated as such.
- 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. Draft minutes of a meeting of the Council, committee and sub-committee shall be circulated to Councillors and published within seven working days of the meeting, unless an extension to this time is agreed by the Chair of the Council and the relevant Committee.
- b. 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.
- c. 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 4b i above.
- d. The accuracy of draft minutes, including any amendment[s] made to them, shall be confirmed by resolution and shall be signed by the Chair of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- e. If the Chair of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, the Chair shall sign the minutes and include a paragraph in the following terms or to the same effect:

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“The Chair 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.”

- f. **Upon a resolution which confirms the accuracy of the minutes of a meeting, the notes of the meeting for which approved minutes exist shall be destroyed**

## 13 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, sub-committee and working or task and finish group, serve on Councillors by delivery or post at their residences or by email authenticated in such a manner as the Proper Officer thinks fit, a signed summons, confirming the time, place and the agenda (provided the councillor has consented to service by email) and** [See standing order 6e for the meaning of clear days for a meeting of the full Council and meetings of a committee.]
  - ii. **Provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them** [See standing order 6e for the meaning of clear days for a meeting of the full Council and meetings of a committee];
  - iii. subject to standing order 4, include on the agenda all motions in the order received unless a Councillor has given written notice at least three days before the meeting confirming his withdrawal of it.
  - iv. **convene a meeting of Council for the election of a new Chair 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. facilitate and support the inspection of documents, held by the Council, by Councillors
  - xi. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
  - xii. manage the organisation, storage of, access to and destruction of information held by the Council in paper and electronic form.
  - xiii. arrange for legal deeds to be executed; see also standing order 19.
  - xiv. 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.
  - xv. record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose.
  - xvi. refer a planning application received by the Council to the Chair or in their absence the Vice-Chair of the Council and the Chair or in their absence Vice-Chair of the Planning Committee within two working days of receipt, to facilitate an extraordinary meeting if

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- the nature of a planning application requires consideration before the next ordinary meeting of Planning committee.
- xvii. manage access to information about the Council via the publication scheme; and 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 19.

## 14 Responsible Financial Officer

The Council shall appoint a Responsible Financial Officer [RFO] and if required an appropriate staff Member[s] to undertake the work of the RFO when the RFO is absent.

## 15 Scheme of Delegation

The Council will maintain a Scheme of Delegation that determines the powers and extent of all decisions and financial matters that are delegated, with appropriate procedures and limits. For the avoidance of doubt, where there may be conflict between Terms of Reference of Committees, individuals, Finance Regulations, etc, the Scheme of Delegation will take precedence.

## 16 Accounts and Accounting Statements

- a. All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices [as defined in the most recent version of Governance and Accountability for Local Councils – a Practitioners’ Guide] and the Council’s financial regulations.
- b. The Responsible Financial Officer shall supply, as soon as practicable, after 30 June, 30 September and 31 December in each year a statement to each Councillor:
- i. the Council’s detailed receipts and payments for that quarter and the year to date.
  - ii. the Council’s detailed current income and expenditure comparison with budget.
  - iii. a report explaining any variance with current the budget year to date.
  - iv a statement of the Council’s reserves, by classification, and movements of reserves.
- and which includes a comparison with the budget for that financial year, highlighting any actual or potential overspends.
- c. As soon as possible after the financial year end on 31 March, the Responsible Financial Officer shall provide:
- i. each Councillor with a statement detailing the Council’s receipts and payments for the last quarter and the year to date; 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 approval.

The year-end accounting statements shall be prepared in accordance with proper practices [as defined in the most recent version of Governance and Accountability for Local Councils – a Practitioners’ Guide] and applying the form of accounts determined by the Council [receipts and payments, or income and expenditure] for a year to 31 March. A completed draft annual return shall be presented to each Councillor before the end of the following month of May. The annual return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to Council for consideration and formal approval before 30 June.

## 17 Financial Controls and Procurement

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Financial Regulations shall be reviewed and approved annually by the Full Council. Financial Regulations form part of the Standing Orders of the Council and are appended to this document.

- 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 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.
- b. **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 referred to in standing orders is subject to the "light touch" arrangements under Regulations 109-114 of the Public Contracts Regulations 2015 unless it proposes to use an existing list of approved suppliers (framework agreement).**
- c. **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.**

## 18 Human Resource Matters

- a. A matter personal to a member of staff that is being considered by a meeting of Council or any committee of the Council is subject to standing order 11.
- a. The Human Resources Committee will deal with matters relating to the recruitment of staff and the staffing of the Council based on advice from the Clerk and Governance and Finance Committee. The Human Resources Committee will make recommendations to the Full Council on these matters for a decision by the Council.
- b. There will be a Staff Handbook drawn up by the Human Resources Committee in consultation with the staff and recommended to the Council for adoption on an annual basis.
- c. Subject to the Council's policy regarding the handling of grievance matters, the Clerk shall contact the Chair of the Council or in the Chair's absence, the Vice-Chair in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of Human Resources committee. Sufficient Members of the Council shall be asked by the Chair of the Committee to recuse themselves from the Committee's discussion to allow sufficient Members of the Council to attend and chair any Grievance or Disciplinary Panels [usually 2 Members required for each]
- d. Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by a Member of staff relates to the Chair or Vice-Chair of any committee or sub-committee, this shall be communicated to the Chair of the Council and shall be reported back and progressed by resolution of that committee or sub-committee.
- e. Subject to the Council's policy regarding absences from work, the Clerk shall notify the Chair of the Council of absence occasioned by illness or other reason. That person shall report such absence to Council at its next meeting.
- f. The Chair of the Council, or in the Chair's absence, the Vice-Chair of the Council, and the Chair of the Human Resources Committee shall review the Clerk's annual appraisal of the work of the staff.



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- g. The Chair or in the Chair's absence, the Vice-Chair of the Human Resources Committee shall conduct a review of the performance and annual appraisal of the work of the Clerk. The reviews and appraisal, in writing, is subject to approval by a resolution of the Human Resources committee and shall be reported to the Council.
- h. 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 to the Council and securely stored.
- i. The Council shall keep all written records relating to employees secure. All paper records shall be secured and locked. Electronic records shall be password protected and encrypted.
- j. Only persons with line management responsibilities and Members of the Council shall have access to staff records referred to in standing orders 18g and 18h.
- k. Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 19g and 19h shall be provided only to the Proper Officer, and the Chair of the Council and the Chair of the Human Resources committee.

## 19 Execution and sealing of legal deeds

- a. A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.
- b. Subject to standing order 19a above, any two delegated Councillors may sign on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.**

Standing order 13 applies to this Order.

## 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 Chair of the Council.** Chair shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000.

## 21 Correspondence with the Press and Media

- a. Requests from the press or other media for a verbal 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. Any responses shall be sent to all Councillors at the same time

## 22 Communicating with District and County Councillors

- a. An invitation to attend a meeting of the Council shall be sent to the Southwell ward Councillors of the District and the Southwell division Councillor of the County Council. The invitation will include a request to submit a written briefing for the Council, to be included in the Council's agenda. The

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agenda for each Council meeting shall be sent to the Southwell ward Councillors of the District and Southwell division Councillor of the County Council.

- b. Unless the Council determines otherwise, a copy of each letter sent to the District and County Council will be sent to the ward and division Councillors representing the area of the Council.

### 23 Restrictions on Councillor Activities

- a. Unless authorised by a resolution, no Councillor shall:
  - i. inspect any land and/or premises which the Council has a right or duty to inspect.
  - ii. or issue orders, contracts, instructions or directions.
  - iii. No Councillor other than a Chair shall act as a spokesperson for the Council, the Chair representing the Council or Committee shall only speak on matters that have been agreed by the Council or Committee which they represent unless so authorised by the Council

### 24 Southwell Town Council's Policies

- a. The Council will list its current Policies and their Review Date as an Appendix to this document and will be reviewed annually, and form an integral part of the Council's Standing Orders

### 25 Code of Conduct Complaints

- a. Upon notification by the District Council that it has received or the receipt by the Proper Officer of an allegation 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 13 above, report this to the Council.
- b. Where the notification in standing order 15a relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chair of Council of this fact. The Chair 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 8.
- c. The Council will:
  - 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.
  - iii. **Upon notification by the District or Unitary Council that a Councillor or non-Councillor with voting rights has breached the Council's code of conduct, the Council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.**

### 26 Responsibilities to Provide Information

- 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. *[if gross annual income or expenditure (whichever is the higher) exceeds £200,000]* **The Council shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.**

## **27 Responsibilities Under Data Protection Legislation**

(below is not an exclusive list)

- a. **The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his personal data.**
- b. **The Council shall have a written policy in place for responding to and managing a personal data breach.**
- c. **The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.**
- d. **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.**
- e. **The Council shall maintain a written record of its processing activities.**

## 28 Definitions

- a The following definitions are provided to assist interpretation of these Standing Orders by the Chair of the Council

|                                      |   |
|--------------------------------------|---|
| <b>Chair</b>                         | The Chair conducts the meeting and must be elected annually by the Annual Meeting of the Council,   |
| <b>Vice-Chair</b>                    | Deputises for the Chair in line with rules in the Standing Orders   |
| <b>Clerk to the Council</b>          | The normal title for the Council's Proper Officer.  |
| <b>Proper Officer</b>                | The officer of the Council who runs the Council. The Proper Officer may have some powers allocated to them as shown in the Council's rules.   |
| <b>Responsible Financial Officer</b> | Also referred to as the RFO. The RFO deals with the finances in according to the law and the rules of the Council   |
| <b>Standing Orders,</b>              | The rules of the Council. [These should be reviewed every year.]  |
| <b>Council</b>                       | Some of the rules are laid down in law and cannot be altered.<br>The properly conducted meeting of the Councillors elected or co-opted onto the Council and its policies  |
| <b>Committee</b>                     | A properly conducted meeting of the Councillors as shown in the rules. A committee will have specific duties as defined by the Council's Terms of Reference for the Committee. Any Member of the Council can attend and speak but may not vote. |
| <b>Standing Committee</b>            | An alternative name for a Committee   |
| <b>Sub-Committee</b>                 | A properly conducted meeting of the nominated Councillors with specific duties and terms of Reference as defined by the establishing Committee, but any Member of the Council can attend and speak.   |
| <b>Working Group</b>                 | A meeting convened by a nominated Councillor with a specific task and reporting date to the Council or establishing Committee   |
| <b>Annual Meeting</b>                | The meeting of the Council as defined in the rules. It must be held annually in May   |
| <b>Ordinary Meeting</b>              | A properly called meeting of the Council as defined in the rules on the third Wednesday of the month except in August and December  |
| <b>Extraordinary Meeting</b>         | Other meetings of the Council or Standing Committee as defined above  |
| <b>'days'</b>                        | A period of time between 08h00 and 17h00 used for example in the timing of sending in motions and sending out agendas and minutes of the meetings   |
| <b>'Working days'</b>                | Days between Monday and Friday. It excludes days of the Christmas break, Easter break, bank holidays or days appointed for public thanksgiving or mourning.   |
| <b>'clear days'</b>                  | An alternative term for 'working days'  |

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## **SOUTHWELL TOWN COUNCIL MODEL FINANCIAL REGULATIONS 2019 FOR ENGLAND – ADOPTED MAY 2022**

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These Financial Regulations were adopted by the council at its meeting held on 18<sup>th</sup> May 2022.

## **1. General**

1.1. These financial regulations govern the conduct of financial management by the council and may only be amended or varied by resolution of the council. Financial regulations are one of the council's three governing policy documents providing procedural guidance for members and officers. Financial regulations must be observed in conjunction with the council's standing orders<sup>1</sup> and any individual financial regulations relating to contracts.

1.2. The council is responsible in law for ensuring that its financial management is adequate and effective and that the council has a sound system of internal control which facilitates the effective exercise of the council's functions, including arrangements for the management of risk.

1.3. The council's accounting control systems must include measures:

- for the timely production of accounts;
- that provide for the safe and efficient safeguarding of public money;
- to prevent and detect inaccuracy and fraud; and
- identifying the duties of officers.

1.4. These financial regulations demonstrate how the council meets these responsibilities and requirements.

1.5. At least once a year, prior to approving the Annual Governance Statement, the council must review the effectiveness of its system of internal control which shall be in accordance with proper practices.

1.6. Deliberate or wilful breach of these Regulations by an employee may give rise to disciplinary proceedings.

1.7. Members of council are expected to follow the instructions within these Regulations and not to entice employees to breach them. Failure to follow instructions within these Regulations brings the office of councillor into disrepute.

1.8. The Responsible Financial Officer (RFO) holds a statutory office to be appointed by the council. [The Clerk has been appointed as RFO for this council and these regulations will apply accordingly.]



#### 1.9. The RFO;

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

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

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

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

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

- procedures to ensure that the financial transactions of the council are recorded as soon as reasonably practicable and as accurately and reasonably as possible;
- procedures to enable the prevention and detection of inaccuracies and fraud and the ability to reconstruct any lost records;
- identification of the duties of officers dealing with financial transactions and division of responsibilities of those officers in relation to significant transactions;
- procedures to ensure that uncollectable amounts, including any bad debts are not submitted to the council for approval to be written off except with the approval of the RFO and that the approvals are shown in the accounting records; and
- measures to ensure that risk is properly managed.

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

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

1.14. In addition, the council must:

- determine and keep under regular review the bank mandate for all council bank accounts;
- approve any grant or a single commitment in excess of [£5,000]; and
- in respect of the annual salary for any employee have regard to recommendations about annual salaries of employees made by the relevant committee in accordance with its terms of reference.

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

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

## **2. Accounting and audit (internal and external)**

2.1. All accounting procedures and financial records of the council shall be determined by the RFO in accordance with the Accounts and Audit Regulations, appropriate guidance and proper practices.

2.2. On a regular basis, at least once in each quarter, and at each financial year end, a member other than the Chairman [or a cheque signatory] shall be appointed to verify bank reconciliations (for all accounts) produced by the RFO. The member shall sign the reconciliations and the original bank statements (or similar document) as evidence of

verification. This activity shall on conclusion be reported, including any exceptions, to and noted by the council [Finance Committee].

2.3. The RFO shall complete the annual statement of accounts, annual report, and any related documents of the council contained in the Annual Return (as specified in proper practices) as soon as practicable after the end of the financial year and having certified the accounts shall submit them and report thereon to the council within the timescales set by the Accounts and Audit Regulations.

2.4. The council shall ensure that there is an adequate and effective system of internal audit of its accounting records, and of its system of internal control in accordance with proper practices. Any officer or member of the council shall make available such documents and records as appear to the council to be necessary for the purpose of the audit and shall, as directed by the council, supply the RFO, internal auditor, or external auditor with such information and explanation as the council considers necessary for that purpose.

2.5. The internal auditor shall be appointed by and shall carry out the work in relation to internal controls required by the council in accordance with proper practices.

2.6. The internal auditor shall:

- be competent and independent of the financial operations of the council;
- report to council in writing, or in person, on a regular basis with a minimum of one annual written report during each financial year;
- to demonstrate competence, objectivity and independence, be free from any actual or perceived conflicts of interest, including those arising from family relationships; and
- has no involvement in the financial decision making, management or control of the council

2.7. Internal or external auditors may not under any circumstances:

- perform any operational duties for the council;
- initiate or approve accounting transactions; or
- direct the activities of any council employee, except to the extent that such employees have been appropriately assigned to assist the internal auditor.

2.8. For the avoidance of doubt, in relation to internal audit the terms 'independent' and 'independence' shall have the same meaning as is described in proper practices.

2.9. The RFO shall make arrangements for the exercise of electors' rights in relation to the accounts including the opportunity to inspect the accounts, books, and vouchers and display or publish any notices and statements of account required by Audit Commission Act 1998, or any superseding legislation, and the Accounts and Audit Regulations.

2.10. The RFO shall, without undue delay, bring to the attention of all councillors any correspondence or report from internal or external auditors.

### **3. Annual estimates (budget) and forward planning**

[3.1. Each committee (if any) shall review its three-year forecast of revenue and capital receipts and payments. Having regard to the forecast, it shall thereafter formulate and submit proposals for the following financial year to the council not later than the end of [November] each year including any proposals for revising the forecast.]

3.2. The RFO must each year, by no later than [month], prepare detailed estimates of all receipts and payments including the use of reserves and all sources of funding for the following financial year in the form of a budget to be considered by the [relevant committee and the] council.

3.3. The council shall consider annual budget proposals in relation to the council's three year forecast of revenue and capital receipts and payments including recommendations for the use of reserves and sources of funding and update the forecast accordingly.

3.4. The council shall fix the precept (council tax requirement), and relevant basic amount of council tax to be levied for the ensuing financial year not later than by the end of January each year. The RFO shall issue the precept to the billing authority and shall supply each member with a copy of the approved annual budget.

3.5. The approved annual budget shall form the basis of financial control for the ensuing year.

### **4. Budgetary control and authority to spend**

4.1. Expenditure on revenue items may be authorised up to the amounts included for that class of expenditure in the approved budget. This authority is to be determined by:

- the council for all items over [£5,000];
- a duly delegated committee of the council for items over [£500]; or
- the Clerk, in conjunction with Chairman of Council or Chairman of the appropriate committee, for any items below [£500].

Such authority is to be evidenced by a minute or by an authorisation slip duly signed by the Clerk, and where necessary also by the appropriate Chairman.

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

4.2. No expenditure may be authorised that will exceed the amount provided in the revenue budget for that class of expenditure other than by resolution of the council, or duly delegated committee. During the budget year and with the approval of council having considered fully

the implications for public services, unspent and available amounts may be moved to other budget headings or to an earmarked reserve as appropriate ('virement').

4.3. Unspent provisions in the revenue or capital budgets for completed projects shall not be carried forward to a subsequent year.

4.4. The salary budgets are to be reviewed at least annually in [October] for the following financial year and such review shall be evidenced by a hard copy schedule signed by the Clerk and the Chairman of Council or relevant committee. The RFO will inform committees of any changes impacting on their budget requirement for the coming year in good time.

4.5. In cases of extreme risk to the delivery of council services, the clerk may authorise revenue expenditure on behalf of the council which in the clerk's judgement it is necessary to carry out. Such expenditure includes repair, replacement or other work, whether or not there is any budgetary provision for the expenditure, subject to a limit of [£500]. The Clerk shall report such action to the chairman as soon as possible and to the council as soon as practicable thereafter.

4.6. No expenditure shall be authorised in relation to any capital project and no contract entered into or tender accepted involving capital expenditure unless the council is satisfied that the necessary funds are available and the requisite borrowing approval has been obtained.

4.7. All capital works shall be administered in accordance with the council's standing orders and financial regulations relating to contracts.

4.8. The RFO shall regularly provide the council with a statement of receipts and payments to date under each head of the budgets, comparing actual expenditure to the appropriate date against that planned as shown in the budget. These statements are to be prepared at least at the end of each financial quarter and shall show explanations of material variances. For this purpose "material" shall be in excess of [£100] or [15%] of the budget.

4.9. Changes in earmarked reserves shall be approved by council as part of the budgetary control process.

## **5. Banking arrangements and authorisation of payments**

5.1. The council's banking arrangements, including the bank mandate, shall be made by the RFO and approved by the council; banking arrangements may not be delegated to a committee. They shall be regularly reviewed for safety and efficiency. [The council shall seek credit references in respect of members or employees who act as signatories.]

5.2. The RFO shall prepare a schedule of payments requiring authorisation, forming part of the Agenda for the Meeting and, together with the relevant invoices, present the schedule to

council [or finance committee]. The council / committee shall review the schedule for compliance and, having satisfied itself shall authorise payment by a resolution of the council [or finance committee]. The approved schedule shall be ruled off and initialled by the Chairman of the Meeting. A detailed list of all payments shall be disclosed within or as an attachment to the minutes of the meeting at which payment was authorised. Personal payments (including salaries, wages, expenses and any payment made in relation to the termination of a contract of employment) may be summarised to remove public access to any personal information.

5.3. All invoices for payment shall be examined, verified and certified by the RFO to confirm that the work, goods or services to which each invoice relates has been received, carried out, examined and represents expenditure previously approved by the council.

5.4. The RFO shall examine invoices for arithmetical accuracy and analyse them to the appropriate expenditure heading. The RFO shall take all steps to pay all invoices submitted, and which are in order, at the next available council [or Finance Committee] meeting.

5.5. The Clerk and RFO shall have delegated authority to authorise the payment of items only in the following circumstances:

- a) If a payment is necessary to avoid a charge to interest under the Late Payment of Commercial Debts (Interest) Act 1998, and the due date for payment is before the next scheduled Meeting of council, where the Clerk and RFO certify that there is no dispute or other reason to delay payment, provided that a list of such payments shall be submitted to the next appropriate meeting of council [or finance committee];
- b) An expenditure item authorised under 5.6 below (continuing contracts and obligations) provided that a list of such payments shall be submitted to the next appropriate meeting of council [or finance committee]; or
- c) fund transfers within the councils banking arrangements up to the sum of [£10,000], provided that a list of such payments shall be submitted to the next appropriate meeting of council [or finance committee].

5.6. For each financial year the Clerk and RFO shall draw up a list of due payments which arise on a regular basis as the result of a continuing contract, statutory duty, or obligation (such as but not exclusively) Salaries, PAYE and NI, Superannuation Fund and regular maintenance contracts and the like for which council [,or a duly authorised committee,] may authorise payment for the year provided that the requirements of regulation 4.1 (Budgetary Controls) are adhered to, provided also that a list of such payments shall be submitted to the next appropriate meeting of council [or Finance Committee].

5.7. A record of regular payments made under 5.6 above shall be drawn up and be signed by two members on each and every occasion when payment is authorised - thus controlling the risk of duplicated payments being authorised and / or made.

5.8. In respect of grants a duly authorised committee shall approve expenditure within any limits set by council and in accordance with any policy statement approved by council. Any Revenue or Capital Grant in excess of £5,000 shall before payment, be subject to ratification by resolution of the council.

5.9. Members are subject to the Code of Conduct that has been adopted by the council and shall comply with the Code and Standing Orders when a decision to authorise or instruct payment is made in respect of a matter in which they have a disclosable pecuniary or other interest, unless a dispensation has been granted.

5.10. The council will aim to rotate the duties of members in these Regulations so that onerous duties are shared out as evenly as possible over time.

5.11. Any changes in the recorded details of suppliers, such as bank account records, shall be approved in writing by a Member.

## **6. Instructions for the making of payments**

6.1. The council will make safe and efficient arrangements for the making of its payments.

6.2. Following authorisation under Financial Regulation 5 above, the council, a duly delegated committee or, if so delegated, the Clerk or RFO shall give instruction that a payment shall be made.

6.3. All payments shall be affected by cheque or other instructions to the council's bankers, or otherwise, in accordance with a resolution of council [or duly delegated committee].

6.4. Cheques or orders for payment drawn on the bank account in accordance with the schedule as presented to council or committee shall be signed by [one] two member[s] of council [and countersigned by the Clerk,] in accordance with a resolution instructing that payment. A member who is a bank signatory, having a connection by virtue of family or business relationships with the beneficiary of a payment, should not, under normal circumstances, be a signatory to the payment in question.

6.5. To indicate agreement of the details shown on the cheque or order for payment with the counterfoil and the invoice or similar documentation, the signatories shall each also initial the cheque counterfoil.

6.6. Cheques or orders for payment shall not normally be presented for signature other than at a council or committee meeting (including immediately before or after such a meeting). Any signatures obtained away from such meetings shall be reported to the council [or Finance Committee] at the next convenient meeting.

6.7. If thought appropriate by the council, payment for utility supplies (energy, telephone and water) and any National Non-Domestic Rates may be made by variable direct debit provided

that the instructions are signed by two members and any payments are reported to council as made. The approval of the use of a variable direct debit shall be renewed by resolution of the council at least every two years.

6.8. If thought appropriate by the council, payment for certain items (principally salaries) may be made by banker's standing order provided that the instructions are signed, or otherwise evidenced by two members are retained and any payments are reported to council as made. The approval of the use of a banker's standing order shall be renewed by resolution of the council at least every two years.

6.9. If thought appropriate by the council, payment for certain items may be made by BACS or CHAPS methods provided that the instructions for each payment are signed, or otherwise evidenced, by two authorised bank signatories, are retained and any payments are reported to council as made. The approval of the use of BACS or CHAPS shall be renewed by resolution of the council at least every two years.

6.10. If thought appropriate by the council payment for certain items may be made by internet banking transfer provided evidence is retained showing which members approved the payment.

6.11. Where a computer requires use of a personal identification number (PIN) or other password(s), for access to the council's records on that computer, a note shall be made of the PIN and Passwords and shall be handed to and retained by the Chairman of Council in a sealed dated envelope. This envelope may not be opened other than in the presence of two other councillors. After the envelope has been opened, in any circumstances, the PIN and / or passwords shall be changed as soon as practicable. The fact that the sealed envelope has been opened, in whatever circumstances, shall be reported to all members immediately and formally to the next available meeting of the council. This will not be required for a member's personal computer used only for remote authorisation of bank payments.

6.12. No employee or councillor shall disclose any PIN or password, relevant to the working of the council or its bank accounts, to any person not authorised in writing by the council or a duly delegated committee.

6.13. Regular back-up copies of the records on any computer shall be made and shall be stored securely away from the computer in question, and preferably off site.

6.14. The council, and any members using computers for the council's financial business, shall ensure that anti-virus, anti-spyware and firewall software with automatic updates, together with a high level of security, is used.

6.15. Where internet banking arrangements are made with any bank, the Clerk [RFO] shall be appointed as the Service Administrator. The bank mandate approved by the council shall identify a number of councillors who will be authorised to approve transactions on those



accounts. The bank mandate will state clearly the amounts of payments that can be instructed by the use of the Service Administrator alone, or by the Service Administrator with a stated number of approvals.

6.16. Access to any internet banking accounts will be directly to the access page (which may be saved under “favourites”), and not through a search engine or e-mail link. Remembered or saved passwords facilities must not be used on any computer used for council banking work. Breach of this Regulation will be treated as a very serious matter under these regulations.

6.17. Changes to account details for suppliers, which are used for internet banking may only be changed on written hard copy notification by the supplier and supported by hard copy authority for change signed by [two of] the Clerk [the RFO] [a member]. A programme of regular checks of standing data with suppliers will be followed.

6.18. Any Debit Card issued for use will be specifically restricted to the Clerk [and the RFO] and will also be restricted to a single transaction maximum value of [£500] unless authorised by council or finance committee in writing before any order is placed.

6.19. A pre-paid debit card may be issued to employees with varying limits. These limits will be set by the council [Finance Committee]. Transactions and purchases made will be reported to the [council] [relevant committee] and authority for topping-up shall be at the discretion of the [council] [relevant committee].

6.20. Any corporate credit card or trade card account opened by the council will be specifically restricted to use by the Clerk [and RFO] and shall be subject to automatic payment in full at each month-end. Personal credit or debit cards of members or staff shall not be used under any circumstances.

6.21. The council will not maintain any form of cash float. All cash received must be banked intact. Any payments made in cash by the Clerk [or RFO] (for example for postage or minor stationery items) shall be refunded on a regular basis, at least quarterly.

## **OR**

[6.22. The RFO may provide petty cash to officers for the purpose of defraying operational and other expenses. Vouchers for payments made shall be forwarded to the RFO with a claim for reimbursement.

a) The RFO shall maintain a petty cash float of [£250] for the purpose of defraying operational and other expenses. Vouchers for payments made from petty cash shall be kept to substantiate the payment.

b) Income received must not be paid into the petty cash float but must be separately banked, as provided elsewhere in these regulations.

c) Payments to maintain the petty cash float shall be shown separately on the schedule of payments presented to council under 5.2 above.]

## **7. Payment of salaries**

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

7.2. Payment of salaries and payment of deductions from salary such as may be required to be made for tax, national insurance and pension contributions, or similar statutory or discretionary deductions must be made in accordance with the payroll records and on the appropriate dates stipulated in employment contracts, provided that each payment is reported to the next available council meeting, as set out in these regulations above.

7.3. No changes shall be made to any employee's pay, emoluments, or terms and conditions of employment without the prior consent of the [council] [relevant committee].

7.4. Each and every payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a separate confidential record (confidential cash book). This confidential record is not open to inspection or review (under the Freedom of Information Act 2000 or otherwise) other than:

- a) by any councillor who can demonstrate a need to know;
- b) by the internal auditor;
- c) by the external auditor; or
- d) by any person authorised under Audit Commission Act 1998, or any superseding legislation.

7.5. The total of such payments in each calendar month shall be reported with all other payments as made as may be required under these Financial Regulations, to ensure that only payments due for the period have actually been paid.

7.6. An effective system of personal performance management should be maintained for the senior officers.

7.7. Any termination payments shall be supported by a clear business case and reported to the council. Termination payments shall only be authorised by council.

7.8. Before employing interim staff, the council must consider a full business case.

## **8. Loans and investments**

8.1. All borrowings shall be affected in the name of the council, after obtaining any necessary borrowing approval. Any application for borrowing approval shall be approved by Council as to terms and purpose. The application for borrowing approval, and subsequent arrangements for the loan shall only be approved by full council.

8.2. Any financial arrangement which does not require formal borrowing approval from the Secretary of State/Welsh Assembly Government (such as Hire Purchase or Leasing of tangible assets) shall be subject to approval by the full council. In each case a report in writing shall be provided to council in respect of value for money for the proposed transaction.

8.3. The council will arrange with the council's banks and investment providers for the sending of a copy of each statement of account to the Chairman of the council at the same time as one is issued to the Clerk or RFO.

8.4. All loans and investments shall be negotiated in the name of the council and shall be for a set period in accordance with council policy.

8.5. The council shall consider the need for an Investment Strategy and Policy which, if drawn up, shall be in accordance with relevant regulations, proper practices and guidance. Any Strategy and Policy shall be reviewed by the council at least annually.

8.6. All investments of money under the control of the council shall be in the name of the council.

8.7. All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.

8.8. Payments in respect of short term or long-term investments, including transfers between bank accounts held in the same bank, or branch, shall be made in accordance with Regulation 5 (Authorisation of payments) and Regulation 6 (Instructions for payments).

## **9. Income**

9.1. The collection of all sums due to the council shall be the responsibility of and under the supervision of the RFO.

9.2. Particulars of all charges to be made for work done, services rendered or goods supplied shall be agreed annually by the council, notified to the RFO and the RFO shall be responsible for the collection of all accounts due to the council.

9.3. The council will review all fees and charges at least annually, following a report of the Clerk.

9.4. Any sums found to be irrecoverable and any bad debts shall be reported to the council and shall be written off in the year.

9.5. All sums received on behalf of the council shall be banked intact as directed by the RFO. In all cases, all receipts shall be deposited with the council's bankers with such frequency as the RFO considers necessary.

9.6. The origin of each receipt shall be entered on the paying-in slip.

9.7. Personal cheques shall not be cashed out of money held on behalf of the council.

9.8. The RFO shall promptly complete any VAT Return that is required. Any repayment claim due in accordance with VAT Act 1994 section 33 shall be made at least annually coinciding with the financial year end.

9.9. Where any significant sums of cash are regularly received by the council, the RFO shall take such steps as are agreed by the council to ensure that more than one person is present when the cash is counted in the first instance, that there is a reconciliation to some form of control such as ticket issues, and that appropriate care is taken in the security and safety of individuals banking such cash.

[9.10. Any income arising which is the property of a charitable trust shall be paid into a charitable bank account. Instructions for the payment of funds due from the charitable trust to the council (to meet expenditure already incurred by the authority) will be given by the Managing Trustees of the charity meeting separately from any council meeting (see also Regulation 16 below).]

## **10. Orders for work, goods and services**

10.1. An official order or letter shall be issued for all work, goods and services unless a formal contract is to be prepared or an official order would be inappropriate. Copies of orders shall be retained.

10.2. Order books shall be controlled by the RFO.

10.3. All members and officers are responsible for obtaining value for money at all times. An officer issuing an official order shall ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction, usually by obtaining three or more quotations or estimates from appropriate suppliers, subject to any de minimis provisions in Regulation 11.1 below.

10.4. A member may not issue an official order or make any contract on behalf of the council.

10.5. The RFO shall verify the lawful nature of any proposed purchase before the issue of any order, and in the case of new or infrequent purchases or payments, the RFO shall ensure that

the statutory authority shall be reported to the meeting at which the order is approved so that the minutes can record the power being used.

## **11. Contracts**

11.1. Procedures as to contracts are laid down as follows:

a) Every contract shall comply with these financial regulations, and no exceptions shall be made otherwise than in an emergency provided that this regulation need not apply to contracts which relate to items (i) to (vi) below:

- i. for the supply of gas, electricity, water, sewerage and telephone services;
- ii. for specialist services such as are provided by legal professionals acting in disputes;
- iii. for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant;
- iv. for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the council;
- v. for additional audit work of the external auditor up to an estimated value of £500 (in excess of this sum the Clerk and RFO shall act after consultation with the Chairman and Vice Chairman of council); and
- vi. for goods or materials proposed to be purchased which are proprietary articles and / or are only sold at a fixed price.

b) Where the council intends to procure or award a public supply contract, public service contract or public works contract as defined by The Public Contracts Regulations 2015 ("the Regulations") which is valued at £25,000 or more, the council shall comply with the relevant requirements of the Regulations<sup>2</sup>.

c) The full requirements of The Regulations, as applicable, shall be followed in respect of the tendering and award of a public supply contract, public service contract or public works contract which exceed thresholds in The Regulations set by the Public Contracts Directive 2014/24/EU (which may change from time to time)<sup>3</sup>.

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

<sup>3</sup>Thresholds currently applicable are: a) For public supply and public service contracts 209,000 Euros (£189,330)

b) For public works contracts 5,225,000 Euros (£4,733,252) These new thresholds are applicable from 1st January 2020

d) When applications are made to waive financial regulations relating to contracts to enable a price to be negotiated without competition the reason shall be embodied in a recommendation to the council.

e) Such invitation to tender shall state the general nature of the intended contract and the Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the Clerk in the ordinary course of post. Each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract.

f) All sealed tenders shall be opened at the same time on the prescribed date by the Clerk in the presence of at least one member of council.

g) Any invitation to tender issued under this regulation shall be subject to Standing Orders[ ], <sup>4</sup>[insert reference of the council's relevant standing order] and shall refer to the terms of the Bribery Act 2010.

h) When it is to enter into a contract of **between £15,000 and £25,000** in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Clerk or RFO shall **enter into the formal tendering process** (priced descriptions of the proposed supply); where the value is below **[£14,999]** and above **[£2,501]** the Clerk or RFO shall strive to obtain 3 **written quotes**. **Where the value is between £2,500 and £500 the Clerk or RFO shall strive to obtain 3 verbal quotes, where the value is below £500 the Clerk or RFO shall strive to obtain verbal quotes. (All quotes above £250 to be encouraged to have an environmental policy.)** Otherwise, Regulation 10.3 above shall apply.

i) The council shall not be obliged to accept the lowest or any tender, quote or estimate.

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

## **[12. Payments under contracts for building or other construction works]**

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

[12.2. Where contracts provide for payment by instalments the RFO shall maintain a record of all such payments. In any case where it is estimated that the total cost of work carried out under a contract, excluding agreed variations, will exceed the contract sum of 5% or more a report shall be submitted to the council.]

[12.3. Any variation to a contract or addition to or omission from a contract must be approved by the council and Clerk to the contractor in writing, the council being informed where the final cost is likely to exceed the financial provision.]

### **[13. Stores and equipment]**

[13.1. The officer in charge of each section shall be responsible for the care and custody of stores and equipment in that section.]

[13.2. Delivery notes shall be obtained in respect of all goods received into store or otherwise delivered and goods must be checked as to order and quality at the time delivery is made.]

[13.3. Stocks shall be kept at the minimum levels consistent with operational requirements.]

[13.4. The RFO shall be responsible for periodic checks of stocks and stores at least annually.]

### **14. Assets, properties and estates**

14.1. The Clerk shall make appropriate arrangements for the custody of all title deeds and Land Registry Certificates of properties held by the council. The RFO shall ensure a record is maintained of all properties held by the council, recording the location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held in accordance with Accounts and Audit Regulations.

14.2. No tangible moveable property shall be purchased or otherwise acquired, sold, leased or otherwise disposed of, without the authority of the council, together with any other consents required by law, save where the estimated value of any one item of tangible movable property does not exceed [£250].

14.3. No real property (interests in land) shall be sold, leased or otherwise disposed of without the authority of the council, together with any other consents required by law. In each case a report in writing shall be provided to council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).

14.4. No real property (interests in land) shall be purchased or acquired without the authority of the full council. In each case a report in writing shall be provided to council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).

14.5. Subject only to the limit set in Regulation 14.2 above, no tangible moveable property shall be purchased or acquired without the authority of the full council. In each case a report in writing shall be provided to council with a full business case.

14.6. The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date. The continued existence of tangible assets shown in the Register shall be verified at least annually, possibly in conjunction with a health and safety inspection of assets.

## **15. Insurance**

15.1. Following the annual risk assessment (per Regulation 17), the RFO shall effect all insurances and negotiate all claims on the council's insurers [in consultation with the Clerk].

[15.2. The Clerk shall give prompt notification to the RFO of all new risks, properties or vehicles which require to be insured and of any alterations affecting existing insurances.]

15.3. The RFO shall keep a record of all insurances effected by the council and the property and risks covered thereby and annually review it.

15.4. The RFO shall be notified of any loss liability or damage or of any event likely to lead to a claim, and shall report these to council at the next available meeting.

15.5. All appropriate members and employees of the council shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined [annually] by the council, or duly delegated committee.

## **16. [Charities]**

[16.1. Where the council is sole managing trustee of a charitable body the Clerk and RFO shall ensure that separate accounts are kept of the funds held on charitable trusts and separate financial reports made in such form as shall be appropriate, in accordance with Charity Law and legislation, or as determined by the Charity Commission. The Clerk and RFO shall arrange for any audit or independent examination as may be required by Charity Law or any Governing Document.]

## **17. Risk management**



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

17.2. When considering any new activity, the Clerk [with the RFO] shall prepare a draft risk assessment including risk management proposals for consideration and adoption by the council.

## **18. Suspension and revision of Financial Regulations**

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

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

The Model Financial Regulations templates were produced by the National Association of Local Councils (NALC) in July 2019 for the purpose of its member councils and county associations. Every effort has been made to ensure that the contents of this document are correct at time of publication. NALC cannot accept responsibility for errors, omissions and changes to information subsequent to publication.



## Councillor Code of Conduct

### **Introduction**

All councils are required to have a local Councillor Code of Conduct. Southwell Town Council has adopted this Code of Conduct pursuant to Section 27 of the Localism Act

### **Definitions**

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

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

and

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

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

### **Purpose of the Code of Conduct**

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

### **General principles of councillor conduct**

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the Seven Principles of Public Life, also known as the Nolan Principles. Building on these principles, the following general principles have been developed specifically for the role of councillor.

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

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

In undertaking my role:

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

### **Application of the Code of Conduct**

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

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

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

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

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

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

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

## **Standards of councillor conduct**

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

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

## **General Conduct**

### **1. Respect**

#### **As a councillor:**

- 1.1** I treat other councillors and members of the public with respect.
- 1.2** I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

Respect means politeness and courtesy in behaviour, speech, and in the written word.

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

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

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

### **2. Bullying, harassment and discrimination**

#### **As a councillor:**

- 2.1** I do not bully any person.
- 2.2** I do not harass any person.
- 2.3** I promote equalities and do not discriminate unlawfully against any person.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on

social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

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

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

### **3. Impartiality of officers of the council**

**As a councillor:**

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

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

### **4. Confidentiality and access to information**

**As a councillor:**

#### **4.1 I do not disclose information:**

- a. given to me in confidence by anyone**
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**
  - i. I have received the consent of a person authorised to give it;**
  - ii. I am required by law to do so;**
  - iii the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the**

- third party agrees not to disclose the information to any other person; or**
- iv. the disclosure is:**
- 1. reasonable and in the public interest; and**
- 2. made in good faith and in compliance with the reasonable requirements of the local authority;**
- and**
- 3. I have consulted the Monitoring Officer prior to its release.**
- 4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.**
- 4.3 I do not prevent anyone from getting information that they are entitled to by law.**

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

## **5. Disrepute**

**As a councillor:**

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

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

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

## **6. Use of position**

**As a councillor:**

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

Your position as a member of the local authority provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others.

However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

## **7. Use of local authority resources and facilities**

**As a councillor:**

- 7.1 I do not misuse council resources.**
- 7.2 I will, when using the resources of the local authority or authorising their use by others:**
  - a. act in accordance with the local authority's requirements; and**
  - b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.**

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

Examples include:

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

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

## **8. Complying with the Code of Conduct**

**As a Councillor:**

- 8.1 I undertake Code of Conduct training provided by my local authority.**
- 8.2 I cooperate with any Code of Conduct investigation and/or determination.**
- 8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.**
- 8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.**

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

## **Protecting your reputation and the reputation of the local authority**

### **9. Interests**

#### **As a councillor:**

##### **9.1 I register and disclose my interests.**

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

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

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

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

### **10. Gifts and hospitality**

#### **As a councillor:**

**10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.**

**10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.**



**10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.**

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

## **Appendices**

### **Appendix A – The Seven Principles of Public Life**

The principles are:

#### **Selflessness**

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

#### **Integrity**

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

#### **Objectivity**

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

#### **Accountability**

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

#### **Openness**

Holders of public office should act and take decisions in an open and transparent manner.

Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

#### **Honesty**

Holders of public office should be truthful.

#### **Leadership**

Holders of public office should exhibit these principles in their own behaviour. They should

actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

## **Appendix B Registering interests**

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

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

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

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

### **Non participation in case of disclosable pecuniary interest**

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in Table 1, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest.

Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

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

### **Disclosure of Other Registerable Interests**

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

### **Disclosure of Non-Registerable Interests**

7. Where a matter arises at a meeting which directly relates to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise, you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which **affects** –
  - a. your own financial interest or well-being;
  - b. a financial interest or well-being of a relative or close associate; or
  - c. a financial interest or wellbeing of a body included under Other Registrable Interests asset out in **Table 2**

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

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

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise, you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.  
If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

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

**Table 1: Disclosable Pecuniary Interests**

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

| Subject   | Description  |
|---|--|
| Employment, office, trade, profession or vocation | Any employment, office, trade, profession or vocation carried on for profit or gain.   |
| Sponsorship                                       | Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.   |
| Contracts   | Any contract made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council —<br>(a) under which goods or services are to be provided or works are to be executed; and<br>(b) which has not been fully discharged. |
| Land and Property                                 | Any beneficial interest in land which is within the area of the council.<br>'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with   |

|                     |  |
|---------------------|--|
|                     | whom the councillor is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.   |
| Licenses            | Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer   |
| Corporate tenancies | Any tenancy where (to the councillor's knowledge)—<br>(a) the landlord is the council; and<br>(b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.  |
| Securities          | Any beneficial interest in securities* of a body where—<br>(a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and<br>(b) either—<br>(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or<br>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners have a beneficial interest exceeds one hundredth of the total issued share capital of that class. |

\* 'director' includes a member of the committee of management of an industrial and provident society.

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

**Table 2: Other Registrable Interests**

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

## **Appendix C – the Committee on Standards in Public Life**

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

The recommendations cover:

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

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

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

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

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

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

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

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

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



**Best practice 8:** An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.

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

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

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

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

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

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

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

| Section                          | Policy No | Policy Name   | Approved Date             | Committee            | Review Date |
|----------------------------------|-----------|---|---------------------------|----------------------|-------------|
| <b>10Section A – The Council</b> | 1         | Standing Orders   | April 2023                | Full Council         |             |
|                                  | 2         | Financial Regulations   | May 2022                  | Full Council         |             |
|                                  | 3         | Procurement Policy  | March 2021                | Full Council         |             |
|                                  | 4         | Scheme of Delegation  | March 2021                | Full Council         |             |
|                                  | 5         | Business Continuity Plan  | October 2022              | Governance & Finance |             |
|                                  | 6         | Constitution*   |                           |                      |             |
|                                  | <b>7</b>  | <b>Information Governance</b>                                       |                           |                      |             |
|                                  | 7.1       | GDPR  | August 2022               | Governance & Finance |             |
|                                  | 7.2       | Data Mgt & Audit Policy   | August 2022               | Governance & Finance |             |
|                                  | 7.3       | Model Publication Scheme  | August 2022               | Governance & Finance |             |
|                                  | 7.4       | Transparency Policy   | August 2022               | Governance & Finance |             |
|                                  | 7.5       | Computer Back Up Procedure  | August 2022               | Governance & Finance |             |
|                                  | <b>8</b>  | <b>Health &amp; Safety</b>  |                           |                      |             |
|                                  | 8.1       | Health & Safety Policy  | February 2023             | Governance & Finance |             |
|                                  | 8.2       | Emergency Lighting & Testing  |                           | Moved to Procedures  |             |
|                                  | <b>9</b>  | <b>Organisation &amp; Procedures for the Council and Committees</b> |                           |                      |             |
|                                  | 9.1       | Complaints Procedure  | February 2023             | Governance & Finance |             |
|                                  | 9.2       | ToR for all Committees  | Annually at first meeting | P&H, G&F, TE, HR     |             |
|                                  | 9.6       | Virtual Meeting Protocol  | January 2021              | Governance & Finance |             |
|                                  | 9.7       | Code of Conduct   | January 2023              | Full Council         |             |
|                                  | 9.8       | Register of Members' Interests                                      |                           |                      |             |
|                                  | 9.9       | Chair Acceptance of Office  | May 2022                  | Full Council         |             |
|                                  | 9.10      | Councillor Acceptance of Office                                     | May 2022                  | Full Council         |             |
|                                  | 9.11      | Vice Chair Acceptance of Office                                     | May 2022                  | Full Council         |             |
|                                  | 9.12      | Dignity at Work Policy  | January 2023              | Full Council         |             |
|                                  | Policy No | Policy Name   | Approved Date             | Committee            | Review Date |

|  |           |   |             |                      |  |
|--|-----------|---|-------------|----------------------|--|
|  | 9.13      | Website Policy – adding Agendas and Minutes   |             |                      |  |
|  | 9.14      | Website Policy – adding events  |             |                      |  |
|  | 9.15      | Using Social Media & Broadcasting at Council Meetings Policy                              |             |                      |  |
|  | 9.16      | Councillor Officer Protocol   | March 2023  | Full Council         |  |
|  | <b>10</b> | <b>Asset Management</b>   |             |                      |  |
|  | 10.1      | Asset Management  | August 2022 | Governance & Finance |  |
|  | <b>11</b> | <b>Council Charging</b>   |             |                      |  |
|  | 11.1      | External Organisations using STC Land and Property  |             |                      |  |
|  | 11.2      | Old Court House Conditions of Use   |             |                      |  |
|  | 11.3      | Old Court House Letting Policy<br>App 1 – Old Court House Room Booking Conditions         |             |                      |  |
|  | 11.5      | Room Hire Policy  | August 2022 | Governance & Finance |  |
|  | 11.6      | Hire of STC Event Equipment   |             |                      |  |
|  | 11.7      | Car Parking Policy  |             |                      |  |
|  | 11.8      | Vehicle Parking Charges   |             |                      |  |
|  | 11.9      | Use of STC Land and Car Parks by Commercial and Other Organisations                       |             |                      |  |
|  | 11.10     | Provision of Markets Policy   |             |                      |  |
|  | 11.11     | Use and Charging for Southwell Parks and Open Spaces                                      |             |                      |  |
|  | 11.12     | Relationship Between STC and Organisations using STC Property<br>App 1 – Apple Press Form |             |                      |  |
|  | 11.14     | Market – Severe Weather Policy  | May 2021    | Town Environment     |  |

Agenda item 16.4

|  | Policy No | Policy Name                            | Approved Date | Committee            | Review Date |
|--|-----------|--|---------------|----------------------|-------------|
|  | <b>12</b> | <b>Human Resources</b>                 |               |                      |             |
|  | 12.1      | New Staff Briefing Note                |               |                      |             |
|  | 12.2      | Grievance Procedure                    |               |                      |             |
|  | 12.3      | Recruitment Policy                     |               |                      |             |
|  | 12.4      | Contract of Employment                 |               |                      |             |
|  | 12.5      | Staffing Structure                     |               |                      |             |
|  | 12.6      | Equality & Diversity Policy            | January 2023  | Human Resources      |             |
|  | 12.7      | Staff Handbook                         |               |                      |             |
|  | 12.8      | Volunteer Policy                       | October 2022  | Governance & Finance |             |
|  | 12.9      | Lone Worker Policy                     | October 2022  | Governance & Finance |             |
|  | 12.10     | Safeguarding Policy                    | October 2022  | Governance & Finance |             |
|  | 12.11     | Vexatious & Abusive Complaints Policy  | February 2023 | Governance & Finance |             |
|  | <b>13</b> | <b>Communications &amp; Media</b>      |               |                      |             |
|  | 13.4      | Banners on the Burgage                 |               |                      |             |
|  | 13.5      | Press & Other Media Relations Policy   |               |                      |             |
|  | 13.6      | STC Corporate Colour                   |               |                      |             |
|  | 13.7      | Communications Policy                  |               |                      |             |
|  | <b>14</b> | <b>Environment</b>                     |               |                      |             |
|  | 14.1      | War Memorial Recreation Ground Pitches |               |                      |             |
|  | 14.2      | Play Area Inspections Guidelines       |               |                      |             |
|  | 14.3      | Benches & Tables Policy                | March 2023    | Town Environment     |             |
|  | 14.4      | Tree Policy                            | March 2023    | Town Environment     |             |
|  | 14.5      | Environmental Policy                   | October 2019  | Full Council         |             |
|  | <b>15</b> | <b>Risk Assessment</b>                 |               |                      |             |
|  | 15.1      | Risk Assessment Policy                 |               |                      |             |
|  |           |  |               |                      |             |
|  |           |  |               |                      |             |
|  |           |  |               |                      |             |

|  | Policy No | Policy Name  | Approved Date                         | Committee            | Review Date |
|--|-----------|--|---------------------------------------|----------------------|-------------|
|  | 15.3      | Fire Risk Assessment Policy and Procedures<br><b>App 1 – Fire Detection System Processes</b> |                                       |                      |             |
|  | 15.4      | Risk Management & Risk Register  | June 2022                             | Governance & Finance |             |
| <b>Section B – Finance</b>                 | 1         | Investment of Funds Policy   | April 2021                            | Governance & Finance |             |
|  | 2         | S137 Grants Policy   | April 2021<br>Spend 22/23<br>£4468.00 | Governance & Finance |             |
|  | 3         | Use of Community Infrastructure Levy Policy  | April 2021                            | Governance & Finance |             |
|  | 4         | Flood Mitigation Reserves Policy   | April 2021                            | Governance & Finance |             |
|  | 5         | General Power of Competence  | May 2021                              | Full Council         |             |
|  | 6         | Reserves Policy  | October 2022                          | Governance & Finance |             |
|  | 1         | Planning & Highways Policy   | October 2022                          | Governance & Finance |             |
| <b>Section C – Planning &amp; Highways</b> | 2         | Road Naming Policy   | October 2020                          | Planning & Highways  |             |
|  | 3         | Footpaths Policy   |                                       |                      |             |
|  | 4         | Neighbourhood Plan   |                                       |                      |             |
|  | 5         | Planning Committee Administrative Process  |                                       |                      |             |
|  |           |  |                                       |                      |             |

- Not required at present but keeping on file

Policies 1-5 & 8.1 to be approved at the Annual Meeting of the Town Council in May.

All other policies to be reviewed every two years unless legislation or practices change.

## Agenda item 017 To adopt the of General Power of Competence

Report on General Power of Competence (Localism Act 2011) and differences between S137(4)(A) of the Local Government Act 1972

### **General Power of Competence (Localism Act 2011)**

The Act says that a local authority has the power to do anything that individuals generally may do.

This includes the power to do an act anywhere in the United Kingdom or elsewhere and the power to do it for a commercial purpose or otherwise for a charge or without charge for the benefit of the authority and its area or persons resident and present in its area.

In order to adopt the power the Council must meet the following criteria:

Clerk must hold the Certificate in Local Council Administration.

Elected members must be equal to or great than two thirds of the total number of members of the council.

Clerk must have received the relevant training.

Council must resolve each year at Full Council to adopt the power.

Examples of the use of GPC are

Running a Youth Club or Library

Run a local community post office/shop

Investing in a local co-operative society

Setting up a company to provide a service - community transpor

### **S137(4)(A)**

Permits the Town Council to spend on activities for which it has no specific powers if the Council considers that the payment/grant will bring direct benefit to the parish area to all or some of its residents. It cannot be paid to an individual nor retrospectively.

Examples of S137 grants are

Local Groups

Local Charities

Flood Relief

Prizes for fund raising locally

History

### **Resolution**

Southwell Town Council is eligible to continue to use the General Power of Competence (Localism Act 2011 sections 1-8) as the number of members elected at the 2019 ordinary elections is equal to or greater two thirds of the total number of seats on the Council and that the Council has a qualified Clerk, as defined in section 2 of The Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012 (Statutory Instrument 2012 No. 965).

# Fact sheet for councils: the use of personal email addresses and devices

This factsheet has been produced following a series of workshops and discussions with local councils across the UK and will be of interest to parish council clerks looking for steps they can take to improve their council's data protection compliance.

The majority of parish clerks attending the Society of Local Council Clerks (SLCC) Leadership in Action Conference 2019 ranked the use of personal email addresses and devices for council business as their top data protection concern.

The UK General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA) don't say which email systems or devices should be used. But if the use of personal email addresses and devices is something your council does, you should be aware of the risks and the council's data protection obligations and responsibilities.



**Fact: Councils must ensure the confidentiality, integrity and availability of all personal data they hold, even if the data is being processed through personal email accounts or is stored on a privately-owned device.**

As a data controller, a council has obligations relating to the confidentiality, integrity and availability of all personal data it holds. This means that the council is accountable for any council business conducted involving personal data on any device or through any email account.

The use of personal devices and email accounts could raise the risk that personal data is processed for different purposes from which it was originally collected. All members of the council should ensure they know their responsibilities in terms of only using personal data for the purposes which the council obtained it.

If copies of data (such as email attachments) are stored on many different devices, there's an increased risk that it'll become out-of-date or inaccurate over time. There's also an increased risk that it'll be retained for longer than necessary, because it's difficult to keep track of copies.

You may also find it difficult to respond on time to a subject access request if you have to search multiple devices or if you aren't aware of all the devices on which personal data may be stored.

### Questions to ask:

- What types of devices are in use?
- Who else uses the personal email account or privately-owned device, and who else has access?
- How can you control the data on the personal email account or privately-owned device (eg accuracy and retention)?
- How much consideration has been given to the data on the device being overlooked?



**Fact:** Councils must process personal data securely – which may be more difficult to achieve if it's being processed through personal email accounts or is stored on privately-owned devices.

Councils must have 'appropriate technical and organisational measures' in place to prevent the personal data it holds being accidentally or deliberately compromised. This includes physical and organisational security measures and also cybersecurity. If data is shared around multiple devices this introduces more points of failure and vulnerability.

There's no 'one size fits all' solution to information security. The UK GDPR doesn't define the security measures that you should have in place. It requires you to have a level of security that is 'appropriate' to the risks presented by your processing. What's appropriate for your council will depend on your own circumstances, the information you're processing, and the risks it presents.

As the data controller, the council must ensure that all processing of personal data under its control remains compliant, regardless of the ownership of the device used



to carry out the processing. If there's a personal data breach, you must be able to demonstrate that you've secured, controlled or deleted all personal data on a particular device.

### Questions to ask:

- How secure are the devices (eg is the device password-protected and what is the risk of malware)?
- What if the device is lost or stolen – can you remotely locate it and wipe the data?
- What operating system is the privately-owned device running?
- How is data transferred to other devices, and how secure are these systems and/or devices?
- Is your council using or considering cloud storage?



**Fact:** Councils must demonstrate that they are UK GDPR-compliant, and the use of personal email accounts and privately-owned devices may make this more complicated.

The principle of accountability requires you to be able to demonstrate that you are complying with the UK GDPR, and have appropriate policies and processes in place. If personal devices or email accounts are being used, you should have an effective organisational policy in place to ensure that the associated risks are managed.

You'll also need to take steps to make sure your members are aware of the policy and that it is implemented. This could include training, monitoring and audits.

### Questions to ask:

- If you're using personal email addresses and/or devices to process data for council business, do you have an acceptable use policy in place to manage this?
- Have you implemented appropriate security measures as outlined above?
- Have you documented the associated risks and subsequent decisions?
- Does your council need to review/update its current approach?

## More information

For more information about the accountability principle with the UK GDPR, visit [ico.org.uk](https://ico.org.uk) and search '[accountability principle](#)'.

The challenges of using a personal email system or device are set out in more detail in the ICO's [Bring your own device \(BYOD\)](#) guidance – visit [ico.org.uk](https://ico.org.uk) and search 'BYOD'.

## Agenda item 19

[illegible]

## Agenda item 23

### Projects and Clerks Report May 2023

Unfortunately, Facilities staff have been kept busy again this month with Anti-social behaviour at the WRMG and Church Street Toilets, which has resulted in additional cleaning. The locks have been changed and this continues to be monitored and reported.

The Projects staff and Ground staff have been busy getting the town ready for the Kings Coronation with the installation of the flags, bunting and planting at the Market.

The Ground staff have also completed the painting and tidying up of the market benches and flower beds.

The Market covers have all be cleaned and the extension to the fish stall is complete. Traders have been communicated the price increase.

All mowing and line marking is up to date and a new remembrance tree has been planted in Froggatts and the WA Rainbow Memorial bench has been installed on the Burgage.

The painters have returned to complete the works at the Old Court house, and this should be complete by the end of May.

The Spiders Web is now back open and the herras fencing has been removed.

Rotator Arm in now open on WMRG

The Rotating Cup in Squires remains closed awaiting parts

Contractor has been contacted regarding Riverside Bridge

Quotes have been received for the rejuvenation of Squires Pond and we are looking into Risk assessments for the Dipping Pond.

The football club were advised to keep off the pitches earlier in the Month due to the rain.

Groundstaff are removing fallen tree at Froggatt's due to safety concerns

Wooden bollards have been replaced on the upper Burgage, more have been ordered to complete the replacements on lower Burgage

Ash Tree Spinney works have been halted temporarily until we are out of nesting season.  
New Electric mower has been delivered

New councillor packs have been sent out along with email joining instructions.

Finance Assistant recruited.

### Events

Coronation weekend was successful working alongside the Minster and decorating the town.

Next big event will be The Southwell Community Garden Party on 25 June 2023, we already have almost 30 confirmed stall holders/community groups and schools booked in to join us. The Young Farmers have also offered their time to help Marshall car parking, litter picking and safety of the public.

NSDC have informed us that it's likely that the TOB will be coming through Southwell again and will update in due course.

The next Young Enterprise Market is to take place on 29 October.

Remembrance Parade will build on the success of last year on 12 November.

Late night shopping/Christmas Market will be 30 November.

Lantern walk in association with the Workhouse will be 09 December with work shops the weekends prior.

### **Parks & Open Spaces**

Grass cutting has up to date.

The skate park equipment will need removing in the near future.

Extensive work on the Minster Field Hedge, the ground staff have been making it safe. Further research is required on the ownership the hedge and strip of land .

### **Priorities for next month**

Recruitment

Year End Close Down

Internal Auditor

Complete Tree works

Summer in Southwell leaflet

Skatepark funding

Renewal of Insurance policy

Neighbourhood Plan

Confirmation of Events calendar

Planning Annual Town Meeting

Watering system

### **Training**

Abi - Community Event Management - completed

Lesley – Filca – on going

Ground staff in complete on line courses – on going

Steve Eyre – Playground inspection course – June

**THE GATE TO SOUTHWELL FOLK FESTIVAL LIMITED**

**PROFIT AND LOSS ACCOUNT FOR THE YEAR ENDED 30th SEPTEMBER 2022**

|                                 | <b>ACTUAL<br/>2022</b> | <b>ACTUAL<br/>2021</b> |
|---------------------------------|------------------------|------------------------|
|                                 | <b>£</b>               | <b>£</b>               |
| <b>INCOME</b>                   |                        |                        |
| Ticket Sales                    | 138,709                | 119,034                |
| Concessions                     | 18,844                 | 15,783                 |
| Programme Income                | 3,008                  | 1,359                  |
| Profit/Loss on T shirts         | 179                    | 579                    |
|                                 | <u>160,740</u>         | <u>136,755</u>         |
| Grants and Sponsorship          | 3,400                  | 15,990                 |
| Screen Adverts                  |                        |                        |
| Insurance Claim                 |                        |                        |
| Other Income                    | 632                    | 1,290                  |
| Bank Interest                   |                        |                        |
|                                 | <u>164,772</u>         | <u>154,035</u>         |
| <b>EXPENDITURE</b>              |                        |                        |
| Rents & Licences                | 8,872                  | 7,448                  |
| Site Costs                      | 52,947                 | 37,321                 |
| Health & Safety                 | 861                    | 710                    |
| Artists & Performance Equipment | 72,151                 | 49,626                 |
| Personnel                       | 11,053                 | 7,352                  |
| Transport & Fuel                | 376                    | 239                    |
| Marketing & Publicity           | 5,674                  | 5,338                  |
| Administration                  | 2,660                  | 2,432                  |
| Management Fees                 | 5,000                  | 5,000                  |
| Other Costs                     | 2,888                  | 1,898                  |
| Depreciation                    |                        |                        |
| Prov'n for bad debts            |                        |                        |
|                                 | <u>162,482</u>         | <u>117,364</u>         |
| <b>PROFIT BEFORE TAXATION</b>   | <b>2,290</b>           | <b>36,671</b>          |
| Taxation (see below)            |                        |                        |
| <b>PROFIT AFTER TAXATION</b>    | <b>2,290</b>           | <b>36,671</b>          |

**Taxation**

The company is only chargeable to corporation tax on bank interest received and not on the operating surplus of the company as it is a "not for profit" company

## Agenda item 19

[illegible]



## **S137 Grant FUNDING**

### **APPLICATION FOR GRANT AID**

#### **Section 1    About your organisation**

|                                    |   |
|------------------------------------|---|
| <b>Name of Organisation</b>        | <b>Gate to Southwell Festival</b>                                     |
| <b>Location</b>                    | <b>Kirklington and Southwell</b>                                      |
| <b>Purpose of Organisation</b>     | <b>To provide an annual international roots music and dance event</b> |
| <b>Total Number of Members</b>     | <b>8 on Committee</b>   |
| <b>% of Members in the Town</b>    | <b>62.5</b>   |
| <b>Age Profile of Organisation</b> | <b>30-70</b>  |
| <b>Contact Name</b>                | <b>Mike Kirrage</b>   |
| <b>Contact Address</b>             | <b>Rose Cottage, Normanton Road, Southwell,</b>                       |
| <b>Telephone Number</b>            | <b>01636 816678</b>   |
| <b>Email Address</b>               | <b>m.kirrage@gmail.com</b>  |

#### **Section 2    About the Grant Aid**

|   |  |
|---|--|
| <b>Amount of Grant Applied for</b>  | <b>£1000</b>   |
| <b>What will the Grant be used for</b>                                    | <b>£500 contribution towards road closure for dance procession in the centre of town on Saturday 1st July. £50 contribution towards a shuttle bus between the site and Southwell throughout the weekend</b>  |
| <b>How will the grant aid benefit the residents living in Southwell?</b>  | <b>The grant will enable us to continue the links we have always had with the town, which benefits the residents culturally and financially throughout the year. The festival is recognised as one of the top events of its type and attracts visitors to the town over the weekend of the festival and by association, throughout the year.</b> |
| <b>Give details of funds your organisation has raised in recent years</b> | <b>We have received sponsorship from Lowdham as main sponsor, for the last few years (currently £2000) and a grant from Newark &amp; Sherwood District Council of £1890 in</b>   |

Please send with your application a copy of your last accounts and any other supportive documents you wish to include to:- The Clerk, Southwell Town Council, The Old Courthouse, Burgage, Southwell, NG25 0EP.  
Tel 01636 816103 email [admin@southwell-tc.gov.uk](mailto:admin@southwell-tc.gov.uk)



|  |   |
|--|---|
|  | <b>2021 following the pandemic.</b>   |
| <b>What other organisations have you applied to in respect of this request and what was the outcome?</b> | <b>We have not applied to anyone else for this specific request but we have contacted Newark and Sherwood District Council to request any funding they have available, suitable for our organisation.</b> |

## Additional Information in Support of Application

The Gate to Southwell Festival, a 'not for profits' company, is now an established and highly respected event in the folk and roots music calendar.

This year will be the 16<sup>th</sup> edition.

The festival moved in 2021 from its home for 6 years, Southwell Racecourse at Rolleston to a much larger new site the opposite side of Southwell, at Kirklington.

The sojourn at the racecourse saw the festival reach something of a hiatus, with numbers stagnating after the continual growth of the early years. The new site is much more attractive and has proved hugely popular with our regular customers. We have built a healthy relationship with our new landlord, who is keen to support the festival and we are working together to invest in the site with improvements each year. The roadways have been improved, with passing places provided, entrances consolidated and water pipes laid. Additional water pipes will be laid this year to improve facilities across the site and future plans include levelling some of the areas and providing a permanent header tank to cope with the water pressure requirements. The landlord has also indicated that a lot more land can be made available, to facilitate future expansion plans.

This year the festival has moved dates to what we hope will become our permanent future dates, of the first weekend in July. This is partly to avoid clashes with other similar events, but we also hope that being the weekend after Glastonbury Festival will enable us to book some overseas artists who they have booked. Inevitably the date move has caused some problems, the biggest being the unavailability of our regular local first aid suppliers. This has added considerably to our costs, in finding a replacement organisation from further afield.

Managing to go ahead with the festival in 2021 albeit at a later date, turned out to be a good decision with the festival able to show an actual profit (not relying or due to grants received) for the first time since 2013. Despite having to make budget cuts, the unique situation following the pandemic, meant people were desperate to get away. Other festival organisations which were able to stage an event reported a similar experience. Last year the festival managed to sustain an upward curve with a very slight profit, despite a relaxation of budget restraints and coping with increased costs. This year has again seen cost increases across the board far above inflation. Despite increasing our prices, in the light of the dire economic situation, we are expecting and budgeting to make a small loss. We want to try and maintain our upwards trajectory, so in order to compete with other events need to continue to book a recognisably strong programme. This

decision has not been taken lightly. We hope it will be a case of ‘speculate to accumulate’. Our aim is that when the economic situation improves we will have maintained or bettered our profile and standing. In the meantime we are still being extremely prudent with all aspects of our financial planning.

All this should be good news for Southwell and the local people. Throughout its history the festival committee have striven to maintain links with the town and townspeople, with our dance procession and morris dancing along King Street, our organisation of workshops in local schools and in recent years our promotion of the ‘gate decorating’ competition. Until the pandemic hit, we were on course to resurrect our links with the NT Workhouse, with dancing and a small procession planned for there as well.

This year, we are proposing once again to organise the usual procession and dancing in town.

To facilitate this requires the temporary closure of King Street. We have received a quote from Chevron the traffic management company for this. The specific cost of installing and removing the road closure signs on Saturday 1<sup>st</sup> July is £504. There are additional administration, plan preparation and advance warning sign installation costs, but these have been grouped in with the costs the festival bears for directional signage.

Additionally to assist people at the festival site and in Southwell to travel between the two we intend to again provide a shuttle bus service operating from Friday until Sunday. The cost of this has risen to £2500, an increase of £500 on last year. In an effort to keep the cost as low as possible we have booked smaller vehicles for the quieter periods, but still need full size coaches for Saturday. Whilst we sell bus tickets, we feel the price we charge has to be kept low to encourage people to use the service. We obviously cannot charge for all the dancers who need to be ferried in and out of town.

We are intending maintaining the ticket prices at £3 return for adults, £2 for youths and children under 12 free. The last two years have seen sales of around £600. A similar income would see the Festival faced with a shortfall of £1,400, even were the Council to maintain its contribution of £500. Without financial support we would have to look to increasing the ticket prices this year and reviewing the situation for next year.

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## PARTNERSHIP AGREEMENT

**JUNE 2023 - 2028**

**BETWEEN**

**SOUTHWELL TOWN COUNCIL**

**AND**

**SOUTHWELL HERITAGE TRUST**

STC LOGO   SHT LOGO

**Signed:**

..... (CHAIR - SOUTHWELL TOWN COUNCIL)

..... (CHAIR - SOUTHWELL HERITAGE TRUST)

**Date:** .....

### 1. Introduction:

## Agenda item 25

Southwell's existing archaeological, heritage and history organisations have and continue, with others, to tell the story of Southwell in an archaeological and historical context. However, the 21st century is a challenging one for locally inspired and managed community organisations, particularly so in the areas of visibility and engagement with their local communities.

Two integral local organisations in this work have been, and continue to be, Southwell Town Council (STC) and Southwell Heritage Trust (SHT). SHT, was established in 2008 and has charitable status. The Trust has been active and continues to ~~de~~ be so in many local heritage projects since its inception.

As previously referred to, SHT is currently active in various projects in the local community and it is considered by the Trustees that these projects would be more accepted by the local community and others if it is perceived that STC are wholly engaged, through an official a Partnership Agreement. One advantage of a Partnership Agreement is that more volunteers might be willing to come forward to help manage and deliver projects.

The purpose of this document is to lay out the shared values, roles, responsibilities, and ways of working for a collaborative, transparent, open, inclusive, and trusting partnership between STC and SHT that will give the ability to respond to the many opportunities and challenges faced by partners.

It recognises the implicit challenges communities face in today's world, the limsurrounding ited resources, changing roles and responsibilities, and the difference in needs between communities, neighbourhoods and groups. As we work together towards achieving the goals of this document, we will have to establish new ways of thinking and working among our partners and the local community, recognising the need to continuously question existing models and collaborate to overcome the challenges we face.

## 2. The Partnership Agreement:

This Partnership Agreement provides a framework for the relationship between STC and SHT setting out a number of principles by which both partners should work together effectively to help create:

- I. A strengthened unified partnership providing sustainability and longevity in relation to promoting Southwell's heritage and tourism offer in order to involve the local community, to provide further support for local businesses and to attract more visitors to Southwell to showcase Southwell and the surrounding district's rich heritage in a more connected approach. In time, to bring together in partnership other local statutory bodies and non-statutory archaeological, heritage, historical and civic organisations and other interested parties.
- II. Provide greater flexibility and visibility to the community, funding providers, and other bodies.
- III. Maximise use of limited resources.
- IV. Foster and cross-fertilize interests and community engagement.
- V. Effective and transparent design and development of projects for the benefit of local businesses and the community.
- VI. Responsive and high-quality provision of programmes, publicity and services.
- VII. Clear arrangements for managing changes to projects and services.

The outcomes that will be achieved through a shared commitment to this agreement include stronger partnerships, better promotion of Southwell for the benefit of the whole community, the optimisation of resources, improved communication between partners and better trust and respect across the public and voluntary sectors relating to Southwell.

For the avoidance of doubt the Partnership Agreement is not intended to confer any legal rights or obligations on the parties. STC and SHT enter into the arrangement in the spirit of community engagement and outreach. STC, through its elected members and officers, will engage with the partnership in a way that accords with the normally expected requirements and practices of the council. The STC representatives will be encouraged to engage fully and proactively with the aims and objectives of the agreement, within the parameters set out by the trust. The partnership does not affect the requirements and obligations of the trustees of SHT in administering the trust.

## 3. Shared Values:

## Agenda item 25

The following shared values underpin this partnership agreement:

- **Respect:**

Effective partnerships are built on mutual understanding and an appreciation of the differences between the partners. STC and SHT have distinct but complementary responsibilities in meeting local needs and the delivery of local services and opportunities in relation to better presenting the outstanding heritage of Southwell and its landscape.

- **Independence:**

The independence of SHT is recognised and supported. Voluntary and community groups reflect a wide range of local interests and have a right to campaign within the law on behalf of those interests.

- **Honesty:**

Strong partnerships can only be built and maintained through open communication. Full and honest discussions should be the basis for resolving difficulties should they arise.

- **Fairness and Equality:**

Fairness for everyone, regardless of their background, is a fundamental goal. STC and SHT will work together to promote equality and human rights, regardless of race, age, disability, gender, sexual orientation, faith, health, socio economic status or other characteristics protected by the Equality Act 2010.

- **Diversity:**

STC and SHT value the diversity of the Southwell community, which allows all groups to have a voice and bring forward new ideas. Voluntary and community groups support the involvement of users in local services and often act as advocates for those who otherwise have no voice, particularly the seldom heard sections of the community.

- **Cooperation and Collaboration:**

STC and SHT, along with other organisations, have access to information, data and insight that can enhance the understanding of communities and local priorities. Sharing this data [*within the parameters of the Data Protection Requirements*] and insight not only saves resources, but also improves the quality of decision making and helps deliver better outcomes.

Finally, taking action - effective partnerships rely on the commitment of the partners to take action to move towards the shared goals and ambitions.

## 4. Operating Principles and Dispute Resolution:

The following principles will frame how the partnership agreement operates in practice:

- I. Membership and SHT meetings: STC are invited at their Annual Town Council in May to nominate two representatives to be non-voting members of SHT, who are invited to attend SHT's Trustees and General Meetings. The STC's representatives can report back as required to STC members.
- II. This agreement will be reviewed after 4 years and submitted to the relevant decision-making bodies for approval.
- III. All parties to the agreement will jointly monitor implementation of the agreement through an annual review in May by both partners.
- IV. The partners will each nominate a Senior Officer (SHT) and a Trustee (SHT) to be an overall 'Agreement Guardians'.
- V. Should any disputes arise regarding operation of the agreement, then issues can be referred to the 'Guardians' to resolve.
- VI. The two parties to this agreement, STC and SHT, are not exclusive and other partners are invited to sign up to show their commitment to a better working relationship for the benefit of the Southwell community.
- VII. Termination: Termination of this Partnership Agreement to be made in writing by either partner providing the reasons and six month's notice.

## **Southwell Town Council**

### **Proposals for the Future Management of Ash Tree Spinney**

#### **Introduction**

Ash Tree Spinney is covered by a Woodland TPO and requires permission from the relevant authorities.

Between March and June and then a revisit in September last year after a request from the Council to reassess the trees, the tree surveyor produced a report on work to be carried out on the Spinney.

The Council requested that residents were allowed to comment on these works and a report was compiled for Full Council for consideration.

The decision was taken, in January 2023, by Full Council to accept the Tree Surveyor report and undertake the work.

#### **Delays**

The work was delayed until the following permissions were granted:

NSDC Tree Protection order

Forestry commission felling licence.

A habitat report, which identified 6 low/med potential bat nests)

A bat report, which identified 1 potential roost, mitigation was put in place to protect this until further camera investigation is completed

A Footpath Closure

This meant that the soonest that the work could commence was work was Tuesday 9<sup>th</sup> May.

#### **Restrictions**

The Council was aware that carrying out the work at this time of the year was going to be unlikely without infringing the Wildlife and Countryside Act. Full Council and the Risk Panel debated this and how to balance these environmental concern with maintaining public safety.

Public concern was raised by residents concerned about the threat to their property from falling branches or collapsing diseased trees and by the requirement not to disturb nesting birds, bats and other wildlife.

#### **Current Position**

The Clerk and the Chair met, in the woodland, with the Tree Surgeon Contractor on the 9th of May to assess what if any work could be carried out to mitigate the public safety risks. The Press, Several Councillors and residents were present because news of this meeting somehow got published on social media.



In consultation with the Contractor, it was agreed to carry out minimal works to remove dead wood over the footpaths only because he advised that it was impossible to otherwise avoid disturbing any ground-nesting birds. The majority of the work has therefore been paused until a more appropriate time of the year.

### **Consequences**

The tree surgeon indicated that minimal work would mitigate some of the risk. He also had the opinion (unofficially) that the dying trees scheduled for removal are currently at low risk of total failure. Of course, a risk remains especially if there are high winds with trees in full leaf.

The Clerk contacted the insurance company and they indicated that because the Council paused the work, agreement with the tree surveyor would be required for the council insurance to be valid.

#### **The tree surveyor responded thus:**

***My report is clear that I strongly recommend that certain works occur within 6 months of submission of the document.***

***As this has not occurred, I am left in somewhat of an awkward position.***

***I have previously stated that I cannot be held liable for failure events that may occur if work has not been completed within the timeframes allocated.***

### **Options**

Continuing to carry out the works would infringe the Wildlife and Countryside Act. The Council has no intention of knowingly doing this so this option is eliminated although it has in some places elsewhere it is understood that Authorities have engaged an ecologist on to carry out inspections to ensure that no nesting birds or habitat is disturbed whilst essential tree safety works are carried out.

#### **The Council is asked to consider:**

1. In order to limit the risk posed by falling branches from the trees in question, to deny access to members of the public through the area by closing the footpaths, and erecting site safety barriers with appropriately worded signage.
2. The potentially uninsured risk to adjacent property owners of falling branches or failing tree [Since the works have been paused the office has been contacted by 2 concerned residents neighbouring the Spinney and also 1 comment on Facebook expressing concern.]
3. Engaging a tree surveyor periodically over the summer to assess the risks involved

### **Proposal**

**Council to agree to pause work until the most appropriate season.**

Compiled by L Wright Clerk  
Supported by Cllr. M Stott, Chair  
10 May 2023

**Draft Minutes of meeting: GOVERNANCE & FINANCE COMMITTEE**

**Date and Time: Wednesday 12<sup>th</sup> April 2023 1900hrs**

**Venue: The Old Courthouse**

Present: Cllrs P Harris (Chair), Blaney, Brock, L Harris, Rainbow, Roberts. Deputy Clerk

Apologies: Cllr Thompstone

**GF22/04/54 Apologies for absence**

Reasons were approved unanimously.

**GF22/02/55 Questions from members of the public.** (The positioning of this item on the agenda may be varied by resolution of the Council to facilitate involvement by members of the public)

No members of the public in attendance

**GF22/04/56 To receive any declarations of interest.**

*Members are hereby reminded of sections 26-34 and Schedule 4 of the Localism Act 2002.*  
NONE

**GF22/04/57 Chairperson's Announcements**

NONE

**GF22/04/58 To approve minutes of previous meeting.**

58.1 Governance & Finance Wednesday 8<sup>th</sup> February 2023 – previously circulated  
Proposed: Cllr P Harris Seconded: Cllr L Harris  
Approved and signed.

58.2 Matters Arising – for information only.  
NONE

**GF22/04/59 Finance matters**

59.1 Finance Position to end March (draft), reserves to end March – previously circulated.  
Updated spreadsheets to be circulated to Full Council.  
The Emergency Reserves figure will reduce by the overspend figure after year end closedown is complete. Scheduled for 15<sup>th</sup> May 2023.  
Cllr P Harris to prepare a paper for Full Council explaining the extraordinary items of expenditure that have resulted in this year's overspend.

**GF22/04/60 Grants**

60.1 Grant Application Process  
60.2 Aid Strategy – previously circulated  
Grant agenda items discussed together.  
After a discussion, it was agreed to add a box stating, 'Refer to Full Council to agree resource allocation.' When agreed, funds could/would be vired between codes.

The meeting was advised that it is a requirement to show grants on a separate line in the accounts for easy identification.

The proposals change the current grant application process so need to go to Full Council for approval.

Papers to be circulated to all councillors with next Full Council agenda.

Cllr P Harris to make amendments to Grant Application Process, as agreed.

**GF22/04/61 Car Parks**

61.1 Car Park Charges

Car Park Charges Working Group Notes to be circulated with Full Council agenda.

All proposals were approved – to go to Full Council.

Amendments to current charging to go to N&SDC in June to be included in Car Parking Order.

Agreed unanimously.

**GF22/04/62 To resolve on whether the Council will move into closed session in accordance with the Public Bodies (admission to meetings) Act 1970 as amended by Section 100 of the Local Government Act 1972 for the following confidential items:**

Proposed: Cllr P Harris

Seconded: Cllr L Harris

Agreed unanimously.

62.1 Skate Park

To go to Full Council for discussion in closed session.

**GF22/04/63 Date of next meeting – to be agreed**

**GF22/04/64 Items for Discussion at next meeting**

- Funding application for fencing at Scout Hut

Meeting closed 1945hrs

Alice Dunn  
Deputy Clerk

**Minutes of Meeting:** PLANNING & HIGHWAYS COMMITTEE  
**Date and Time:** Wednesday 5<sup>th</sup> April 2023 19.00  
**Venue:** The Old Courthouse Burgage Southwell NG25 0EP

**Questions and planning responses from Members of the Public – none**

**Present:** Councillors D Martin, M Jeffrey, K Roberts, S Perry, M Brock

**In Attendance:** L Wright – Clerk. 3 members of public, 1 member of the press

**PH22/04/112** Apologies for absence- Cllr S Reynolds, L Harris & P Scorer

**PH22/04/113** **To receive any declarations of interest.**  
*Members are hereby reminded of sections 26-34 and Schedule 4 of the Localism Act 2001*  
Cllr M Brock no vote on item 1, 10 & 14

**PH22/04/114** **Approval of Minutes of previous meetings:**  
114.1 Planning Committee Minutes 1 March 2023  
**Proposed M Jeffrey Seconded S Perry**  
With the addition of the Double-Glazing letter  
**Agreed Unanimously**  
114.2 Matters arising – none

**PH22/04/115** **Planning applications – click to the NSDC ref below and it will link to the relevant application.**

| STC Ref | NSDC ref                       | Location                                   | Details  | Decision   | Observations  |
|---------|--------------------------------|--|--|--|---|
| 115.1   | <a href="#">23/00312/FULM</a>  | Land At High Gables Lower Kirklington Road | Demolition of a property known as 'High Gables' and the erection of 56 residential dwellings with associated access, landscaping and infrastructure (resubmission) | Objection Proposed M Jeffrey Seconded S Perry    | See attachment below  |
| 115.2   | <a href="#">23/00402/HOUSE</a> | 6 Nursery End                              | Single storey rear extension and single storey replacement of existing garage to create ground floor bedroom. Installation of solar panels timber pergola to rear  | No Objection Proposed M Jeffrey Seconded S Perry | Southwell Town Council considered 23/00402/HOUSE 6 Nursery End and agreed unanimously to no objection to this application on the condition that the potential flooding issue is addressed and the new surface on the driveway is porous |
| 115.3   | <a href="#">23/00387/HOUSE</a> | 37 Silvey Avenue                           | Demolition of existing garage, new single storey side extension, loft conversion with 4 No. rooflights, detached garage and boundary wall                          | No Objection Proposed M Jeffrey Seconded M Brock | Southwell Town Council considered 23/0038 37 Silvey Avenue and agreed unanimously to no objection to this application on the condition that the potential flooding issue is addressed and the new surface on the driveway is porous     |

|        |                                 |   |   |  |   |
|--------|---------------------------------|---|---|--|---|
| 115.4  | <a href="#">23/00422/FUL</a>    | Mobile Classroom Brackenhurst Campus Hicking Lane | Relocation of existing timber single-storey building to create new classroom.   | No objection<br>Proposed D Martin<br>Seconded K Roberts  | Southwell Town Council considered application 23/00422 Mobile Classroom Brackenhurst and agreed by majority to no objection to this application   |
| 115.5  | <a href="#">23/00355/AGR</a>    | Thorney Abbey Farm, Oxtown Road                   | Application to determine if prior approval required for proposed internal farm road.  | No comment   |   |
| 115.6  | <a href="#">23/00118/FUL</a>    | 17 And 19 Newark Road                             | Alterations to 2 drop kerbs and associated tarmac.  | No objection<br>Proposed K Roberts<br>Seconded M Jeffrey | Southwell Town Council considered application 23/00118/FUL 17 And 19 Newark Road and agreed unanimously to no objection to this application   |
| 115.7  | <a href="#">23/00299/CPRIOR</a> | Weldon Farm Pollards Lane                         | Notification for Prior Approval for a proposed change of use of one agricultural building to one dwelling house and for associated operational development.                     | No objection<br>Proposed M Brock<br>Seconded S Perry     | Southwell Town Council considered application 23/00299/CPRIOR Weldon Farm Pollards Lane and agreed unanimously to no objection to this application  |
| 115.8  | <a href="#">23/00457/HOUSE</a>  | 1 Dudley Doy Road                                 | Single storey rear extension  | No objection<br>Proposed S Perry<br>Seconded M Brock     | Southwell Town Council considered application 23/00457/HOUSE 1 Dudley Doy Road and agreed unanimously to no objection to this application   |
| 115.9  | <a href="#">23/00453/HOUSE</a>  | 1 Norwood Gardens                                 | Proposed two storey rear extension  | No objection<br>Proposed S Perry<br>Seconded M Jeffrey   | Southwell Town Council considered application 23/00453/HOUSE 1 Norwood Gardens and agreed unanimously to no objection to this application   |
| 115.10 | <a href="#">23/00393/DISCON</a> | Land at Coghill Court                             | Request for confirmation to discharge condition 10 (hard and soft landscaping) attached to planning permission 21/00535/FUL<br>Erection of four two bed semi-detached bungalows | No comment   |   |
| 115.11 | <a href="#">23/00463/ADV</a>    | Well Pharmacy, King Street                        | New fascia and hanging signage  | Objection<br>Proposed D Martin<br>Seconded K Roberts     | Southwell Town Council considered application 23/00463/ADV Well Pharmacy, King Street and agreed unanimously to object to this application for the following reasons :<br>does not comply with NSDC Shopfront and Advertisements SPD.....<br>-Illuminated box signs are inappropriate in Conservation areas and on listed buildings"<br>-Fascia illumination will normally be resisted.<br>-Internally illuminated signs are always inappropriate". |

|        |                                 |                      |   |  |   |
|--------|---------------------------------|----------------------|---|--|---|
| 115.12 | <a href="#">23/00458/DISCON</a> | 110 Westgate         | Request for confirmation of discharge of conditions 03 (Materials), 04 (Sample Panel) and 06 (Tree Protection) attached to planning permission 22/01576/HOUSE; Single storey rear extension, replacement windows and door to rear of house. | No comment   |   |
| 115.13 | <a href="#">23/00353/LBC</a>    | Brackenhurst College | Removal of Mart Glasshouse to external perimeter of Victorian walled garden.  | No objection<br>Proposed K Roberts<br>Seconded M Jeffrey | Southwell Town Council considered application 23/00353/ Brackenhurst College and agreed unanimously to no objection to this application and look forward to a planning application for a similar replacement building |
| 115.14 | <a href="#">23/00464/OUT</a>    | 188 Norwood Gardens  | Detached dwelling with new access and amenity space.  | No objection<br>Proposed D Martin<br>Seconded K Roberts  | Southwell Town Council considered application 23/00464/OUT 188 Norwood Gardens and agreed by majority to no objection to this application   |
| 115.15 | <a href="#">23/00545/HPRIOR</a> | 3 Riverside          | Householder prior approval for proposed single storey rear extension The length that the extension extends beyond the rear wall of the original house   | No objection<br>Proposed M Brock<br>Seconded K Roberts   | Southwell Town Council considered application 23/00545/HPRIOR 3 Riverside and agreed unanimously to no objection to this application  |

## PH22/04/116

### Planning Applications Decided

|              |  |                     |
|--------------|--|---------------------|
| <b>116.1</b> | <b>Applications Approved</b>                   | <b>STC Decision</b> |
|              | 23/00535/FUL – Land at Coghill Court           | Objection           |
|              | 23/00066/HOUSE – Popely's Piece, Bishops Drive |                     |
|              | 23/00141/LDCP – Badgers, Fiskerton Road        | No Objection        |
|              | 23/00094/DISCON – 90 Kirklington Road          |                     |
|              | 23/00013/LBC – 63 King Street                  |                     |
|              | 22/02254/FUL – Holy Trinity School             | No Objection        |
|              | 23/00196/LDCP – Rowan View Home Farm           |                     |
|              | 23/00206/HOUSE – Oak Tree Cottage              | No Objection        |

|              |  |                     |
|--------------|--|---------------------|
| <b>116.2</b> | <b>Applications Refused</b>              | <b>STC Decision</b> |
|              | 23/00163/LDCP – 23 Woodland Drive        |                     |
|              | 23/00001/LDCP – 4 Burgage Lane           |                     |
|              | 23/00189/FUL – 17 Market Place           | No Objection        |
|              | 22/02381/HOUSE – 32 Riverside            |                     |
|              | 21/02043/FULM – Land off Nottingham Road | Objection           |

### 116.3 Tree Works Applications - noted

|                               |                              |   |  |  |
|-------------------------------|------------------------------|---|--|--|
| <a href="#">23/00378/TWCA</a> | Bishops Manor, Bishops Drive | Removal of deadwood from 1 no. cedar tree   |  |  |
| <a href="#">23/00359/TPO</a>  | Hardwick House, Queen Street | Undertake works to trees protected by TPO N267 T1: Fell 1 no. sycamore tree                             |  |  |
| <a href="#">23/00405/TWCA</a> | The Minster Refectory        | Remove stem at source to give clearance from building   |  |  |
| <a href="#">23/00477/TWCA</a> | Cedar Lodge, Burgage Lane    | T1 Sycamore, Shortening of laterals by 2m to reduce overhang<br>T2 Ash, Shortening of laterals by 2m to |  |  |

|                           |                                |  |  |   |
|---------------------------|--------------------------------|--|--|---|
|                           |                                | reduce overhang<br>T3 Ash, shortening of laterals by 2m to<br>reduce overhang  |  |   |
| <u>23/00530/<br/>TWCA</u> | Yew Tree Cottage,<br>Westhorpe | G1 3no yews - Crown lift to 4m all<br>around; remove deadwood over 20mm<br>diameter<br>T1 Sycamore - Reduce to give 2m<br>clearance from phone line; remove<br>deadwood over 20mm diameter<br>H1 Leylandii - Remove to ground level<br>G3 25no damson - remove 10 of the<br>lesser specimens, selecting the<br>specimens with poor form to thin out<br>the group<br>G4 2no self-set ash – remove |  | The committee ask<br>why the crown lift<br>is to 4 metres |
| <u>23/00544/<br/>TWCA</u> | 54 Westhorpe                   | T£ Ash – Remove T4 Prunus – Remove<br>TG1 Hazel Remove   |  |   |

#### 116.4 Tree Works Approved – noted

|                           |                                   |  |  |              |
|---------------------------|-----------------------------------|--|--|--------------|
| <u>23/00344<br/>/TWCA</u> | 32c Westgate                      | T1 Cypress dying and diseased require<br>removal<br>T2 Unidentified species totally dead<br>require removal<br>T3 Malus (Apple) crown reduction 1meter<br>thin balance take dead wood<br>T4 and T5 Cypressus Leylandii (conifers)<br>Crown lift to maximum of 4meters,<br>deadwood and target prune crown<br>reduction and general balance no more<br>than 2meters<br>T6 Ilex (Holly) Crown reduction by two<br>meters crown lift no more than 4meters<br>thin and balance |  | No Objection |
| 23/00194<br>/TWCA         | 2 Farthingate                     | T1 Sorbus, Sectional fell to ground level<br>due to proximity to highway.<br>Planting condition to be favourable as<br>client would like to replant.   |  | No Objection |
| 23/00133<br>/TWCA         | 112 Westgate                      | T1 Prunus Species - All round reduction of<br>4m; 10% crown thin<br>T2 Prunus Species - All round reduction of<br>1.5m; Crown lift to give 2m clearance<br>above ground level; Crown thin of 30%   |  | No Objection |
| 23/00042<br>/TWCA         | 24 Nottingham<br>Road             | Reduce 2no Cherry Trees by<br>approximately 2m all round.  |  | No Objection |
| 23/00210<br>/TWCA         | 45 Westgate                       | Removal of mixed Conifers - Impinging on<br>neighbours outbuilding and over<br>shadowing.  |  | No Objection |
| 23/00197<br>/TWCA         | The Coach House,<br>Church Street | Removal of limb from conifer   |  | No Objection |
| 23/00294<br>/TWCA         | Burgage Manor                     | T1 Yew - Re-trim all round by 20cm<br>H1 Laurel - Reduce height by no more<br>than 3ft and trim garden side by 30cm<br>T2 Holme Oak - Trim all round by 60cm<br>T3 Holme Oak - Trim all round by 50cm<br>T4 - Crataegus Species - Fell<br>T5 - Prunus - Reduce from street light to<br>give 1.5m clearance and no more than 4m<br>clearance above neighbouring properties<br>T6 - Acer Species - remove limb back to<br>main union as shown in photograph                  |  | No Objection |

|                   |               |  |  |              |
|-------------------|---------------|--|--|--------------|
| 23/00378<br>/TWCA | Bishops Manor | Removal of deadwood from 1no cedar<br>tree |  | No Objection |
|-------------------|---------------|--|--|--------------|

**PH22/04/117**                      **Highways Report** – Clerk to write to Cllr Jackson re the 20 to plenty speed signs. Clerk confirmed that the reply to the STMP had been sent to Via and a meeting is to be set up.

**PH22/04/118**                      **Speeding on Halam Road-** To be included in the next meeting with Via. The interactive signs on Halam Road need to be moved nearer the edge to the town.

**PH22/04/119**                      **Neighbourhood Plan update – *noted***

**PH22/04/120**                      **Date of next meeting: 3 May 2023**

**PH22/04/121**                      **Items for discussion at next meeting-** UPVC double glazing letter

**Meeting Closed**                      **20.15**

**Signed**

**Chair of Planning**

**Date**

**Southwell Town Council considered application 23/00312/FULM Land at High Gables Lower Kirklington Road and agreed unanimously to object to this application for the following reasons:**

It is not compliant with the Southwell Neighbourhood Plan as follows:

#### **Layout.**

The layout is still very regimented with straight roads and a straight row of houses with similar roofs is presented to the NW facing boundary, albeit fairly well inside the site and shorter than before. It would give a very suburban feel to the development which is a gateway site between a rural environment and the town.

There is no evidence that Southwell Design guide SD1 and DH1 have been considered,

It doesn't retain the "important landscape feature" of the hedge in the centre of the site.

The affordable housing is still not scattered in accordance with NSDC Affordable Housing SPD paragraphs 3.14-3.16.

The play area is now a linear feature on the NW side of the site. There is no central open space to give a "sense of Place" to the development. (Policies DH1 & SS5 (ix).)

The District Council criticised tandem parking in the previous developer's application and in this layout, we have triple banked parking if we include the garage. This is likely to lead to on-street parking which the Town Council hopes to avoid as much as possible.

The garages are not large enough to take additional bicycle storage in accordance with the NSDC Residential Cycle and Car Parking Standards SPD? NCC Highways comment that some are not even big enough to count as car parking!

There are no bin storage areas marked (Southwell Design Guide Section 4)?

Concur with some NCC Highways criticism of aspects of the layout although I think that a footpath on the side of the road alongside the play area seems to be unnecessary.



NB NCC Highways object to the current situation due to traffic speeds but suggest traffic calming measures as a solution.

Finally, the access to the site will be a narrow cutting between high fences, a most unpleasant arrival point.

### **Built form.**

#### House Sizes

Although the percentage of affordable housing is correct, the percentages of different house sizes does not conform to Neighbourhood Plan Policy HE1, *nor the more up to date NSDC HNA 2020*.

The comparison table is below. It is accepted that the Neighbourhood Plan policy HE1 was derived from a Housing Needs Assessment (HNA) completed in 2013. A new HNA has recently been done to inform the Review of the NP which is on-going. It is stressed that this is not yet agreed policy but is illustrated here for comparison purposes.

|                          | Neighbourhood Plan | Redrow Proposal Market | Redrow Proposal Affordable | AECOM HNA 2022 | NSDC HNA 2020 Market need | NSDC HNA 2020 Affordable need | NSDC HNA 2020 Intermediate need |
|--------------------------|--------------------|------------------------|----------------------------|----------------|---------------------------|-------------------------------|---------------------------------|
| 1 or two bedrooms        | 40%                | 0%                     | 14%                        | 30%            | 6.6%                      | 0%                            | 6%                              |
| 1 or 2 bedroom bungalows | 20%                | 0%                     | 3.6%                       |                | 14.8%                     | 23.6%                         | 10.3%                           |
| 3 Bedroom                | 15%                | 32%<br>(3.5%)          | 12.5%                      | 70%            | 48.5%                     | 42.3%                         | 35.8                            |
| 4+ Bedroom               | 25%                | 37.5%<br>(66%)         | 0%                         |                | 24%                       | 0%                            | 35.8%                           |

NCC Highways have identified that Harrogate and Cambridge 3 bed houses have a Home Office” upstairs. They are actually marketed as four bedroom houses on Redrow’s website so the above figures are incorrect. 3 bed “market houses” are actually 3.5% and 4+ bed are 66%

### **Flooding**

In the flood risk assessment, the planners have used the data from the Department of Environment River and Sea risk assessment, which reflects in a zone 1. However, Southwell is only flooded by surface water and this results in low to medium. but there is a flood path flowing right through the middle of this site. This means the flood risk assessment is to a large extent erroneous and does not reflect the reality of the situation.

The Council concur with the comment of E Walker who is a senior member of Southwell Flood Forum

### **Traffic**

The traffic assessment states the majority of trips from the development will be carried out by pedestrians and normally it is assumed that any distances by walking are up to 1000metres.

The problem is the distances quoted are erroneous by up to 60%, eg Lowes Wong claimed 1000 metes actual measurement 1450 mts. Town Centre (Kings ST) claimed 1000mts actual 1600 mts, Co-op stores actual is 1200 mts, in addition the Minster School and Leisure centre are in excess to 2000mts. These figures are used for traffic assumptions which are therefore inherently erroneous

The traffic assessment further states that the site is accessible by modes other than the car. This is true but the car will be the dominant mode for journeys to the town centre, schools and wider destinations

Any additional increase in the traffic around Southwell will be hugely detrimental and journeys to the south,( Nottingham etc ,) will use either Queen Street or Newark road/Church Street . Both of these are problematical due to the already high volume of cars and buses and the parking on both sides of Church Street.

NCC highway say in their comments say that the traffic assessment does not address many issues raised on previous applications in particular access to and from Lower Kirklington Road and the speeds which are inherent in that area. This is a crucial as regards road safety, there need to be further discussion surrounding the access to and from the development.

| CASH POSITION BEFORE ANY PAYMENTS ARE MADE |                       |                                   |             |          | £             |            |
|--|-----------------------|-----------------------------------|-------------|----------|---------------|------------|
| CCLA Deposit Account                       |                       |                                   |             |          | £             | 295,000.00 |
| NatWest Current Account                    |                       |                                   |             |          | £             | 55,466.01  |
| Natwest Direct Saver                       |                       |                                   |             |          | £             | 101,076.00 |
| Natwest Car Park Account                   |                       |                                   |             |          | £             | 7,103.78   |
| Ref No                                     | Supplier A/c Name     | Analysis Description              | Amount      | VAT      | Invoice Total |            |
|  | STC                   | Net Wages                         | £ 11,635.20 |          | £             | 11,635.20  |
|  | STC                   | PAYE & NI                         | £ 2,968.39  |          | £             | 2,968.39   |
|  | STC                   | Pension                           | £ 3,880.74  |          | £             | 3,880.74   |
|  | Paybyphone            | Pending                           | £310.27     | £62.05   | £             | 372.32     |
|  | SSE Southern Electric | Temp car park lighting Nottm Road | £16.34      | £0.81    |               | £17.51     |
|  | SSE Southern Electric | Feeder pillar Market Place        | £ 71.92     | £ 3.59   | £             | 75.51      |
|  | Pay 360               | Card Transaction                  | £ 4.60      |          | £             | 4.60       |
|  | Unicom                | Cloud Voice and Broadband         | £ 187.00    | £ 37.40  | £             | 224.40     |
|  | Waterplus             | Burgage Southwell                 | £ 41.66     |          | £             | 41.66      |
|  | Waterplus             | Burgage Southwell                 | £36.88      |          | £             | 36.88      |
|  | Waterplus             |                                   | -£184.12    |          |               | -£184.12   |
|  | Waterplus             |                                   | -£184.12    |          |               | -£184.12   |
|  | Bramley Publications  | STC advert May                    | £ 530.00    | £ 106.00 | £             | 636.00     |
|  | Glasdon               | Seat Anchors                      | £ 51.79     | £ 10.36  | £             | 62.15      |
|  |                       |                                   |             |          | £             | -          |
|  |                       |                                   |             |          | £             | -          |
|  |                       |                                   |             |          | £             | -          |
|  |                       |                                   |             |          | £             | -          |
|  |                       |                                   |             |          | £             | -          |
|  |                       |                                   |             |          | £             | -          |
|  |                       |                                   |             |          | £             | -          |
|  |                       |                                   |             |          | £             | -          |
|  | Total                 |                                   |             |          | £             | 19,587.12  |
| Signature 1                                |                       |                                   | Date        |          |               |            |
| Signature 2                                |                       |                                   | Date        |          |               |            |